



Civic Centre, Riverside, Stafford

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Dear Members

Planning Committee

A meeting of the Planning Committee will be held on **Wednesday, 1 November 2023** 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.

A handwritten signature in black ink, appearing to read "I. Curran".

Head of Law and Governance

PLANNING COMMITTEE - 1 NOVEMBER 2023

Chairman - Councillor B McKeown

Vice-Chairman - Councillor A Nixon

AGENDA

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

Details of Delegated applications will be circulated separately to Members.

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5 Planning Applications	3 - 44
6 Planning Appeals	45 - 64

MEMBERSHIP

Chairman - Councillor B McKeown

B M Cross	D M McNaughton
F D J James	A Nixon
E G R Jones	M Phillips
P W Jones	J P Read
R Kenney	S N Spencer
B McKeown	

PLANNING COMMITTEE - 1 NOVEMBER 2023

Ward Interest - Nil

Planning Applications

Report of Head of Economic Development and Planning

Purpose of Report

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

		Page Nos
21/35275/FUL	Land at Former 55-57 Sandon Road, Stafford	5 - 15
	The application was called in by Councillor W J Kemp	
	Call in taken over by Councillor L Nixon	
	Officer Contact - Richard Wood, Development Lead Telephone 01785 619324	
21/33898/FUL	Red Lion Inn, Newport Road, Sutton	16 - 37
	The application has been taken over by Councillors M J Winnington and S Spencer	
	Officer Contact - Leon Carroll, Development Lead Telephone 01785 619184	
23/37948/HOU	Rose Cottage, Cresswell Road, Hilderstone	38 - 44
	The application was called in by Councillor F Beatty	
	Officer Contact - Sian Wright, Development Lead Telephone 01785 619528	

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:	21/35275/FUL
Case Officer:	Jessica Allsopp
Date Registered:	26 April 2022
Target Decision Date:	21 June 2022
Extended To:	N/A
Address:	Land At Former 55-57, Sandon Road, Stafford, Staffordshire
Ward:	Coton
Parish:	-
Proposal:	Development of 5 number 2 storey terraced dwellings fronting the corner of Sandon Road and Corporation Street
Applicant:	DPLUSD
Recommendation:	Refuse

REASON FOR REFERRAL TO COMMITTEE

This application had been called in by W J Kemp (former Ward Member for Coton) for the following reasons:-

- "1. On the grounds of overcapacity of the site.
2. Lack of sufficient carparking on site for proposed dwellings."

Call in subsequently taken over by Councillor L Nixon (serving Ward Member for Coton).

Context

The application site:

The application site forms a small parcel of land on the corner of Sandon Road and Corporation Street. The existing site is occupied by Benton Memorials and forms a modest operations building and small service yard for this commercial premises.

The site lies within Flood Zones 2 and 3 and within 8km of The Cannock Chase SAC.

The site falls within the Stafford Settlement Boundary.

The proposal:

The proposal seeks to gain planning permission for 5 new dwellings with associated landscaping.

For the purposes of this report the units will be referred to as 1-5, 1 being the unit adjacent to the access for Benton Memorials and 5 being adjacent to the site access for the application site.

Officer Assessment - Key Considerations

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) sets 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, The Plan for Stafford Borough Part 2 2011-2031

1. Principle of Development

Spatial Principle 3 of the plan for Stafford Borough requires the majority of development to be provided through the sustainable settlement hierarchy. The application site lies within the Stafford Settlement Boundary and as such it is considered that the application lies within a sustainable location for development.

The principle of this development is therefore considered to be acceptable subject to other material considerations being satisfied.

Policies and Guidance:-

National Planning Policy Framework (NPPF) - Paragraphs 8 and 11

The Plan for Stafford Borough (TPSB) 2011-2031 - Policies SP3 Sustainable Settlement Hierarchy, SP7 Supporting the Location of New Development, C5 Residential Developments outside the Settlement Hierarchy

2. Character and Appearance

Policy N1 of TPSB requires new development demonstrate a high standard of design which is considerate of local context, density and landscape. Consideration has therefore been given to the proposals visual impact upon the site and its setting.

The application site is viewed within the context of the Sandon Road and Corporation Street streetscenes. The site is bounded by residential development to the north, east and west and by a large industrial unit to the south-east. The residential development within the surrounding area has a prevailing style of long terraced properties which characterise the area.

The proposed development would form 5 terraced properties of varying scales and massing on a prominent corner plot. The development would front both Sandon Road and Corporation Street following the boundary of the site adjacent to the highway. The terraced form of the proposed development is in keeping with the character of the area and would respect the ridge heights and build lines along both streetscenes.

Despite the overall design of the development being in keeping with the surrounding area the built form of the development would result in over development of this plot. The plot is not large enough to accommodate 5 dwellings and would result in a cramped appearance

particularly to the rear of the application site where a small, shared garden space has been provided with minimal parking provision.

The dwellings individually would be significantly larger than the terraced properties within the surrounding area resulting in an incongruous and dominant addition to the respective streetscenes.

The proposed development would utilise a varied materials palette of facing brickwork and render which are both prevalent within the surrounding area. Although the use of varied materials to some extent breaks up the massing of the proposed development the overall scale and massing of the development it has not overcome the cramped appearance of the development on this narrow plot of land.

Considering the above, the proposed development, by reason of its overdevelopment of a narrow plot of land and size and scale of the dwellings, would result in a cramped and incongruous addition to the Sandon Road and Corporation Street streetscenes. The development as such is contrary to policy N1(h) of The Plan for Stafford Borough.

Policies and Guidance:-

National Design Guidance (NDG)

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. Amenity

Policy N1 of TPSB requires the design and layout of development to take account of noise and light implications and amenity of adjacent residential areas.

The application site is bounded by residential development to the north east, north west and south west. Although there would be no facing principle windows that would be impacted by the proposed development the bedroom windows to units 4 and 5 would overlook the private garden 59 Sandon Road at a distance of 8.5m. It is considered that this would result in an unacceptable loss of privacy to the occupiers of 59 Sandon Road.

It is noted that in unit three there is a bedroom with no external windows. This bedroom would not have sufficient light or ventilation and as such this would not be acceptable.

The dining room window serving unit 3 and the kitchen window serving unit 2 would be situated at a 45-degree angle from one another at a distance of 1.7m. The windows would provide direct outlook into one another. The Councils Supplementary Planning Document for Design requires facing principal windows to have a separation distance of 21m. As such these windows will significantly harm the privacy of the future occupiers of the proposed development.

Guideline 3 of The Councils Design Supplementary Planning Document requires 65 square metres of private amenity space to be provided for a three bedroomed dwelling.

This proposal provides one shared outdoor space for all five dwellings. As such it is not considered that sufficient private amenity space has been provided for each dwelling.

The Environmental Health Officer has suggested a number of conditions relating to working and delivery hours, burning, dust prevention, foul water drainage, noise mitigation, road sweeping and lighting. These conditions are considered to be appropriate to the scale of the development and would be added to any consent granted.

The proposed development would result in; the loss of privacy to the private amenity space serving 59 Sandon Road, harm to the privacy of the future occupiers of the proposed dwellings due to insufficient separation distances between facing principal windows and lack of adequate private amenity space the proposed development it has therefore not demonstrated that sufficient residential amenity standards could be achieved for the new dwellings within this plot or adjacent neighbouring dwellings. As such the development is contrary to Policy N1 (e) of The Plan for Stafford Borough.

Policies and Guidance:-

National Design Guidance (NDG)

National Planning Policy Framework (NPPF) - Paragraph 127

The Plan for Stafford Borough (TPSB) 2011-2031 - Policy N1 Design

Supplementary Planning Document (SPD) - Design

4. Highway Safety

Policy T2 of The Plan for Stafford Borough states that all new development must have a safe and adequate means of access and internal circulation; not have unacceptable highway safety impacts and provide sufficient parking provision.

Appendix B of TPSB sets different parking standards, with a 3 bedroomed dwelling requiring 2 onsite parking spaces. It also details that 1 space should be provided per four dwellings for visitors. The proposed development as such would require 11 onsite car parking spaces.

The proposed site layout details 5 onsite parking bays however the Local Highway Authority note that due to the bays requiring parallel parking the bays need to measure 2.4m x 6m to provide sufficient space to parallel park. The proposed bays are shown to be 2.4mx 4.8m in length and as such do not meet the standards set for parallel parking.

It is also noted that a gap of 1.75m is shown between the parking bays and the proposed dwellings at the pinch point on the edge of unit 5. This would not allow vehicles to pass through to the access into the site whilst cars are parked in the bays. The development also provides no space for turning areas or passing points despite a note detailing a turning area on the site plan. It is therefore not considered that the 5 parking bays shown on the plan can be provided. As such there is a lack of parking provision of 11 spaces for the proposed development.

A proposed new access is shown off Corporation Street to serve the new dwellings as the existing access would still be utilised for Benton Memorials for the retained operations

building. As the access is within 25m of a traffic signal a minimum width of 4.5m is required to be provided to ensure that no vehicles are waiting to turn into the access from the highway. An access width of 2.8m can be achieved in this location due to fencing along the boundary of the Sandyford Brook which runs along the south eastern boundary of the application site. As such it is not considered that a safe and adequate access into the site can be provided.

By reason of the width of the proposed access into the application site within 25m of a traffic signal it has not been demonstrated that a safe and adequate access can be provided into the application site. The development also fails to provide sufficient onsite parking provision and internal circulation due to the cramped nature of the application site. The development will therefore result in an increase to vehicles being parked on the public highway resulting in an increase to highway danger to users of the surrounding highway network. The development is therefore contrary to Policy T2 of The Plan for Stafford Borough.

Policies and Guidance:-

National Design Guidance (NDG)

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

Policy N4 (e) of The Plan for Stafford Borough requires no new development to be allowed for unless flooding risks can be properly managed.

A Flood Risk Assessment has been submitted within the Design and Access statement to supplement the application. The application has been considered by the Lead Local Flood Authority and the Environment Agency. It has not been adequately demonstrated that the proposed development would not result in an increased risk of flooding from fluvial and surface water sources.

Both the Environment Agency and the Lead Local Flood Authority have objected to this application on the basis of increased risk of flooding and lack of an adequate FRA submitted to supplement the application.

Policies and Guidance:-

National Planning Policy Framework - Section 14. Meeting the challenge of climate change, flooding and coastal change

The Plan for Stafford Borough - Policy N4 The Natural Environment and Green Infrastructure

6. Cannock Chase SAC

Policies N1 and N6 of TPSB state that development which has a direct or indirect adverse impact upon the integrity of the Cannock Chase SAC, and the effects cannot be mitigated, will not be supported.

Policy N6 of TPSB sets out that any development leading to a net increase in dwellings within a 15km radius of the Cannock Chase Special Area of Conservation (SAC) will be deemed to have an adverse impact on the SAC unless or until satisfactory avoidance and/or mitigation measures have been secured. The Council has adopted guidance acknowledging a 15km Zone of Influence and seeking financial contributions for the required mitigation from residential developments of 1 or more net units within the 0-15km zone. The proposal lies within the 0-8km zone of the Cannock Chase SAC and proposes 5 net dwellings, as such a financial contribution is required.

Under the provisions of the Conservation of Habitats and Species Regulations 2017, the Local Planning Authority as the competent authority, must have further consideration, beyond the above planning policy matters, to the impact of this development, in this case, due to the relative proximity, on the Cannock Chase SAC. Therefore, in accordance with Regulation 63 of the aforementioned Regulations, the Local Planning Authority has undertaken an Appropriate Assessment. The Council's Appropriate Assessment (AA) concludes that the mitigation measures identified within the Council's Development Plan for windfall housing sites, will address any harm arising from this development to the SAC.

No legal agreement has been undertaken as part of this application and as such no mitigation has been provided for this development and the development would therefore harm the integrity of the Cannock Chase SAC.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs 179-182

The Plan for Stafford Borough (TPSB) 2011-2031

N6 (Cannock Chase Special Area of Conservation (SAC))

7. Conclusion

Although the proposed development lies within a sustainable location within the sustainable settlement hierarchy it has not been adequately demonstrated that the other material planning considerations have been satisfied as detailed below.

The proposed development, by reason of its overdevelopment of a narrow plot of land and size and scale of the dwellings, would result in a cramped and incongruous addition to the Sandon Road and Corporation Street streetscenes. The development as such is contrary to policy N1(h) of The Plan for Stafford Borough.

By reason of the loss of privacy to the private amenity space serving 59 Sandon Road, harm to the privacy of the future occupiers of the proposed dwellings due to insufficient separation distances between facing principal windows and lack of adequate private

amenity space, the proposal has not demonstrated that sufficient residential amenity standards could be achieved for the new dwellings within this plot or adjacent neighbouring dwellings. As such the development is contrary to Policy N1 (e) of The Plan for Stafford Borough.

By reason of the narrow width of the proposed access into the application site within 25m of a traffic signal it has not been demonstrated that a safe and adequate access can be provided into the application site. The development also fails to provide sufficient onsite parking provision and internal circulation due to the cramped nature of the application site. The development will therefore result in an increase to vehicles being parked on the public highway resulting in an increase to highway danger to users of the surrounding highway network. The development is therefore contrary to Policy T2 of The Plan for Stafford Borough.

The development is a high risk of fluvial flooding from Sandyford Brook and the egress and access into the site by pedestrians and vehicles will be prohibited during times of flooding. By reason of the lack of detailed Flood Risk Assessment submitted to supplement this application, it has not been adequately demonstrated that the proposed development would not result in an increased risk of flooding from fluvial and surface water sources. As such the development is contrary to Policy N4 (e) of The Plan for Stafford Borough.

The proposed dwelling lies within the Zone of Influence of the Cannock Chase Special Area of Conservation. It has not been satisfactorily demonstrated that the development would not unacceptably impact on the ecological importance of this Special Area of Conservation. The proposal is therefore contrary to Policy N6 of The Plan for Stafford Borough Council and The National Planning Policy Framework.

It is therefore recommended that this application is refused.

Consultations

Highway Authority:

This application should be refused for the following reasons: -

- 1) The proposed access is substandard in that: the access is of insufficient width to accommodate vehicular movements at this location and the access driveway is too narrow to allow vehicles to pass.
- 2) The proposed development fails to make adequate provision for the parking of vehicles and cycles within the site curtilage resulting in an increase in the likelihood of highway danger due to the likelihood of vehicles being parked on the public highway.

Environment Agency:

In the absence of a satisfactory FRA we would support refusal of the application.

Lead Local Flood Authority:

Overall, and at this time, the LLFA considers that the proposed development site would be at a significant risk of flooding from fluvial and surface water sources over the lifetime of the development.

In addition, the LLFA believe that access and egress to the site would not be readily available during times of flood or heavy rainfall. As such, we would recommend that planning permission is not granted at this time for the reasons below.

Natural England:

No objection subject to appropriate mitigation being secured.

HEHS:

1. All works, including demolition, site works and construction shall only take place between the hours of 8.00 am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays.
2. 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. Delivery vehicles shall not park on the access highways to the site.
3. No burning on site during development.
4. All demolition materials shall be removed from site and properly disposed of.
5. Facilities shall be provided at the site and used when necessary for damping down to prevent excessive dust.
6. Road sweeping shall be carried out at regular intervals, both on the site and on the access highway to prevent excessive dust.
7. Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of occupied residential dwellings.
8. Screening shall be provided to the site to protect residential dwellings from exposure to excessive noise. Details of such work shall be agreed with the local authority and carried out before other works begin.
9. High intensity site lighting during works should be directed away from nearby residences.
10. Ensure that there is adequate surface and foul water drainage to the site and that this does not adversely affect any existing systems.

Neighbours (13 consulted):

3 responses: Material planning considerations summarised below:

- Flooding

- Highway safety in relation to access and parking
- Loss of light to neighbouring dwellings

Site Notice:

Expiry date: 14.06.2022

Relevant Planning History

None.

Recommendation

Refuse due to the following reasons:

1. The proposal, by reason of its overdevelopment of a narrow plot of land and, size and scale of the dwellings, would result in a cramped and incongruous addition to the Sandon Road and Corporation Street streetscenes. The development as such is contrary to policy N1(h) of The Plan for Stafford Borough.
2. The proposed development would result in; the loss of privacy to the private amenity space serving 59 Sandon Road, harm to the privacy of the future occupiers of the proposed dwellings due to insufficient separation distances between facing principal windows and lack of adequate private amenity space the proposed development. It has therefore not been demonstrated that sufficient residential amenity standards could be achieved for the new dwellings within this plot or in relation to adjacent neighbouring dwellings. As such the development is contrary to Policy N1 (e) of The Plan for Stafford Borough.
3. By reason of the narrow width of the proposed access into the application site within 25m of a traffic signal, it has not been demonstrated that a safe and adequate access can be provided into the application site. The development also fails to provide sufficient onsite parking provision and internal circulation due to the cramped nature of the application site. The development will therefore result in an increase in vehicles being parked on the public highway resulting in an increase to highway danger to users of the surrounding highway network. The development is therefore contrary to Policy T2 of The Plan for Stafford Borough.
4. The development is at high risk of fluvial flooding from Sandyford Brook and the egress and access into the site by pedestrians and vehicles will be prohibited during times of flooding. By reason of the lack of detailed Flood Risk Assessment submitted to supplement this application, it has not been adequately demonstrated that the proposed development would not result in an increased risk of flooding from fluvial and surface water sources. As such the development is contrary to Policy N4 (e) of The Plan for Stafford Borough.
5. The proposed dwelling lies within the Zone of Influence of the Cannock Chase Special Area of Conservation. It has not been satisfactorily demonstrated that the development would not unacceptably impact on the ecological importance of this Special Area of Conservation. The proposal is therefore contrary to Policy N6 of

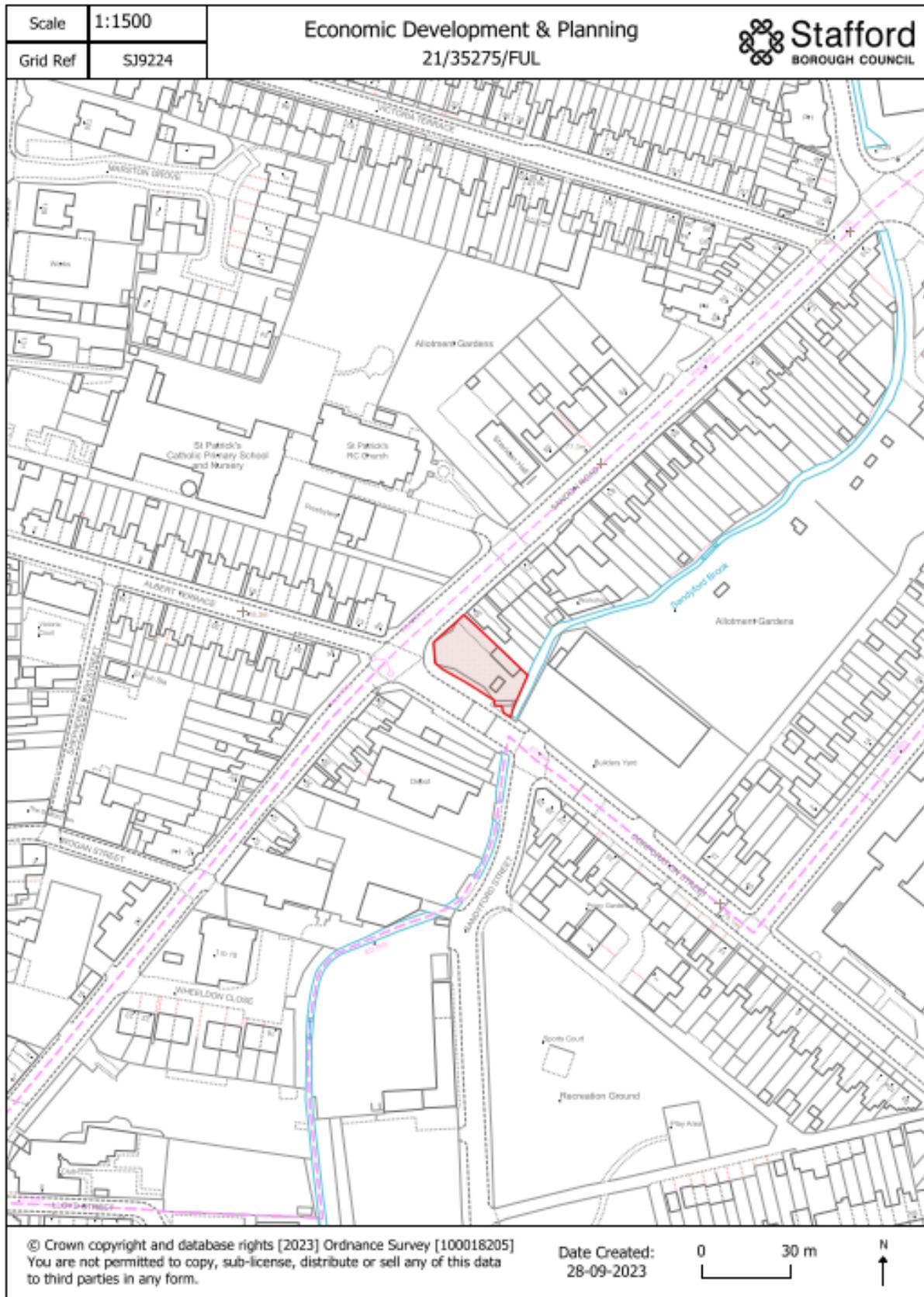
The Plan for Stafford Borough Council and The National Planning Policy Framework.

Informative

- 1 In dealing with this application, Stafford Borough Council has considered, in a positive and proactive manner, whether the planning objections to this proposal could be satisfactorily resolved within the period for determining the application, having regard to the policies of the development plan, paragraph 38 of the National Planning Policy Framework 2021 and other material planning considerations, and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. However, for the reasons set out in this decision notice, the proposal is not considered to achieve an acceptable and sustainable development.

21/35275/FUL

Land At Former 55-57 Sandon Road



Application:	21/33898/FUL
Case Officer:	Ike Dimano
Date Registered:	22 February 2021
Target Decision Date:	19 May 2021
Extended To:	N/A
Address:	Red Lion Inn, Newport Road, Sutton, Newport, TF10 8DQ
Ward:	Gnosall and Woodseaves
Parish:	Forton
Proposal:	Hybrid application for the change of use of the former public house into a single residential dwelling (site A) and for outline planning permission for the remainder of the site (site B) with all matters reserved except for access, to create 6 plots available for self-build/custom build properties
Applicant:	VanBrugh Construction Ltd.
Recommendation:	Refuse

REASON FOR REFERRAL TO COMMITTEE

This application call-in has been taken over by Councillors M J Winnington and S N Spencer (Ward Members for Gnosall and Woodseaves) for the following reason:-

"The site is outside the development hierarchy of the local Plan."

Councillor Spencer has subsequently withdrawn his call in.

Context

The site

The application site is located along the A519, within Sutton, on the south-eastern side, north of the junction with Fernhill Road.

The site comprises the former public house called The Red Lion and encompasses the former pub car park and beer gardens. The site is located within the small settlement of Sutton. The building is two storey with two front facing gables and single storey extensions to its front and rear.

The character of the surrounding area consists of traditional small-scale buildings, with pitched roofs, and which vary in age, design materials and are of no defined arrangement pattern.

The site lies outside of any settlement boundary and falls within the impact risk zone of a Site of Special Scientific Interest (SSSI).

The site is bounded by trees, hedges and timber fencing to its northern and southern boundaries. The eastern boundary is lined with hedges and shrubs while the A519 runs along the western side of the site.

The proposal

The proposal is for the change of use of the former public house into a single residential dwelling (site A) by means of a full planning application.

Additionally, the applicant seeks an outline planning application for the remainder of the site (site B) with all matters reserved except for access, to create 6 plots available for self-build/custom build properties.

This element will enable initial occupiers to choose a serviced building plot and to have primary design input into their home. The detailed design of each of the self-build dwellings will be considered through individual reserved matters.

The applicant has provided indicative drawings and images demonstrating how the site would accommodate the proposed dwellings.

The submission follows a decision by the applicants to amend previous drawings and reduce the number of additional units being proposed, from 9 to 6 houses. This followed concerns raised by officers with regards to affordable housing provision, drainage and site ownership.

Planning policy framework

Section 38(6) of the 2004 Planning and Compulsory Purchase Act and section 70 of the Town and Country Planning Act 1990, as amended, require decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for the purposes of this application comprises The Plan for Stafford Borough 2011-2031 Parts 1 and 2 (TPSB).

1. Principle of development

Officer assessment - Qualifying criteria for a rural exception site

Within The Plan for Stafford Borough (TPSB) Spatial Principle (SP) 3 defines the sustainable settlement hierarchy to include: Stafford, Stone, and the Key Service Villages (KSV's).

SP4 sets out annual targets for the distribution of housing development in order to achieve the scale of new housing identified in SP2; the majority (70%) is to be focussed within Stafford, 10% in Stone, 12% across the KSVs, and 8% in the 'Rest of Borough Area'.

SP7 states that development in areas which are outside of the sustainable settlement hierarchy (Rest of Borough Area) will only be supported where it is consistent with the objectives of SP6 and policy C5 in supporting rural sustainability.

SP6 gives priority to the rural sustainability of the Borough by protecting and enhancing its environmental assets and character by, amongst other things, promoting appropriate rural housing schemes to achieve sustainable communities.

The site is located on the boundary with the closest neighbouring property (Aqua View) and the proposed location of the building would be some 14m from its flank elevation. There are no shops and amenities within Sutton and as such, there is heavy reliance of motor vehicles amongst residents. The closest shops inclusive of a supermarket (Lidl) is located 3.2 miles away in Newport. The closest GP's practice is located 3.8 miles away from the application site. The closest train station is Oakengates Railway and is located 11.6 miles away. The closest primary School (years 5-11) is a 2.6-mile drive away from the application site.

At paragraph 78, the National Planning Policy Framework (NPPF) states that in rural areas planning decisions should be responsive to local circumstances and support housing developments which reflect local needs and, furthermore, that local planning authorities should support opportunities to bring forward rural exception sites which would provide affordable housing to meet identified local needs.

Sustainable development in rural areas is promoted under paragraph 79 of the NPPF, whereby housing would be located where it would enhance or maintain the vitality of rural communities. Opportunities should be identified for villages to grow and thrive, especially where this would support local services.

Site A - Conversion of existing public house to dwelling

Paragraph 80 of the NPPF states that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- (a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.
- (b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- (c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- (d) the development would involve the subdivision of an existing residential building; or
- (e) the design is of exceptional quality.

In this regard, the site would utilise a redundant building in line with (C) above and would secure the building's future thereby preventing potential harm to its setting should the building fall into disrepair.

In considering Policy C4 (Conversions) the provisions of policy C4 are:

Proposals to subdivide or convert existing dwellings and other buildings will only be permitted where all of the following criteria are met:

- a. The proposal does not lead to a concentration of such uses damaging to the character and amenity of a street or residential area; (residential use is being sought and would not be damaging to the character and amenity of the street and residential area).
- b. Does not necessitate associated extensions or external alterations inconsistent with the character and appearance of the property or its setting within the locality; (the nature of the proposed extensions would be in keeping with the character and amenity of the residential area).
- c. Provides satisfactory living accommodation in terms of size, amenity, facilities, private open space provision, appearance and general outlook; (the resulting accommodation would be satisfactory in terms of size, amenity, facilities, private open space provision, appearance and general outlook)
- d. Provides appropriate levels of on-site parking; (The two garages being provided are appropriate, in line with expectations of current parking standards.)
- e. Satisfactory sound proofing arrangements are incorporated within and between properties; (the building will be used as a single dwelling; existing sound proofing would be satisfactory)
- f. It would not involve the self-containment of basement areas or other parts of any property having inadequate light or low ceilings or which would result in a poor outlook from main windows; (the conversion would not involve the self-containment of basement areas or other parts of any property having inadequate light or low ceilings. It would not result in a poor outlook from main windows)
- g. It would make adequate provision for refuse storage; (existing waste and recycling facilities can be utilised. The site can comfortably provide for adequate refuse and recycling storage); and
- h. For the subdivision or conversion of existing dwellings, where the property is large enough a mix of unit sizes should be provided. (the conversion would provide for a single dwelling-house).

With regards to criteria set out in Policy C4, the proposal meets all of the specified criteria, and this element of the proposal (Site A) is therefore acceptable in principle subject to a full assessment of its impact on the local environment.

Site B - Construction of 6 self-build dwellings

The applicant is proposing 6 new dwellings comprising detached buildings, all of which will be affordable and provided as 4-bedroom properties.

These 6 dwellings would be provided as serviced plots for self-build.

The Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) places a legal duty on local authorities to keep a Register of individuals and associations of individuals (i.e, groups) who want to acquire serviced plots of land and to have regard to that Register when carrying out its planning, housing, land disposal and regeneration functions. The applicants have indicated that the proposal would also be for 6 self-build dwellings. Paragraph 62 of the National Planning Policy Framework supports self-build development. The council does not have a development plan policy that relates specifically to custom and self-build. It does not appear that the developer is recorded on the on the self-build and custom build register. However, there is

no mechanism such as a planning obligation, with which to secure the proposed development as self-build.

The applicant states that the scheme will enable young people to remain in the village and will also enable older people to downsize, therefore freeing up larger family homes.

The Council's Housing Officer advises that there should be a clear link therefore with the size and tenure of homes that are being proposed and the need that has been identified. It is necessary to understand what specific tenure of affordable homes these are proposed to be. This should directly link to the demand they are looking to meet.

With regard to the proposed development, the four provisions of policy C5A are considered in turn:

- a. The site is not adjacent to an existing settlement boundary.
- b. The proposed development would deliver x 100% affordable housing.
- c. Whilst this application for outline consent relates only to matters of principle and access the proposed development would deliver an element of specialist housing.
- d. It is not considered that the proposed development is supported by a definitive parish-based housing needs assessment.

Impact on heritage asset.

Under paragraph 200 of the NPPF 2021 any harm to a designated heritage asset requires clear and convincing justification. Where it is deemed that the harm is justified by balancing against the public benefits of a proposed development, then every effort should be made as part of the proposals to mitigate that harm as far as possible.

Under paragraph 203 of the NPPF 2021, "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".

The proposals are considered to result in less than substantial harm, to a degree of moderate harm, to the setting of the grade II listed Sutton House to the east and to the setting of Top Farm to the north-west (a non-designated heritage asset).

The development is therefore contrary to Policies N1, N8 and N9 of the Plan for Stafford Borough, and paragraphs 200, 202 and 203 of the National Planning Policy Framework 2021.

Conclusion

In summary, the application site lies outside of any settlement boundary and the proposal fails to meet all of the specified criteria as set out in Policy C5.

On this basis, it is not considered that the application site would qualify as a rural exception site and, therefore, the principle of development would be unacceptable.

Whilst the applicant has provided some evidence of need it is not considered that there is a demonstrable need for 6 houses in the rural communities, in accordance with the definition of a rural exception site as set out in The Plan for Stafford Borough.

The site would be unsustainable and would go against the grain of the National Planning Policy Framework (NPPF).

The proposed development fails to accord with Policy SP3, SP4, SP6 and SP7 and would be an isolated site in the countryside.

In this instance, there are conservation concerns to the proposals in its current form, by virtue of unsympathetic fenestration detailing for the conversion of the existing historic public house, and inappropriate scale, design, form, layout, and materials of the proposed new dwellings.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs: 7, 8, 10, 11, 7, 8, 10, 11, 60, 92, 129, 130, 200, 202 and 203.

The Plan for Stafford Borough

Policies: SP1 Presumption in favour of sustainable development; SP2 Stafford Borough housing and employment requirements; SP3 Stafford Borough sustainable settlement hierarchy; SP4 Stafford Borough housing growth distribution; SP6 Achieving rural sustainability; SP7 Supporting the location of new development; E2 Sustainable rural development; C1 Dwelling types and sizes; C2 Affordable housing; C3 Specialist housing; C4, C5 Residential proposals outside the settlement hierarchy

The Plan for Stafford Borough: Part 2

Policies: SB1 Settlement boundaries

2. Character and appearance

The Red Lion Inn has origins as a 17th century timber framed building, with an early 19th century northern wing and further 20th century additions added later. The timber framed part of the building has had much of its infill panels replaced sometime in the mid-late 20th century with modern brickwork; notwithstanding this the building retains much of its historic character and charm. Both some Georgian and Victorian sliding sash windows still survive in the early 19th century wing and appear to be in a reasonable state of repair. Whilst the building is not listed nor located within a conservation area it does make a positive contribution to the rural character of Sutton village.

Across the road to the west of the site is Top Farm, an attractive early 19th century farmhouse with a stone barn that is listed on the Staffordshire Historic Environment Record. In addition, to the east of the site is the grade II listed Sutton House – an 18th century farmhouse with associated barns (now converted for residential use). Due to the topography of the land Red Lion Inn is located in a raised position to the west of the listed former farmstead, and only 20m away from the non-designated heritage asset Top Farm. As such the application site is in the setting of these two heritage assets. In addition, the Red Lion Inn itself also has a degree of historic and architectural value.

The alterations would include: -

- Demolition of toilet block at front of site and replacement with double garage
- Demolition of rear extension and replacement with double height timber framed sunroom/ lounge
- Alterations and making good inclusive of rendering.
- Replacement of windows.

The applicants have revised the proposals since the original application submission. Conservation comments have been taken on board with certain design elements of the proposed conversion of the existing public house to a single dwelling. The existing historic sash windows are proposed to be retained, replacement windows are proposed to the lean-to extension and later rear elements. The new windows, although side opening casements as requested, comprise plain sheets of glazing, unlike the existing windows which include glazing bars which is in-keeping with the historic character and appearance of the property.

As previously requested, all new windows should be in painted timber with solid through timber glazing bars, double glazing is acceptable but should be of the slim line (10mm to 14mm thickness) or vacuum insulated glazing variety (Fineo, LandVac, Pilkington Spacia or similar).

The uPVC window to the front facing gable end of the timber framed part of the building is proposed to be retained, appearing unsympathetic and completely at odds with the character of the existing building and the conversion scheme as a whole. Ideally this window should be replaced with a painted timber side opening casement with solid glazing bars.

The changes to the main building still fall short of advice from SBC's conservation officer and as such are considered unacceptable.

In terms of the proposed dwellings, the submitted Design and Access Statement states that the number of dwellings proposed has been reduced from 9 to 6 as shown in the revised site plan 9741/PL104 Rev. F, received 10th Feb 2023.

The reduction in the number of houses is welcome in principle, however the layout is still uncharacteristic of the rural Sutton village. Furthermore, the house types shown in the site sections seem to be at complete odds with the historic character of the area. The Design and Access Statement highlights that most buildings in the area comprise of stone or brick, yet vertical timber cladding and tile hanging are proposed in the new dwellings.

The Design and Access Statement goes on to state that "The proposed development will follow this same style of simple, paired down architecture and will strongly reflect the overall agricultural character and feel of the surrounding area." Based on the submitted site sections this simply isn't the case, with the scale, design, form, layout, and materials of the new dwellings being in contrast with the prevailing rural character of the area.

Officers still consider that 6 detached dwellings is too dense for the site and against the pattern of development in Sutton village.

It is noted that each plot would provide a building, garden space and servicing (e.g. bin storage). Some of the plots will have “on-site” parking whilst others will utilise allocated parking within the site.

Overall and in its current form, the development should be refused due to its unsympathetic fenestration detailing for the conversion of the existing historic public house, and inappropriate scale, design, form, layout, and materials of the proposed new dwellings.

Policy C1 of The Plan for Stafford Borough states that new housing development must provide an appropriate mix of dwelling types, tenures, and sizes, including a proportion of affordable housing. In this instance, 6 four-bedroom detached houses are proposed. As such, it is not considered that the proposal would achieve a reasonable mix of house types across the site.

It is however not considered that the proposal responds appropriately to the existing built form in terms of its scale and density to complement the setting with regard to adjacent development.

There appears to be scope for storage space and access to bins and bicycles within the rear gardens, and these details could be secured in a future reserved matters application should outline permission be granted.

Policies and Guidance:-

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

The Plan for Stafford Borough
Policies: N1 Design; N8 Landscape character; N9 Historic environment

Supplementary Planning Document (SPD) - Design

3. Conservation and Heritage

Under paragraph 200 of the NPPF 2021 any harm to a designated heritage asset requires clear and convincing justification. Where it is deemed that the harm is justified by balancing against the public benefits of a proposed development then every effort should be made as part of the proposals to mitigate that harm as far as possible.

Under paragraph 203 of the NPPF 2021, “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”

The application site is within the setting of two heritage assets. Across the road to the west of the site is Top Farm, listed on the Staffordshire Historic Environment Record and to the east, the grade II listed Sutton House.

In determining the level of harm to the heritage assets it should be noted that ‘substantial harm’ is a very high test and is often reserved for where significance has been diminished

to such a degree that it is almost lost. Less than substantial harm can range from negligible harm to serious harm.

Whilst officers have identified that 'less than substantial harm' will be caused by the proposed development, it is considered in this instance this to be at the mid-high scale of 'less than substantial harm' in the realms of what could be described as moderate harm.

The proposals in their current form would cause less than substantial harm, to a degree of moderate harm, to the setting of the grade II listed Sutton House to the east and to the setting of Top Farm to the north-west (a non-designated heritage asset). The development is therefore contrary to Policies N1, N8 and N9 of the Plan for Stafford Borough, and paragraphs 200, 202 and 203 of the National Planning Policy Framework 2021. There is a conservation objection to the proposals in their current form.

4. Residential amenity

With regard to impacts upon the amenity of the occupiers of adjacent residential properties it is not considered that the window openings to the vacant public house building would result in undue loss of privacy and overlooking to occupiers of adjoining properties.

Page 12 of the design an access statement shows an indicative site location plan. It is noted that plots 1 to 3 would back onto the rear garden serving Aqua View to the south and as such there could be some mutual overlooking. However, this on its own is not considered to be so severe as to result in a refusal of planning. Consequently, it is not considered that the proposed development would result in any undue harm with regard to visual amenity or privacy in respect of existing residential properties.

It is acknowledged that private garden space would meet the minimum requirements of the SPD and that there would be adequate space within private gardens for the storage of appropriately screened bin storage areas which should be secured by condition on any approval. These issues would be further assessed within any future planning application.

The Council's Environmental Health Officer raises no objection to the proposed development, subject to conditions to ensure that construction is carried out in accordance with a specific Construction Environmental Management Plan.

Staffordshire Police advise that the proposed development is generally acceptable and that in particular the proposed development include aspects of natural Surveillance, lighting and to include physical security requirements contained within the Secured by Design Homes 2019 design guide.

In this instance, it is considered that the proposal would provide an acceptable standard of accommodation and layout.

Policies and Guidance: -

National Planning Policy Framework

Paragraphs: 130

The Plan for Stafford Borough

Policies: N1 Design

Supplementary Planning Document (SPD) - Design

5. Access and parking

The existing building would be accessed via an entrance directly off the A519. As shown on page 12 of the design and access statement, the proposed plots would be accessed from a single vehicular access, utilising the existing access from the Newport Road, and which served the car park of the public house.

Newport Road (Road No. A519) is an unlit A class road with a speed limit of 30mph. There is a narrow footway on the property side with a small grass verge strip on the opposite northern side of the carriageway. Sutton Lane (Road No. C0285) rear of the proposed site is a C class road with a speed limit of 30mph. The A519 connects Newport to the southwest with Eccleshall and Stafford in the northeast.

No visibility splay has been submitted with this application; however, this is an existing access which is not going to be altered. The Transport Statement describes visibility from the existing access to any oncoming southbound vehicles is estimated to be 39 metres. This visibility distance correlates with 85th percentile speeds of 28mph. The visibility splay to the south (oncoming northbound vehicles) is approximately 43 metres. Traffic movements in and out of the site would be substantially reduced due to the proposed development. In this instance, it would be required for visibility splays to be kept free of all obstructions to visibility so maximum visibility is achieved at all times.

The plans show that a two car garage would be provided to serve the main building. Whilst car parking information is not evident on the indicative site layout plan attached to the design and assessment statement, it would appear possible to accommodate two off-street car parking spaces within each plot.

Given the size of the plots and the layout the main building, it would be possible to provide adequate cycle parking and storage facilities in line with expectations of the development plan.

The highways officer has reviewed the proposal and raises no objections subject to appropriately worded conditions to protect other users of the highway.

Overall, it is considered that the access would be acceptable.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs: 107 and 108

The Plan for Stafford Borough

Policies: T1 Transport; T2 Parking and manoeuvring facilities; Appendix B - Car parking standards

6. Ecology and biodiversity

The application is supported by a preliminary ecological appraisal written by Haslam Ecology Wolverhampton. The report concludes that "The site is of low ecological value due to the lack of established semi-natural habitats. The building has been well maintained and does not contain features that are suitable to support roosting bats, although due to the low levels of artificial lighting and its semi-rural location, the site will be used by bats for foraging and commuting. The proposal will have a low impact on the ecological value of the site and surrounding area". The Council's Biodiversity Officer raises no objection.

The trees officer has raised no concerns with the proposals, stating that "no tree of significant value will be lost or damaged as a result of the proposed development". It is however important that adequate protection is provided to those trees shown as retained in the submitted arboricultural report.

These matters can be controlled by way of condition and reserved matters should the application be approved.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs: 8, 120, 153, 154, 174, 179, 180, 181 and 182

The Plan for Stafford Borough

Policies: N2 Climate change; N4 The natural environment and green infrastructure; N5 Sites of European, national and local nature conservation importance; N6 Cannock Chase special area of conservation

7. Drainage

The application site is situated in Flood Zone 1 and there are no known records of past flooding within the site.

The drawings propose to construct six new detached dwellinghouses on the site.

The Flood Authority has raised concern and objects to the proposal.

In this instance, it is considered that the information submitted is insufficient to demonstrate an acceptable drainage strategy. As such, the proposed development could present risks of flooding on-site and/or offsite 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.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 160, 167, 169.

The Plan for Stafford Borough
Policies: N2 Climate change

8. Planning balance and concluding comments

The proposed development is not considered to constitute sustainable development and should be refused. The application site is located outside of the development boundary and would result in isolated and unsustainable development. The indicative layout of the site appears cramped and uncharacteristic of the rural area. Given its siting, the development would result in a harmful impact on the setting of nearby heritage assets. As a result of an inadequate drainage strategy for surface water runoff, the development as proposed also presents a risk of flooding.

Consultations

Health and Housing Manager:
(Comments dated 30 June 2022):

Comments Re: Affordable Housing Provision

Thank you for the opportunity to comment on the implications for the development of this site in respect of affordable housing provision.

Affordable Housing Policy

The application is for 9 dwellings of which 5 will be affordable, provided as 2-bedroom terraced properties.

Housing Need, Type and Tenure

The evidence put forward by the applicant in relation to general rural need in England is acknowledged as are the needs set out in the 2020 Economic Development and Housing Needs Assessment for Stafford Borough. What it is necessary to understand is how this scheme meets the actual needs of the immediate area.

The applicant states that the scheme will enable young people to remain in the village and will also enable older people to downsize, therefore freeing up larger family homes. There should be a clear link therefore with the size and tenure of homes that are being proposed and the need that has been identified. It is necessary to understand what specific tenure of affordable homes these are proposed to be. This should directly link to the demand they are looking to meet. For example, those downsizing may have sufficient equity to purchase on the open market, so may not be eligible for affordable housing, or, they may be eligible for shared ownership, but not affordable rented products. Younger people may

be able to afford affordable rented products but may not be eligible for a 2 bed property (if they are a couple or single person) and therefore wouldn't be able to take up the letting.

Housing Size and Standards

Affordable housing must at least meet the standards recommended by the Homes and Communities Agency in terms of size (floor area) and rent level as well as other factors, which affect the work of Registered Providers.

It is recommended that sites not only provide a mix of bedroom numbers but also a mix of property sizes, able to accommodate more than the minimum persons. For example, some 2 bed homes may be expected to accommodate 4+ occupants rather than the minimum of 2.

It is preferred that any 1 bedroom accommodation contain a minimum of 3 habitable rooms, particularly in units designed for older people that are not part of flexi-care style scheme. Where a 2 or more bedroom affordable home is intended for rent, it is recommended that this is not delivered as part of flat/apartment units, particularly when based in rural areas. This is because such properties are unaffordable for single people or couples on benefits and are not favoured by Registered Providers as being the best environment for families with young children. The affordable housing on this development should provide a mix of properties to meet the identified needs of residents and must meet the identified design standards.

Housing Provider

The affordable housing should be provided by a provider of social housing as defined in Part 2 of the Housing and Regeneration Act 2008 who is registered with the Regulator pursuant to Section 116 of that Act.

Highway Authority:

(Comments dated 6 July 2021):

no objections on Highway grounds subject to the following conditions: -

1. No development (including works of demolition) shall take place including any works of demolition, until a Highways Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The statement shall provide for :-
 - A site compound with associated temporary buildings
 - The parking of vehicles of site operatives and visitors
 - Loading and unloading of plant and materials
 - Storage of plant and materials used in constructing the development
 - Wheel wash facilities
 - Times of deliveries including details of loading and unloading of plant and materials
 - Duration of works

2. The development hereby permitted shall not be brought into use until the layout and parking areas have been provided in accordance with Drawing No 9741/PL104 Revision E (Site layout as Proposed) and shall thereafter be retained as such for the lifetime of the development.
3. The development hereby permitted shall provide a minimum of 3m of tarmac from the edge of carriageway into the site access before any block paving is laid and shall thereafter be retained as such for the lifetime of the development.
4. Before any development commences, the land dedicated to Staffordshire County Council which fronts the site, the deed shall be released and transferred to a new landowner.

Informative:

Staffordshire County Council as Highway Authority would not formally adopt the proposed development, however, the development will require approval under Section 7 of the Staffordshire Act 1983. This Form X does not constitute a detailed design check of the proposed access road construction, drainage and any street lighting. The applicant is requested to complete the necessary Section 7 application forms and submit all drawings to Staffordshire County Council for formal checking prior to the commencement of development.

It will, therefore, be necessary for maintenance/management arrangements for the access road and internal layout to be submitted to the Highway Authority (Road Adoptions Team - road.adoptions@staffordshire.gov.uk) with a view to securing an exemption under Section 219 of the Highways Act 1980. Although the road layout will not be to adoptable standard, the roadways within the site will still need to be constructed to be 'fit for purpose'.

Note to planning officer:

This application is conditionally approved on the understanding that the land currently dedicated to

Staffordshire County Council is released to the landowner which will subsequently allow Plot 1 to be

constructed. Details showing indemnity from Stafford Borough Council to allow a refuse lorry onto private land will be required.

Biodiversity Officer:

(Comments dated 27 April 2021):

No objection.

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

Protected Species

Haslam Ecology undertook a Preliminary Ecological Appraisal during February 2021. The survey found no significant protected species issues.

Bats

Reasonable Avoidance Measures should be undertaken as stated in the report.

Mammals

Any trenches or excavations left open overnight should be provided with a means of escape.

Nesting birds

All wild birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981. This means that any works to shrubs or trees 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,

Habitats

Recommendations for habitat enhancement are set out in Appendix D of the report. Additionally, 2x Schwegler 1B bird boxes should be installed in appropriate locations. 1x internal bat brick/box should be installed in an appropriate location within the pub building gables and external lighting should avoid light spill on this area.

New hedgerow and shrub planting should be included in soft landscaping plans.

Conservation Officer:

(Comments dated 11 August 2023):

Objection.

- No conservation objection to the principle of converting the existing public house into a single dwellinghouse
- The Victorian and Georgian timber sash windows are shown to be retained on the submitted drawings, with the existing timber casement windows of the 20th century extension part of the building being replaced with powder-coated aluminium casements. It is suggested that these be substituted for side opening, painted timber casements with panes divided similarly with Georgian bar glazing bars to match the existing casement windows.
- New tall window with single sheet of glazing to the front elevation should be omitted; this is wholly out of keeping with the 17th century character of this part of the building and would look incongruous.

- The tall window should be substituted for either a door as existing or a standard window that does not encroach into the eaves of the lean-to.
- Any new windows be painted timber, side opening casements with panes divided similarly with Georgian bar glazing bars to match the existing casement windows.
- Existing window above the lean-to also be replaced with a painted timber, side opening casement.
- Instead of using render, that the developer considers using lime slurry which will prevent moisture from being trapped against the timber frame and will also give the building a softer appearance, with the vague shape of the bricks visible but their modern nature adequately disguised.

Lead Local Flood Authority:

Objection

Thank you for consulting us on this application for full planning permission. Our response is detailed below.

Staffordshire County Council Flood Risk Management position

Insufficient information has been submitted to demonstrate that an acceptable drainage strategy is proposed. We would therefore recommend that planning permission is not granted at this time.

Reason

The proposed development may present risks of flooding on-site and/or offsite 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 details of a drainage strategy and an assessment of flood risk. Our objection will be maintained until adequate details have been submitted.

Advice to applicant

Our criteria for an acceptable drainage strategy are laid out in full in the SCC SUDS Handbook, which can be downloaded from our website (<https://www.staffordshire.gov.uk/environment/Flood-Risk-Management/Information-for-planners-and-developers.aspx>).

In general, any surface water drainage scheme should demonstrate, but not necessarily be limited to, the following:

- Surface water drainage system(s) designed in accordance with the Non-technical standards for sustainable drainage systems (DEFRA, March 2015).
- Limiting the discharge rate generated by all rainfall events up to the 100 year plus climate change in accordance with the guidance in the SCC SUDS Handbook.

- Provision of surface water runoff attenuation storage.
- 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.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.
- 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.
- Provision of supporting information to demonstrate that sufficient water quality measures have been incorporated into the design. This should be in accordance with the CIRIA SuDS Manual Simple Index Approach and SuDS treatment design criteria.
- Evidence of compliance with the principles of the drainage hierarchy, as described in Part H of the Building Regulations. If applicable, evidence of infiltration testing in accordance with BRE365 should be provided. If discharge is proposed to a surface water sewer then evidence should be provided regarding permission to connect. Please re-consult us at flood.team@staffordshire.gov.uk when amended details are received. If you are minded to approve the application contrary to this advice, we request that you contact us again to allow further discussion.

Environmental Health Officer:

(Comments dated 14 April 2021):

No objection, subject to a condition to ensure that any development is carried out in accordance with a site-specific construction environmental management plan which shall first be submitted to and approved by the Local Planning Authority.

Full details of the proposed sewage treatment plant, including Environment Agency Registration or Permit Number, site of unit, design and projected loading of unit, together with final discharge point, shall be submitted to the Local Planning Authority. Only a scheme approved in writing by the Local Planning Authority shall be implemented at the site and shall be fully operational before the development is occupied.

Staffordshire Police Crime Prevention Design Advisor:

(Comments dated 27 April 2021):

The submission of the above change of use planning application is noted.

In broad terms, the layout should provide a development that is subject to a high degree of natural surveillance from the properties and will be perceived to be under the ownership and control of the residents. Combined with the lack of any through route, which might justify the presence of anyone, this should inherently deter negative interaction with the site by outsiders.

The parking provision will need to be well lit to aid natural surveillance and provide a safe place for residents. On a practical note, while 2 parking spaces have been provided for each property, the tight site has prevented some allocated spaces being provided adjacent or close to properties. This could prove inconvenient for certain residents, for example, when dealing with small children and bringing shopping in etc. Furthermore, where allocated spaces might ordinarily be directly outside respective houses, because of the layout configuration, this will not be the case. For example, plot 7 will have parking provision outside their property belonging to plots 4-5 rather than their own, and plot 8 will have parking provision outside their property belonging to plots 7 and 9 with theirs tucked in the corner. Under some circumstances this can result in neighbourly tensions and even conflict arising.

It is noted on page 8 (the last line thereof) of the Design and Access Statement that the applicant states that they provide appropriate crime prevention measures for new developments. While this may well be the case, the DAS does not indicate what these will be. To this end, from the viewpoint of Staffordshire Police and undoubtedly for the long-term benefit of the future residents, it would be highly desirable for the properties to meet the minimum physical security requirements contained within the Secured by Design Homes 2019 design guide (or latest iteration).

Specifically, this would be Early Intervention and Prevention Unit, external doorsets and ground floor/accessible windows, which have been tested and importantly, possess third party certification from a UKAS-accreditation body to a recognised manual attack resistant security standard. This would be a significant way in which the applicant could demonstrate they are seeking to design out criminal opportunity. Such third party certified doorsets and windows are widely available and provide a proven and demonstrable level of manual attack-resistance, whereas non-certified products offer no such assurance, and introduce an easily avoided and unnecessary vulnerability.

Historic England

(Comments dated 9 April 2021):

No objection subject to condition.

Thank you for your letter of 9 April 2021 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant. It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Trees officer:

(Comments dated 8 February 2021):

No objection subject to condition.

"I can confirm that no tree of significant value will be lost or damaged as a result of the proposed development. Therefore, I can confirm that I have no objection to the application. However, I would want to ensure the protection of those trees shown as retained in the submitted arboricultural report. Therefore, my lack of objection is dependent upon the inclusion of the following condition on any consent issued:

Tree Protection: All measures within the approved Marlow Consulting Ltd BS5837 Arboricultural Report relating to tree retention and protection, shall be implemented and maintained throughout development until completion of all construction related activity, unless agreed in writing with the Local Planning Authority.

Parish Council

(Comments dated 28 April 2021):
(Objection)

Having applied, prior to the sale, to have the pub listed as an asset of community value councillors observed the following:

- It is listed as a commercial property.
- The Property has been listed as a Community Asset of Value, if planning was granted it would cease to be a pub.
- The layout and scale of 10 properties in the immediate vicinity of the pub would increase the residential properties in that area by almost 50%.
- The proposed dwellings are of modern design and building materials.
- The increase in traffic on an already busy road with a dangerous junction would be hazardous.
- There are significant drainage issues in Sutton – all properties have septic tanks with run off down the lane.
- Plans refer to, but don't show a sewage treatment tank on site.
- If all car parking spaces are in use by residents, there will be no space for visitors.
- Whilst plans indicate that the pub had more traffic/cars than the proposed dwellings it was pointed out that many customers of the Red Lion were pedestrians.
- It is beyond the hierarchy of the local plan.
- It is urban not rural.
- There are no shops or bus service.
- The village only has a garage and a pub as local amenities.
- There is no school, no employment opportunities.
- The Council's own report states that the local housing need is not there.

Neighbours

(42 consulted): 44 representations received in objection, raising the following points:

- Loss of community asset.
- Inappropriate location for development.
- Not in keeping with existing development
- Difficulties with drainage within Sutton.
- No evidence of demand for property type with proposed location
- Highway safety concerns
- No reference to location of sewage treatment plant.
- Lack of adequate community amenities for future occupiers
- Loss of employment from loss of the public house.
- No provision for wastewater and sewerage disposal.
- Loss of light
- Loss of habitat due to loss of trees
- Viability report is irrelevant.
- Inaccuracies in documents submitted by applicants
- Loss of pub and proposed development will result in negative impact on the local economy, environment and social wellbeing within the locality.
- No requirement for affordable housing in Sutton
- No adequate footpath
- Impact on visual amenity from loss of trees and shrubs
- Development would result in undue noise disturbance

Site notice expiry date: 19 May.2021

Newsletter advert expiry date: 26 May 2021

Relevant Planning History

20/33036/PAA - Change of use from A4 pub to residential. Pending consideration

19/29838/PAA - Conversion of existing red lion pub into flats and conversion of existing associated land to create 10 number separate dwellings with associated works. Closed 28.01.2019..

88/22434/FUL - Formation Of Sitting Out Area and Play Area. Permit 14.12.1988

87/20163/FUL - New Internal Toilet Facility With Link Corridor And Emergency Exit. 20.05.

Permit 20.05.1987

Recommendation

Refuse due to the following reasons:

1. The proposed residential development would be situated within the open countryside outside of the Sustainable Settlement Hierarchy as defined by Spatial Principle 3 of the Plan for Stafford Borough. The applicant has failed to demonstrate that the proposed residential development cannot be accommodated within the settlement hierarchy or that it is required to meet a specific need identified through a Parish based Local Housing Needs Assessment. In the absence of such evidence the proposal represents an unsustainable form of development which would contribute towards a disproportionate amount of development taking place at a lower level of the sustainable settlement hierarchy. Consequently, the proposal conflicts with Policy C5A and undermines the spatial development strategy set out in Spatial Principles 3 and 7 of the Plan for Stafford Borough.
2. The proposals in their current form would cause less than substantial harm, to a degree of moderate harm, to the setting of the grade II listed Sutton House to the east and to the setting of Top Farm to the north-west (a non-designated heritage asset). The development is therefore contrary to Policies N1, N8 and N9 of the Plan for Stafford Borough, and paragraphs 200, 202 and 203 of the National Planning Policy Framework 2021.
3. The proposal by reason of its indicative layout, siting and massing would result in a development which would be cramped to the detriment of the amenities of future occupiers and at odds with the countryside character of the locality, as such the development would be contrary to policies N1 and N8 of the Plan for Stafford.
4. The proposed development would present risks of flooding on-site and of offsite by reason of inadequate drainage strategy for surface water runoff. As such the development would be contrary to policy N2 of the Plan for Stafford.

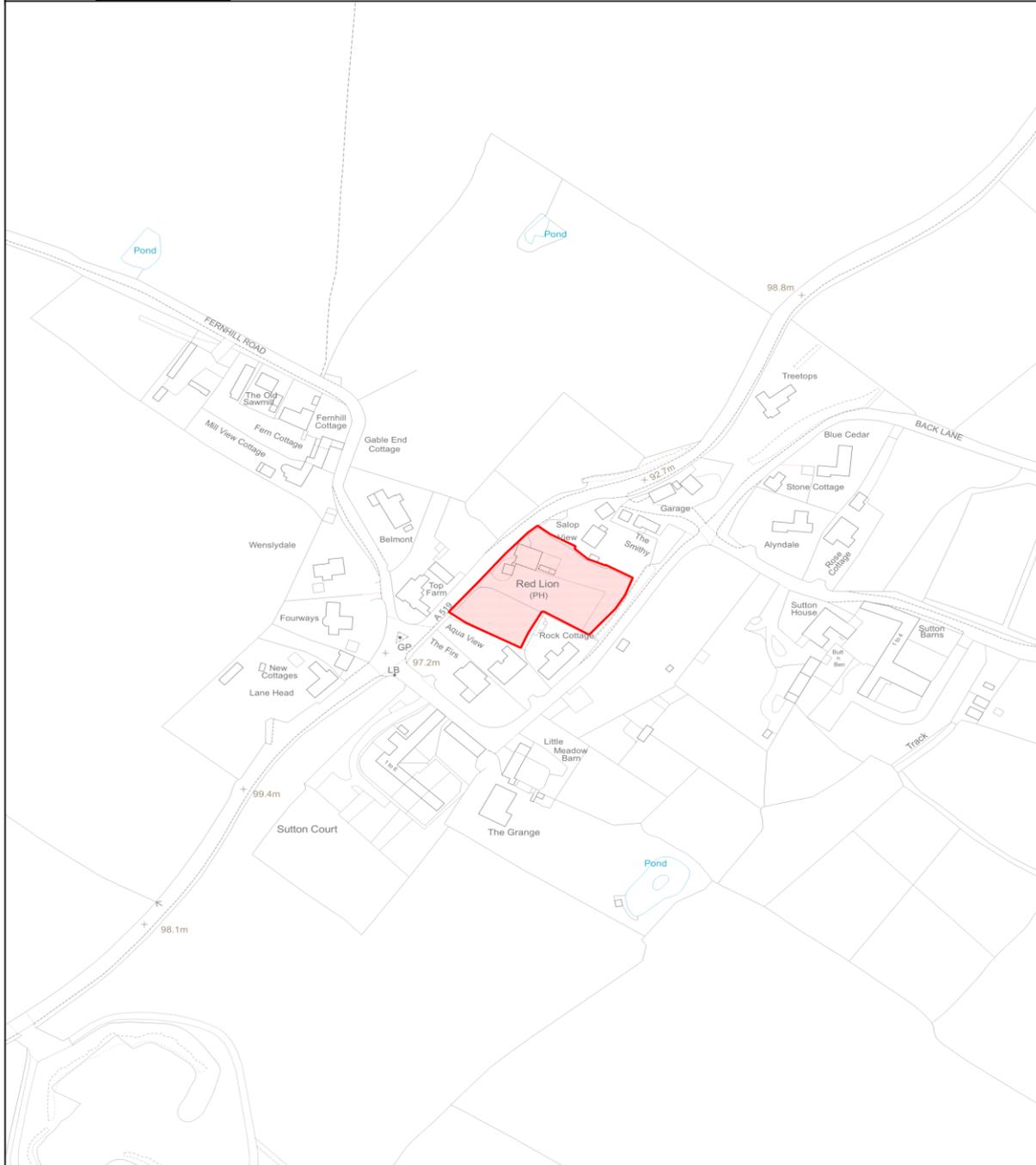
21/33898/FUL

Red Lion Inn

Newport Road

Sutton

Scale	1:2500	Economic Development & Planning 21/33898/FUL	 Stafford BOROUGH COUNCIL
Grid Ref	SJ7622		



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Application:	23/37948/HOU
Case Officer:	Jake Powell
Date Registered:	4 September 2023
Target Decision Date:	30 October 2023
Extended To:	N/A
Address:	Rose Cottage, Cresswell Road, Hilderstone, Stone, Staffordshire, ST15 8RF
Ward:	Milwich
Parish:	Hilderstone
Proposal:	Two Storey Extension
Applicant:	David and Hannah Heath
Recommendation:	Refuse

REASON FOR CALL-IN TO COMMITTEE

The application has been called in to be decided at planning committee by Councillor F Beatty (Ward Member for Milwich) for the following reason:-

1. The design and appearance of the proposed extension to Rose Cottage in combination with previous extensions and alterations is in keeping with and proportionate to the type and character of the existing dwelling and surrounding area (in the context of the relevant criterion within Policy C5 of the Plan for Stafford Borough)
2. Linked to the above due consideration be given to the Council's approval (in 2018) of a comparable scale extension to a dwelling close by to the north (Woodcutters) of similar character and appearance to Rose Cottage and ultimately ensure consistent decision making and associated application of development plan policy (Policy C5) The approved extension at Woodcutters resulted in a 183 percent increase to the original dwelling compared to the 176 percent increase as proposed at Rose Cottage Woodcutters had just a 4.6m² larger original floor area than Rose Cottage and the Council approved a 19.1m² larger floor area than is now proposed at Rose Cottage Whilst every application is considered on its merits there is comprehensive similarity here
3. The design of the proposed extension is of a high quality with its proposed form and materials being in keeping with the existing dwelling
4. The proposed extension would not have any material impact on other dwellings in the area

5. The proposal would incorporate the provision for homeworking within the property to cater for the fact that both applicants regularly work from home (with one of the applicants working running their business from home full time)
6. The design concept would serve to attenuate and defend the occupiers from the noticeable road noise along this busy section of Creswell Road hence the proposal would enhance residential amenity in this respect.

1.0 CONTEXT

The Application Site

The site comprises a detached two-storey cottage, set within a well-sized plot. The dwellinghouse is sited directly on the highway and is not separated by pavement, with the gable end of the dwellinghouse against the boundary. It should also be noted that Creswell Road does not benefit from highways verge on the section of highway directly parallel with the dwellinghouse.

The dwellinghouse consists of rendered facing walls and a tiled roof, and has previously been extended through the construction of a two-storey side extension.

To the north-east and south-west, the site shares a boundary with other residential properties, whilst to the east and west are open fields. Directly to the west of the site, the site is on the boundary of the North Staffordshire Green Belt.

The application site is located outside of a settlement listed in the Sustainable Settlement Hierarchy under Spatial Principle (SP) 3 of the TPSB and in policy terms is therefore considered as within open countryside.

Proposed Development

The application seeks permission for the construction of a two-storey extension. Given the siting of the principal elevation of the property, this extension would be constructed to the front elevation. The plans indicate that this extension would provide a large home office attached to the existing living room, and a 5th bedroom.

The plans indicate that this would be constructed in materials to match the existing dwellinghouse.

Planning policy framework

Section 38(6) of the 2004 Planning and Compulsory Purchase Act and section 70 of the Town and Country Planning Act 1990, as amended, require decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for the purposes of this application comprises The Plan for Stafford Borough 2011-2031 Parts 1 and 2 (TPSB).

OFFICER ASSESSMENT - KEY CONSIDERATIONS

2.0 PRINCIPLE OF DEVELOPMENT

The application site is located in the countryside outside of a settlement listed in the Sustainable Settlement Hierarchy under Spatial Principle (SP) 3 of the TPSB with their defined settlement boundaries set out under Policy SB1 and as shown on the associated Inset maps.

SP7 of the TPSB deals with the location of new development and at provision (ii) supports proposals which are consistent with the objectives of Spatial Principle 6 and policies E2 and C5 in supporting rural sustainability.

In particular, Policy C5 requires that in areas outside of the Sustainable Settlement Hierarchy the extension of an existing building should not result in additions of more than 70% to the dwelling as originally built, unless at provision (Cii), the design and appearance of the proposed extension is proportionate to the type and character of the existing dwelling and the surrounding area.

The original floor area of the dwelling measured 82.5m². The dwelling has previously been extended under permission 10/13899/FUL and 11/16353/HOU which resulted in an additional 82.55m² over the original floor area of the dwelling.

The proposal seeks to add a further 54.8m² resulting in a cumulative increase of 166.48% over the original floor area.

The proposal would be over the 70% threshold provided for under Policy C5(c) and for the reasons set out in Section 3 of this report (Character and appearance) the design and appearance of the proposed extension is not considered to be proportionate to the type and character of the existing dwelling and the surrounding area. The principle of development is therefore considered to be unacceptable.

Policies and Guidance:-

National Planning Policy Framework 2021 (NPPF)

Paragraphs 8 and 11

The Plan for Stafford Borough 2011-2031 (TPSB)

Part 1 - Spatial Principle 1 (Presumption in Favour of Sustainable Development), Spatial Principle 3 (Sustainable Settlement Hierarchy), Spatial Principle 7 (Supporting the Location of New Development), C5 (Residential Proposals outside the Settlement Hierarchy)

Part 2 - SB1 (Settlement Boundaries)

3.0 CHARACTER AND APPEARANCE

Policy N1 of the TPSB sets out design criteria including the requirement for design and layout to take account of local context and to have high design standards which preserve and enhance the character of the area. Section 8 of the Supplementary Planning Document on Design (SPD) then provides further detailed guidance on extensions and alterations to dwellings.

The application seeks permission for the construction of a two-storey extension. Due to the layout of the dwellinghouse, this extension would be situated on the principal and front elevation of the property.

With regards to front extensions, the Design SPD states that significant extensions projecting forward of the front elevation will not normally be permitted due to their effect on the streetscene.

The proposed extension would consist of a large gable fronting element of substantial width, sited to the front elevation of the property. The proposed extension would not be set down from the ridge line of the main dwellinghouse, and in conjunction with its width, would fail to appear clearly subservient. This would result in an extension which would dominate the front elevation of the property, appearing as the main architectural feature when viewing the principal elevation of the property. The proposed development would therefore not represent an extension which would appear proportionate and subordinate to the host dwellinghouse. In addition, via its construction, the proposed extension would result in the loss of the attractive existing appearance of the principal elevation of the dwellinghouse.

Furthermore, given the layout of the site, the proposed extension would be situated adjacent to Creswell Road. As outlined above, the proposed extension would fail to appear proportionate and subordinate to the main dwellinghouse, which would dominate the front elevation of the property, and result in an unacceptable impact on the character and appearance of the dwellinghouse. This impact is further compounded due to the siting of the extension in close proximity to the highway, with the proposed extension almost doubling the visual appearance of the north-western elevation appearing as an unduly prominent and incongruous addition within the street scene. The proposal would therefore result in an unacceptable impact to the character and appearance of the dwellinghouse and area.

Overall, the proposal would result in an unacceptable impact on the character and appearance of the dwellinghouse. The LPA does accept that, given that the dwelling is relatively isolated, there is no architectural character to uphold when considering the surrounding area. However, given that the size of the application property, which is located in the countryside in policy terms, would be 166.48% larger than originally built and have the appearance of a substantial dwellinghouse that would be unsympathetic to the character of the original dwellinghouse, and which would not be supported due to the resultant unacceptable impact on the sites visual appearance.

With regards to materials, it is acknowledged that proposed development would be constructed in materials to match the existing dwellinghouse. This is considered an appropriate design choice which would aid in the integration of the extension with the host property.

Policies and Guidance:-

National Planning Policy Framework 2021 (NPPF)

Section 12 - Achieving well-designed places

The Plan for Stafford Borough 2011-2031 (TPSB)

N1 (Design), C5 (Residential Proposals outside the Settlement Hierarchy)

Supplementary Planning Document - Design (SPD)

4.0 RESIDENTIAL AMENITY

Criteria (e) of Policy N1 of the TPSB and the SPD require design and layout to take account of adjacent residential areas and existing activities.

Considering the proposed development would be situated within a spacious plot, and away from neighbouring properties, Officers are satisfied that the proposal would not result in any technical breaches of the Local Planning Authority (LPA)'s amenity guidelines and that the proposal is considered acceptable in terms of residential amenity.

Policies and Guidance:-

National Planning Policy Framework 2021 (NPPF)

Paragraph 130

The Plan for Stafford Borough 2011-2031 (TPSB)

N1 (Design)

Supplementary Planning Document – Design (SPD)

5.0 HIGHWAYS AND PARKING

Appendix B of the TPSB require 3 car parking spaces to be provided for a 5 bedrooomed dwelling.

The plans indicate a designated area for parking, which would exceed the requirements of Appendix B of the TPSB. As such, it is considered that the proposed development would have an acceptable impact on highways and parking.

Policies and Guidance:-

National Planning Policy Framework 2021 (NPPF)

Paragraphs 108 and 109

The Plan for Stafford Borough 2011-2031 (TPSB)

Policies T1 (Transport), T2 (Parking and Manoeuvring Facilities), Appendix B - Car Parking Standards

CONCLUSION AND PLANNING BALANCE

Whilst the proposal would have an acceptable impact on the amenity of neighbouring properties, highways and parking, the proposed development would result in an unacceptable impact on the character and appearance of the site and surrounding area. As such, Officers recommend that the application is refused.

CONSULTATIONS

Neighbours:

(5 consulted): 0 representations received.

Relevant Planning History

10/13899/FUL - Two storey lounge/bedroom extension to cottage with a new roof with dormer windows. A brick front porch and a brick external chimney stack. New timber windows and a detached double garage. Approved 23.09.2010

11/16353/HOU - Two-storey side extension. Approved 17.01.2012

12/17681/HOU - Retention of a pitched roof detached garage. Approved 07.11.2012

Recommendation

Refusal for the following reason:

1. By virtue of the excessive scale and inappropriate position, the proposed two-storey front extension would appear as a prominent and incongruous addition, which would dominate the front elevation of the property. The extension would, cumulatively, also result in a substantial dwellinghouse which would be unacceptable in the countryside. The proposal would result in the wholesale change of the dwelling's appearance, resulting in undue impact to the architectural character of the application property. The proposal would therefore represent unsustainable development and cause undue harm to the character of the countryside, failing to accord with Section 12 of the National Planning Policy Framework, Policies N1 and C5 of The Plan for Stafford Borough and Section 8 of the Stafford Design SPD.

Informative

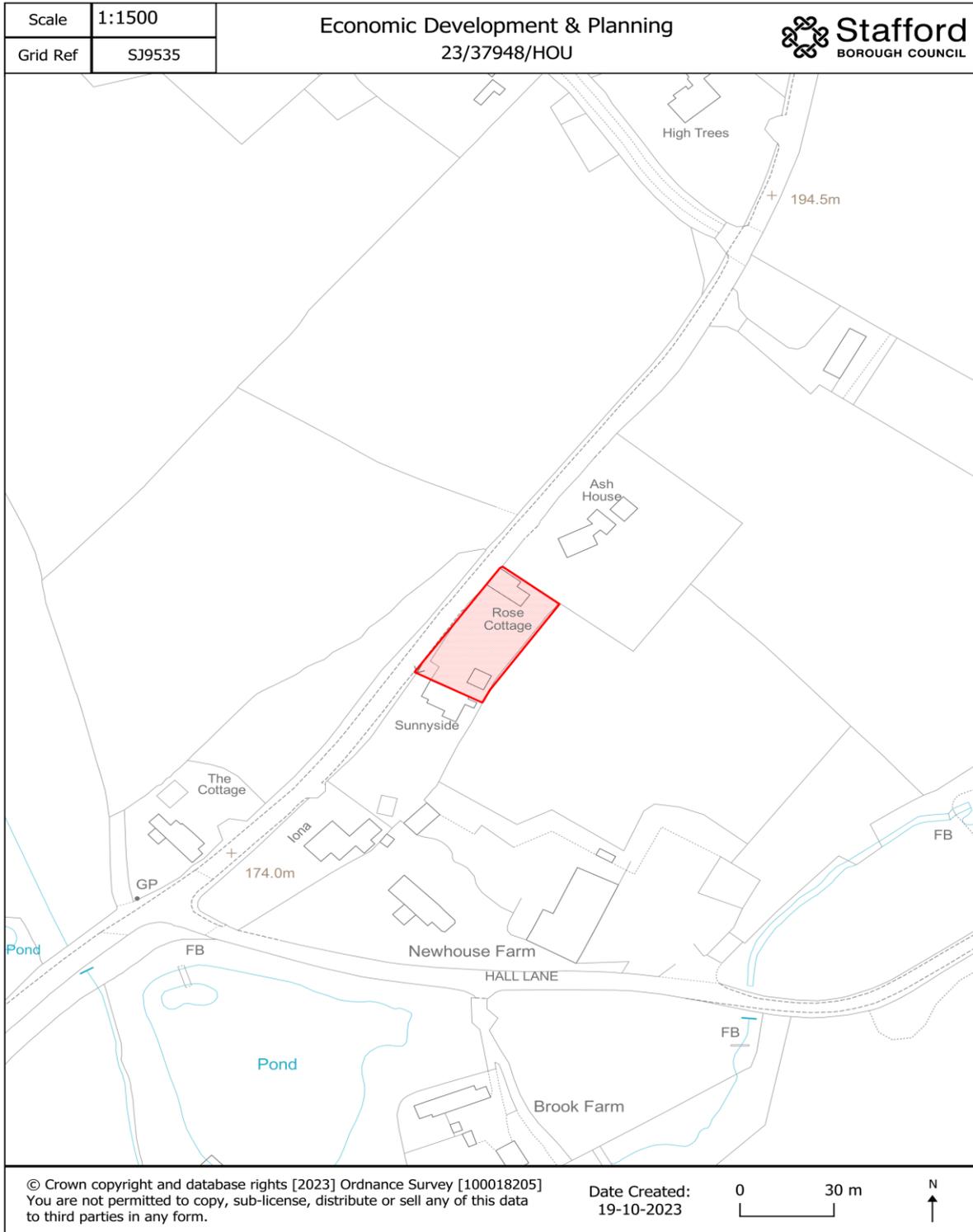
- 1 In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015, as amended, and the National Planning Policy Framework 2021, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.

23/37948/HOU

Rose Cottage

Cresswell Road

Hilderstone



 PLANNING COMMITTEE - 1 NOVEMBER 2023

Ward Interest - Nil

Planning Appeals

Report of Head of Economic Development and Planning

Purpose of Report

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

Notified Appeals

Application Reference	Location	Proposal
21/33778/FUL Delegated Refusal	Hillside Nurseries Leadendale Lane Rough Close	Replacement of existing ancillary residential accommodation
22/35480/FUL Delegated Refusal	Land To The West Of The Italian Gardens Tea Rooms Stone Road	The retention of five dining pods, a catering service unit and associated access and landscaping.
WKS2/00223/EN21 Enforcement notice issued	11 Trinity Gorse Trinity Fields Stafford	Unauthorised Operational Development
23/37040/HOU Delegated refusal	Chardry Ley Boat Lane Weston	Retrospective application for retention of unauthorised boundary wall
22/36909/FUL Non Determination	Stables Brancote Farm Tixall Road	Variation of Condition 2 (Plans) of permission 20/32528/FUL: Conversion of redundant cowshed to provide a single dwelling with minimal landscaping, external works and fencing to delineate plot boundaries

Application Reference	Location	Proposal
23/37689/LDCPP Delegated refusal planning permission required	Downside Garshall Green Stafford	Increase from 1 mobile home to 3 mobile homes
23/37530/HOU Delegated Refusal	Holmlea Marston Lane	Retrospective approval for change of design and window placement from planning approval 20/33423/HOU granted in March 2021 and permission for additional storey to original property

Decided Appeals

Application Reference	Location	Proposal
22/36901/HOU Appeal Dismissed	19 Berkeley Street Stone	Reinstate roof to existing garage structure, lift the roof eaves up to allow home office within roof space with rear dormer and rooflights to the front elevation.
22/36288/OUT Appeal Dismissed	Land At Burston Lane Burston	Outline application with all matters reserved - development of two self-build dwellings
23/36981/FUL Appeal Allowed	Stafford Rangers FC Astonfields Road Stafford	Installation of two rapid electric vehicle charging stations within the car park, three existing parking spaces will become EV charging bays, along with associated equipment
23/37124/HOU Appeal Allowed	Brockton View Slindon Road Slindon	Proposed single storey extension to garage
22/36276/FUL Appeal Dismissed	Farm Buildings Northwest Of Summerhill Milwich	Demolition of farm buildings and re-construction to form a single dwelling.

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Previous Consideration

Nil

Background Papers

File available in the Development Management Section

Officer Contact

John Holmes, Development Manager, 01785 619302



Appeal Decision

Site visit made on 5 September 2023

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd September 2023

Appeal Ref: APP/Y3425/D/23/3325678

19 Berkeley Street, Stone, Staffordshire, ST15 8LS

- 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 Mark Axon against the decision of Stafford Borough Council.
 - The application Ref 22/36901/HOU dated 13 December 2022, was refused by notice dated 4 July 2023.
 - The development proposed is reinstate roof to existing garage structure, lift the roof eaves up to allow home office within roof space with rear dormer and rooflights to the front elevation. Existing roof structural was removed by the previous property owner to validate Planning Approval to form new dwelling on the plot in 2007.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the determination of the application, and the submission of this appeal, a revised National Planning Policy Framework 2023 (the Framework) was adopted on 5 September 2023. The refusal reason references the Framework however, there is no specific assessment against the Framework within the Council's delegated report. It is not considered that this impacts upon the determination of this appeal given the main changes to the Framework.

Main Issue

3. The main issue is the impact of the proposal upon the host property, street scene and character and appearance of the area.

Reasons

4. The appeal site is an end of terrace dwelling. To the side of the dwelling is a vacant area which is understood to have originally been number 17 Berkeley Street with the planning history, outlined within the council's delegated report, confirming historic permission for new residential development on the site. The appellant confirms that the existing roof structure was removed, by the previous property owner, in order to validate planning permission for a new dwelling on the plot in 2007.
5. At the time of my site visit I noted that remains of the side and rear walls of the previous garage structure are evident, with the appellant having provided photographs, of the previous structure, as photograph ME1. The appeal proposal seeks permission for the construction of a new garage structure with a habitable room above to provide a home office. The Council confirm that the principle of reconstruction of a garage within the appeal site is acceptable and

note that the removal of the remaining structure and a replacement building could be an improvement to the character and appearance of the street scene. I have no reason to conclude differently on these elements, however, the proposal must still be acceptably designed taking into account the host property, the street scene, as well as the character and appearance of the site and surrounding area.

6. The appellant has noted an existing detached garage structure at 24 Berkeley Street (no. 24) as well as providing photographs (as ME2 and ME3 respectively). I note some similarity between that garage and the appeal proposal before me (such as the extensive roof massing), however, there are also some notable differences. The garage at no. 24 is adjacent to an access road which provides access to a courtyard to Berkeley Court Mews. As a result of this, the garage does not completely infill a gap between two terraced dwellings as would be the case with the appeal proposal before me. In addition, and most notably, the garage at no. 24 has a significant set back from the front elevation of its host property resulting in the garage structure being around a car length back from the street scene itself. I find that these factors assist in mitigating the impact of the garage at no. 24 on the end of the terraced row. I acknowledge the overall height and roof structure is comparable but the set back and gap to the right-hand side are not comparable to the proposal before me. Each case must be considered on its own merits.
7. The proposal within this appeal would, by comparison, result in the garage structure being level with the front elevation of the host property, with no set back, and would entirely fill the space available between 15 and 19 Berkeley Street. The proposal would also introduce a double garage door on the front elevation which, in the context of the wider street scene, would be an uncharacteristic feature within the terraced row. The ridge height of the garage would be comparable to the eave height of the host property, however, due to the fall in site levels (which results in the neighbouring property being at a slightly lower level) the ridge height of the garage would exceed the eave height of no. 15. The eave height of the proposal would be around 2.4 metres with an overall, maximum, height of 6.2 metres which would result in a large volume of roof massing which would result in a visually bulky and prominent feature in contrast to the host dwelling and within the middle of the terraced row and within the street scene.
8. I acknowledge that planning permission has historically been granted for a dwelling on the appeal site. I do not have copies of the previous permission details for that dwelling before me, but I would assume that a dwelling in this location would have been appropriately designed to continue the terraced row within similar design features, roof structure, proportions and fenestration which would allow the proposal to be viewed as an extension to the terrace running along Berkeley Street which would not result in visual contrast in the middle of the row. Whilst a dwelling would, evidently, result in greater overall scale and massing, I find that the proposal before me, as currently presented, would result in too strong a contrast within the street scene and would present as a prominent feature which would be uncharacteristic of the area. As a result of this I find the proposal would have an unacceptable impact on the character and appearance of the site and the surrounding area/street scene.
9. Overall, whilst I acknowledge the presence of the garage at no. 24, I find that the overall street scene is characterised by modest terraced dwellings which

share similar design features and fenestration. There are material differences between the appeal proposal before me and no. 24. The proposal would be contrary to The Plan for Stafford Borough 2014 Policy N1, which requires designs to have regard to local context and preserve and enhance the character of the area and Stone Neighbourhood Plan (2016 – 2031) Policy H2, which requires high quality design.

Other Matters

10. Comments regarding the handling of the application, in terms of general lack of communication, are noted but they are unfortunately outside the scope of this appeal. A lack of objection from local residents, service providers or any consultees is a neutral consideration.
11. I note that the appellant states that it is their view that the previous garage was uncharacteristic of the area as a result of likely construction prior to current planning policies. Any proposals to reconstruct the now dismantled, original, garage would be subject to a consideration of that case on its own merits at the point any planning application was made. It is not within the scope of this appeal to comment on whether or not the previous garage was uncharacteristic, as I can only consider the proposal before me, as submitted, taking into account the appeal site as it stands at the point of my inspection and writing of this decision letter.
12. I acknowledge comments in relation to control of rainwater and general drainage and the potential benefits of such system to avoid risk of water damage to house structures either side, however, the structural stability of the appeal site and adjoining structures are not a material planning consideration and are therefore outside the scope of this appeal.

Conclusion

13. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR



Appeal Decision

Site visit made on 1 August 2023

by H Smith BSc (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 September 2023

Appeal Ref: APP/Y3425/W/23/3316767

Land South of Burston Lane, Burston Lane, Burston, Stafford ST18 0DS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Mr John Donnelly against Stafford Borough Council.
 - The application Ref 22/36288/OUT, is dated 15 September 2022.
 - The development proposed is outline application with all matters reserved for the development of two self-build dwellings.
-

Decision

1. The appeal is dismissed and planning permission is refused.

Preliminary Matters

2. The appeal follows the Council's failure to determine the application (22/36288/OUT) within the prescribed period. However, the Council has indicated in its statement, that had it been in a position to determine the application, it would have refused planning permission. The substance of the Council's statement has informed the main issues of the appeal.
3. The planning application for the subject of this appeal was submitted in outline with all matters reserved for the construction of two self-build, detached dwellings. The matters of appearance, landscaping, layout and scale would therefore be for future consideration were the appeal allowed. I note that the footprint/location of the proposed dwellings is shown on the submitted plans, however the precise form and layout of the proposed dwellings would be determined at reserved matters stage were the appeal allowed. I have therefore determined the appeal on this basis.

Main Issues

4. The main issues are:
 - whether the appeal site would be a suitable location for housing, having regard to local and national planning policies;
 - The effect of the proposal on the character and appearance of the area, including whether or not the proposal would preserve or enhance the setting of the Trent and Mersey Canal Conservation Area and the effect on the setting of three Grade II listed buildings.

Reasons

Suitability of site location for residential development

5. The appeal site is a parcel of land located off Burston Lane in the village of Burston. Policy SP3 of The Plan for Stafford Borough 2011-2031 (2014) (Local Plan) sets out the settlement hierarchy for the borough and directs the majority of future development towards the towns of Stafford and Stone and the defined Key Service Villages. The appeal site lies outside of these areas and so Policy C5 of the Local Plan applies.
6. Policy C5 states that in areas outside the settlements identified in SP3, proposals for new residential development will need to meet the criteria listed in Policy SP7, together with all of the criteria listed within Policy C5. The criterion for Policy C5 is clear that it will need to be demonstrated that the residential development cannot be accommodated within the settlement hierarchy. In addition, it needs to be proven that the scheme will meet defined local housing needs.
7. Policy E2 of the Local Plan states that for rural areas outside the settlements identified in Policy SP3, support will be given to the achievement of rural sustainability by encouraging iv) proposals which meet the essential local development needs of a community, to be evidenced by the developer, and which cannot demonstrably be met within the settlements identified by Policy SP3 and in the context of criteria in Policy SP7; and x) residential development in accordance with Policy C5.
8. Whilst the proposed development would be sited close to existing housing, it is nevertheless outside of a defined settlement boundary and there is no evidence before me to demonstrate that the criteria listed within Policy C5 or Policy E2 have been met.
9. The appellant has indicated that the proposal would be for two self-build dwellings. Paragraph 62 of the National Planning Policy Framework (Framework) supports self-build development and I note that the Council do not have a development plan policy that relates specifically to custom and self-build. Although it is not clear from the evidence as to whether the appellant is on the Council's self-build and custom house building register, I have no reason to doubt their intentions. However, there is no mechanism before me to secure the proposed development as self-build, such as a planning obligation, and none which I could legitimately impose. Accordingly, the proposal would be for open-market dwellings within the countryside.
10. Turning therefore to the accessibility of the site, there are no day-to-day facilities within Burston, with the nearest shops and services being located a considerable distance from the appeal site. Therefore, although the appeal site is not isolated in respect of its relationship with the surrounding built form, it is located far from shops and services.
11. I observed during my site visit the lack of pavements and cycle paths in the vicinity of the appeal site, which would deter future residents from walking or cycling to access services and facilities. Public transport would also be infrequent in this locality. There would therefore be limited realistic alternatives to the private car to access everyday shops and services thus the appeal site is not in an accessible location.

12. For the reasons given, the proposal would not be a suitable location for housing having regard to local and national planning policy. It would conflict with the Council's settlement hierarchy and the sustainability aims of Policies SP3, SP7, C5 and E2 of the Local Plan. Collectively, these policies restrict development outside the defined settlements, and seek to ensure that new residential development in rural areas is directed to sustainable locations. In addition, the proposal would fail to accord with the Framework in respect of achieving sustainable development.

Effect on character and appearance and heritage assets

13. The appeal site is an undeveloped area of scrub grassland. It forms part of a wider field that backs onto the Trent and Mersey Canal Conservation Area. The site is also adjacent to three Grade II listed buildings; Burston Hall to the east, Burston Lodge to the north-east and Burston House to the north. The site itself has an open grassy appearance and makes a positive contribution to the rural character and appearance of the area.
14. The significance and special interest of the three listed buildings is derived, in part, from their age, their relevance to the historic evolution and rural history of the village, and their historic building fabric and attractive aesthetic appearance. This significance and special interest is further underpinned by the spaciousness and openness of their rural setting, which is contributed to in no small part by the appeal site.
15. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
16. The significance and special interest of the Trent and Mersey Canal Conservation Area (CA) is mainly drawn from its industrial archaeological importance and historic interest. This significance is further underpinned by its predominantly rural setting.
17. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area, to which I have attached considerable importance and weight.
18. The overriding character of existing residential development along the southern side of Burston Lane is that of properties abutting the lane on long narrow, linear plots. The tight-knit arrangement of the buildings and their strong street presence, with positioning close to and fronting the road, are features which contributes to the character and appearance of the area.
19. The appeal site is located on the southern side of Burston Lane. It is currently free from built form and creates a clear gap between Burston Hall and St. Ruffin's Church with a block of terraced dwellings located to the west of the church. The site also creates a clear gap between Burston Lane and the canal, which contributes to the canal's open appearance. Burston House is located directly opposite the site with clear views of the canal.
20. The proposed development would introduce two dwellings into this countryside location. Regardless of the site layout and positioning of the proposed

dwellings, the proposed plot sizes would be significantly wider and more spacious than much of the existing residential development on this side of Burston Lane. The proposal would therefore be out of keeping with the existing narrow plot sizes that is characteristic of the area. The proposed dwellings, hardstanding surfaces, and garden paraphernalia that would likely be associated with the proposal (such as garden furniture), would have an urbanising effect that would severely diminish the rural qualities of the site and its surroundings.

21. In addition, due to the open nature of the site, the proposal, whether single storey or two-storey, would appear visually prominent when viewed from Burston Lane or from the canal. As a consequence, the previously unobstructed gap, devoid of any built structures, would be eroded, thereby compromising the overall setting and visual integrity of the nearby heritage assets and the CA.
22. I acknowledge that the layout/position of the proposed dwellings is reserved and that landscape planting could be designed to provide some degree of screening. Nevertheless, the proposed development would still be visible from the surrounding area, including views from the canal and the nearby listed buildings.
23. Consequently, the proposed development would fail to preserve the setting of the CA, or the setting of the three Grade II listed buildings. As such, it would harm the significance of these heritage assets. Paragraph 199 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Given the scale and substance of the proposal, I find the harm to the heritage assets to be less than substantial in this instance, but nonetheless of considerable importance and weight. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against public benefits of the proposal.
24. The proposal is intended to be a self-build housing development that would contribute to the local housing supply and would add to the mix and range of residential accommodation in the locality. It would also provide some direct and indirect social and economic benefits, including employment during the construction period. However, given the small scale of the proposal, the provision of two additional dwellings would attract only limited weight as a scheme benefit.
25. The proposed development is intended to directly enable the delivery of a replacement waste management facility. Whilst this approach would take account of waste management solutions and would make provision for a new septic tank unit, nonetheless, there is no mechanism before me to secure such investment. Furthermore, the scale of the development proposal dictates that any benefit in this sense would be attractive of limited weight.
26. Accordingly, giving great weight to the conservation of the designated heritage assets, I consider that the less than substantial harm I have identified would not be outweighed by the scheme's public benefits when considered cumulatively.
27. Given the above, I conclude that on balance the proposal would fail to preserve the setting of the heritage assets, with associated harm to the character and

appearance of the area. As such, the proposal would conflict with Policies N1, N8 and N9 of the Local Plan. Collectively, these policies seek to ensure, amongst other things, that development conserves and enhances the significance of heritage assets, including their settings. In addition, the proposal would not accord with the policies of the Framework (Section 16) which seek to conserve and enhance the historic environment.

Other Matters

28. The appeal site is located within 15km of the Cannock Chase Special Area of Conservation (SAC). The appellant has submitted a statement of willingness as part of the application which refers to a willingness to make a financial contribution towards the Cannock Chase SAC. However, given my findings in respect of the suitability of location and the character and appearance of the area and its effect on heritage assets, it is not necessary for me to ascertain the appropriateness of the scheme or the necessity for mitigation within an Appropriate Assessment. Consequently, as I am dismissing the appeal for other reasons, I have not taken this matter further.

Conclusion

29. The proposal would conflict with the development plan as a whole, and there are no other considerations worthy of sufficient weight, including the provisions of the Framework, which would outweigh this finding. Therefore, I conclude that the appeal is dismissed and planning permission refused.

H Smith

INSPECTOR



Appeal Decision

Site visit made on 18 September 2023

by Chris Couper BA (Hons) DiP TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 September 2023

Appeal Ref: APP/Y3425/Z/23/3318432

Stafford Rangers Football Club, Astonfields Road, Stafford, Staffordshire ST16 3UF

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Stafford Rangers Football Club against the decision of Stafford Borough Council.
 - The application Ref 22/36757/ADV, dated 4 November 2022, was refused by notice dated 8 February 2023.
 - The advertisement proposed is described as a freestanding digital advertising and information sign for the display of static information and advertisements for the football club.
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Decision

1. The appeal is allowed and express consent is granted for a freestanding digital advertising and information sign for the display of static information and advertisements as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations, and the following additional conditions:
 - 1) The intensity of the illumination of the freestanding digital advertising and information sign permitted by this consent shall be no greater than 600 candela between sunrise and sunset, and 300 candela at all other times.
 - 2) The development hereby permitted shall have a minimum display time of 10 seconds between each advert. The interval between advertisements shall take place over a period no greater than one second and the complete screen shall change with no visual effects (including swiping, scrolling or other animated transition methods) between displays.

Background and Procedural Matters

2. The appeal is being pursued by Stafford Rangers Football Club ('the Club') in accordance with an email from their agent dated 10 May 2023. Although described as being 'for the football club', I understand that the proposal would be used for commercial advertising, but that the Club would have access to that space.
3. The Regulations are clear that powers should be exercised only in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors. I have considered the appeal on this basis, and I have framed the main issue accordingly.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The proposed advertisement would be sited close to the highway at the edge of the Club's car park. At around 3 metres high and 6 metres wide, and elevated on timber slats about 1.25 metres off the ground, it would be a large illuminated feature, which would be prominent in the streetscene looking eastwards along Astonfields Road.
6. However, in those views, it would be seen in the context of the vehicular dealerships on the opposite side of the road, which are much larger commercial buildings with an array of fascia signage and tall flag poles, as well as the existing building, floodlights, other structures and advertisements at the Club. In the wider area, I observed an industrial estate, along with other commercial premises further to the west along Astonfields Road, including a roofing yard and Volkswagen dealership, which also display a variety of signs.
7. Although there are nearby residential properties at Peter James Court, these are a little way beyond, and off-set to one side of, the site, with the proposed advertisement largely framed by a backdrop of tall trees and shrubs.
8. The proposal would be smaller compared to the combined size of the two advertisement hoardings which were previously allowed and displayed on the site, as illustrated by photograph number 2 in the appellant's statement of case. Unlike those former advertisements, and some existing advertisements nearby, this one would be illuminated, but in this predominantly commercial setting, it would not appear out of place, and it would not harm the character and appearance of the area.
9. In reaching that conclusion I have had regard to the stance in the National Planning Practice Guidance at ID: 18b-079-20140306 that the local characteristics of the neighbourhood should always be considered.
10. I have also considered Policy N1 of The Plan for Stafford Borough 2011 – 2031 (2014). Amongst other things, this expects proposals to take into account the local character and context of the area, and is thus material in this case. For the above reasons, the scheme would not conflict with that approach; nor with the similar stance at paragraphs 130 and 136 of the National Planning Policy Framework.
11. The consent is subject to the five standard conditions in the Regulations. Additionally, in the interests of the character and appearance of the area and highway safety, a condition is necessary setting out the maximum permitted illumination intensity. The Council has suggested that the luminance levels shall be no greater than 300 candela, whilst the appellant states that up to 600 candela should be permitted during daylight hours.
12. I have limited evidence on this matter, but having regard to the general advice in the Professional Lighting Guide 05 (PLG 05) Brightness of Illuminated Advertisements by the Institute of Lighting Professionals, and the details of a permitted advertisement at 27-34 Greyfriars (Ref: 17/25975/ADV), I consider

that the illumination levels set out at paragraph 7.9 and at Section 9 of the appellant's statement of case would be appropriate. In the interests of clarity, I have used the terms sunrise and sunset in my condition.

13. Finally, in the interests of highway safety, Staffordshire County Council has recommended a condition requiring that each advertisement shall have a minimum display time of 5 minutes, but I have no evidence in support of that particular interval.
14. Having regard to the time generally taken by drivers to travel along this stretch of road, and to the details of the permitted advertisement on the busy section of road at 27-34 Greyfriars, I see no cogent reason why a minimum 10 second interval would not be sufficient in order to prevent significant driver distraction.
15. For the reasons outlined above, and having regard to all other matters raised, the proposed freestanding digital advertising and information sign for the display of static information and advertisements would not harm the character and appearance of the area, and the appeal is therefore allowed.

Chris Couper

INSPECTOR



Appeal Decision

Site visit made on 3 October 2023

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2023

Appeal Ref: APP/Y3425/D/23/3325660

Brockton View, Slindon Road, Slindon, Stafford ST21 6LX

- 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 S Fox against the decision of Stafford Borough Council.
- The application Ref 23/37124/HOU, dated 15 February 2023, was refused by notice dated 15 May 2023.
- The development proposed is described as 'Proposed single storey extension to garage'.

Decision

1. The appeal is allowed and planning permission is granted for a single storey extension to garage at Brockton View, Slindon Road, Slindon, Stafford ST21 6LX in accordance with the terms of the application, Ref 23/37124/HOU, dated 15 February 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 03 Proposals plans; 04 Proposals elevations; and 05 Site location plan block plan.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The description of development given in my formal decision omits a word from the description provided on the planning application form and which is set out in the banner heading above. The omitted word, 'proposed', does not describe an act of development.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

4. The appeal site lies within the village of Slindon. It contains a detached double garage and storeroom which is sited forward of the front elevation of a modern dwelling, Brockton View. The existing garage is set behind a low brick front boundary wall that is separated from the carriageway of the adjoining highway by a wide grass verge containing a footpath. On one side of the appeal site is a dwelling with a detached garage that projects forward of the front elevation of that property. To the other side is St Chad's Church which is set back from the

road behind a low stone wall and fence, within an open graveyard. Mature trees, shrubs and hedges are located along the highway, including along the frontage of the Church and the adjoining property.

5. Slindon comprises a loose and sporadic ribbon of development, primarily in residential use, along the highway. Whilst the appeal building and the garage next door are a broadly similar distance from the highway, there is not a consistent building line within the village as several single and two storey buildings directly abut, or lie very close to, the public highway.
6. The proposal would add to the bulk and massing of the existing garage, would fill the gap between it and the front boundary wall, and would sit forward of the garage of the adjoining property. Accordingly, there would be an increase in its prominence. Nonetheless, the canopies of trees along the highway, would soften the presence and effect of the proposed extension in views upon approach in both directions, and would ensure that it would not appear intrusive or overly dominant in the street scene. The single storey height and limited footprint of the extension, and the narrowness of the elevation facing the road would also ensure that the front of the dwelling would not be dominated by the extended garage. Moreover, whilst it would project forward of the adjoining garage, due to the small scale of the extension and absence of a consistent building line, it would not create a visual imbalance that would be harmful to the character and appearance of the area.
7. Therefore, the development would not have an unacceptable effect on the character and appearance of the surrounding area. As such it would accord with Policy N1 of the Plan for Stafford Borough 2011-2031 which seeks to achieve development that is of high design standards, has regard to the local context and preserves and enhances the character of the area. In addition, it would accord with the design principles set out in the Design Supplementary Planning Document (2018) and the design aims of the National Planning Policy Framework set out at paragraph 130.

Conditions

8. In addition to the standard condition which limits the lifespan of the planning permission I have specified the approved plans for the avoidance of doubt and in the interests of proper planning. A condition relating to matching materials is also necessary to ensure that the appearance of the new development would be satisfactory.

Conclusion

9. For the reasons given above, having regard to the development plan as a whole and all relevant material considerations, I conclude that the appeal should be allowed.

Elaine Moulton

INSPECTOR



Appeal Decision

Site visit made on 18 September 2023

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th October 2023

Appeal Ref: APP/Y3425/W/22/3312985

Land off Summerhill, Milwich, Stafford ST18 0EJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr and Mrs Wheawall against Stafford Borough Council.
 - The application Ref 22/36276/FUL is dated 18 July 2022.
 - The development proposed is described as 'demolition of farm buildings and re-construction to form a single dwelling'.
-

Decision

1. The appeal is dismissed and planning permission for the demolition of the farm buildings and re-construction to form a single dwelling is refused.

Procedural Matters

2. Section 78 of the 1990 Act provides that an applicant may appeal if the Council has not given notice of its decision on a planning application within the statutory period (or within an extended period if agreed in writing).
3. In its statement the Council sets out that, had it determined the application, it would have refused it due to a conflict with the spatial strategy, and its impact on the character and appearance of the area. It is in that context that I have identified the main issues in this appeal.

Main Issues

4. The main issues are:
 - Whether or not the proposal would accord with the spatial strategy for the area, with particular regard to policies which seek to promote sustainable development; and
 - The impact of the proposal on the character and appearance of the area.

Reasons

Spatial strategy

5. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be

- made in accordance with the plan unless material considerations indicate otherwise.
6. In its first putative concern, the Council refers to Policies SP3, SP7 and C5 of The Plan for Stafford Borough 2011 – 2031 (2014) ('TPS'). Collectively and in general terms, in order to promote sustainable development, these seek to direct most housing to identified towns and key service villages, which are more easily accessible to services and facilities. Outside of these locations, they state that development will only be permitted where specific criteria are met.
 7. This includes, at Policy C5 Part A, demonstrating that the proposed housing will meet defined local needs, that the provision cannot be accommodated within the settlement hierarchy, and that it is high quality design that reflects the setting and character of the locality. At paragraph 11.17 it refers to Government policy which supports the-reuse of appropriately located and suitably constructed existing buildings in the countryside, where this would meet sustainable development objectives.
 8. The National Planning Policy Framework 2023 ('Framework') states at paragraphs 79 and 80 that isolated homes in the countryside should be avoided unless, amongst other things, the development would re-use redundant or disused buildings, and enhance its immediate setting; or there is an essential need for a rural worker to live permanently at or near their place of work in the countryside.
 9. The site lies in the open countryside, some distance from the nearest identified town or village. Even if the two farm buildings on the site are redundant as claimed, this scheme would involve their complete demolition, and the erection of a new building in their place. Having regard to TPS Policy C5 and paragraph 11.17, and the Framework, I have been presented with no evidence to demonstrate that the proposed house could not be accommodated within a settlement, and I have scant information to assess whether it would meet defined local needs, or the essential needs of a rural worker.
 10. In favour of their scheme, the appellants state that the existing farm buildings could be converted without planning permission under Schedule 2, Part 3, Class Q of the Town and County Planning (General Permitted Development) (England) (Order) 2015 (as amended) ('GPDO'). In support of that stance, they have provided drawing no. 20027/10 of a 'Class Q conversion', which they state represents a potential 'fallback'.
 11. I also understand that they have submitted a prior approval application for the conversion of the existing buildings to a dwelling under Class Q, but which has not been determined. However, whilst the GPDO sets out that a development under Class Q must not begin before the expiry of 56 days following the date on which the application was received, such a proposal must still comply with all the relevant limitations, including at Q.1, and the Council's failure to determine an application within that period does not mean that the development automatically amounts to a 'deemed consent' as claimed.
 12. Other than the above drawing, I have very little evidence in order to assess whether or not the existing barns could be converted to form a dwelling, in accordance with all the limitations and conditions in the GPDO. Consequently, whilst a potential Class Q conversion of the barns could be a fallback and thus

a material consideration, in this case, I give it only very limited weight in my decision.

13. In any event, to benefit from the permitted development right at Class Q of the GPDO, a change of use would involve only building operations reasonably necessary to convert the barns to a dwelling. As a result, this scheme, involving the erection of an entirely new structure, would be less sustainable in terms of its use of materials.
14. Whilst the appellants refer to Part C of TPS Policy C5, as that addresses extensions and alterations to existing buildings, it is not relevant to this scheme. For the above reasons, the scheme would amount to an unsustainable isolated dwelling in the countryside, which would not comply with the spatial strategy for the area, and it would clearly conflict with TPS Policies SP3, SP7 and C5; along with the approach at paragraphs 79 and 80 of the Framework.

Character and appearance

15. The site lies in an area of open countryside described by the appellants as very rural, and which is broadly characterised by scattered dwellings, barns and small farmsteads, set amongst fields and hedgerows with occasional coppices and areas of woodland. The existing, modestly proportioned and utilitarian agricultural barns on the site accord with that established local character.
16. The proposed dwelling would be significantly taller and would have a slightly larger footprint than the barns it would replace. Additionally, it would sit within a substantial curtilage including gardens, a driveway and a parking area. Whilst overgrown hedgerows and trees currently provide a degree of screening from the adjacent road, and the proposal would incorporate traditional materials and design features, given its scale and bulk, and the formalisation of this otherwise very rural countryside setting, the proposal would cause a modest degree of harm to the character and appearance of the area.
17. Turning to the potential fallback, the plans submitted with this appeal show that, in order to comply with the GPDO, the external dimensions of the barns would not be extended. Additionally, the dwelling would need to have a much smaller curtilage than that proposed here. Consequently, even if there is a fallback, it would not harm the character and appearance of the area to the extent of the proposal before me.
18. For the above reasons, the scheme would conflict with those parts of TPS Policies N1 and N8 which, amongst other things, and in general terms, require development to take account of, and be informed by, local character; along with the Framework's stance that schemes should contribute to and enhance the environment by recognising the intrinsic character and beauty of the countryside.

Other matters

19. The scheme would contribute a single unit to the supply of housing. I have limited information regarding the appellants' circumstances, but I am told that it would be occupied by them, thus enabling them to stay in the area, and live closer to their plant hire business. However, I have not been presented with a mechanism by which that could be ensured, and in any event, those personal circumstances would not persist in perpetuity.

20. Nevertheless, in these regards, and as a result of economic benefits during construction and from subsequent occupation, the scheme finds a degree of support from the Framework and the development plan. These are very limited benefits in its favour.

Planning Balance and Conclusion

21. I have found that the scheme would not comply with the spatial strategy for the area, and that it would also cause modest harm to the character and appearance of the locality. The scheme's very limited benefits would not outweigh the totality of the harm that it would cause. The scheme would conflict with the development plan, and it does not benefit from the Framework's presumption in favour of sustainable development.

22. Consequently, and having regard to all other matters, including a representation in support from a local resident, the appeal is dismissed and planning permission is refused.

Chris Couper

INSPECTOR