

Dear Members

Planning Committee

A meeting of the Planning Committee will be held on **Wednesday, 27 October 2021** at **6.30pm** in the **Craddock Room, Civic Centre, Riverside, Stafford** to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

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



Head of Law and Administration

PLANNING COMMITTEE - 27 OCTOBER 2021

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

A G E N D A

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

Details of Delegated applications will be circulated separately to Members.

	Page Nos
5 Planning Applications	3 - 110
6 Planning Appeals	111

MEMBERSHIP

Chairman - Councillor B M Cross

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

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

ITEM NO 5

ITEM NO 5

 PLANNING COMMITTEE - 27 OCTOBER 2021

Ward Interest - Nil

Planning Applications*Report of Head of Development***Purpose of Report**

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

		Page Nos
20/33371/FUL	Land off Little Tixall Lane, Lichfield Road, Great Haywood	4 - 51
	The application was called in by Councillor A R G Brown	
	Officer Contact - Richard Wood, Development Lead Telephone 01785 619324	
20/32899/FUL	Land North of Old House Farm, Kempsage Lane, Garmelow	52 - 75
	This application was considered by Planning Committee on 17 March 2021 who resolved that the application be referred back	
	Officer Contact - Sian Wright, Interim Development Lead Telephone 01785 619528	
20/33570/HOU	2 Green Park, Fulford, Stoke on Trent	76 - 85
	The application was called in by Councillor P Roycroft	
	Officer Contact - Sian Wright, Interim Development Lead Telephone 01785 619528	

		Page Nos
21/34119/FUL	Stafford Institute Billiards and Snooker Club, 10 Victoria Road, Stafford ST16 2AF	86 - 95
The application was called in by Councillor A N Pearce		
Officer Contact - Richard Wood, Development Lead Telephone 01785 619324		
20/33051/FUL	Bank Farm, Back Lane, Croxton	96 - 110
This item has been brought to the Committee because Councillor J M Pert is the applicant		
Officer Contact - Sian Wright, Interim 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:	20/33371/FUL
Case Officer:	Ed Handley
Date Registered:	25 November 2020
Target Decision Date:	24 February 2021
Extended To:	
Address:	Land Off Little Tixall Lane, Lichfield Road, Great Haywood
Ward:	Haywood and Hixon
Parish:	Colwich
Proposal:	Residential development of 117 dwellings
Applicant:	Lovell
Recommendation:	Approve, subject to the completion of a Section 106 Agreement and conditions

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor A R G Brown (Ward Member for Haywood and Hixon) for the following reasons:-

“The increase of proposed houses from 77 to 119 will result in increased traffic down Coley Lane, potential loss of green space and a strain on local amenities. As such this application needs to be brought before planning committee.”

(During the consideration of the application the scheme has been reduced to 117 dwellings).

Update since committee deferral

At the meeting on 1 September 2021 the Planning Committee resolved to defer this application to seek amendments to the design of the proposed development in relation to the following elements and to involve input from the Council's Design Advisor

1. Integration and linkage to the wider village and Marlborough Close.
2. Distances between windows and garden sizes with regard to the Council's Design SPD.
3. Improved structural planting within the site with regard to the street scene and the appearance of car parking areas, and to wider views of the development.
4. Consideration of the National Model Design Code.
5. Furthermore, clarification was requested on the density of the proposed development.

In response to the reasons for deferral the applicant has submitted the following revised drawings:

- Site plan. This highlights the following amendments:
 - Three gardens have been increased in size to ensure compliance with the Council's Design SPD; specifically plots 13, 86 and 96 would be equal to or greater than 65sqm in area.
 - The distance between frontages is a minimum of 16m; specifically between the following plots:
 - 73 and 117.
 - 19-20 and 65.
 - 30-31 and 61.
 - Block paving is proposed to parking areas to break up the use of tarmac and visually soften the parking areas which front plots 8-13, 16-18, 32, 33, 36, 37, 75-78 and 87-90.
- Soft landscaping plans to show 14 areas of additional shrubs planting.
- Materials plan to cross-reference with the revised site plan.
- Boundary treatment plan to cross-reference with the revised site plan. The applicant has annotated the drawing to indicate that they remain open to the treatment of part of the eastern boundary of the site where it abuts the Local Green Space (LGS9).

How the above amendments relate to the reasons for deferral are considered in turn below.

1. Integration and linkage

With regard to the qualities of connectivity and integration with the adjacent settlement area, it needs to be acknowledged that the opportunity to change the underlying spatial configuration and function of the layout has passed; the vehicular connection to the A51 and the closure of Little Tixall Lane have previously been approved and this application would not result in any variation to the approved layout in that regard.

The applicant has however put forward a flexible solution to the treatment of the boundary adjacent to LGS9 whereby the Committee could decide, should they resolve to approve the application, whether it would be more beneficial for this to be open or enclosed. It is considered that by eliminating a physical boundary in this location the scheme would provide for better connectivity between the existing residential areas and the proposed development whilst opening up public open space to neighbouring residents and future occupants. The applicant states that due to earlier concerns regarding water run off across the site a land drain along the western boundary was introduced. It is envisaged that this would comprise a 700mm wide gravel-filled trench with a 100mm perforated pipe laid at the bottom. The gravel would be left exposed at the surface and the proposed tarmac footpath at the southern end of the development would cross the trench. Should the boundary in this location be left open there would be a visual linkage between the existing residential areas and the proposed development and a formal footway would also link the two. Whilst the Committee may be minded to secure an alternative appropriate boundary treatment in this location it is recommended that this part of the boundary be left open to aid both visual and physical connectivity to the site.

2. Compliance with residential amenity guidelines

It is considered that garden sizes across the development are acceptable and meet guidance in the Council's Design SPD. Plot 6 remains the only plot which falls below the guidelines however this is already being built out under permission 19/30448/FUL and is within the northern part of the site which remains as approved.

The site complies with the provisions of the Council's Design SPD in relation to site frontages. Facing dwellings are set at a minimum distance of 16m with some variety across the proposed development, resulting in a balance of benefits in terms of privacy and visual amenity.

3. Landscaping

The use of block paving for frontage parking spaces would break up what otherwise would have been a visual mass of tarmac and the use of materials of a more domestic scale and texture.

Paragraph 131 of the NPPF states that trees make an important contribution to the character and quality of urban environments and that planning decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible.

Footnote 50, relating to paragraph 131, states that in specific cases there may be clear, justifiable and compelling reasons why the provision of tree-lined new streets would be inappropriate. Whilst no additional trees are proposed beyond the landscaping scheme previously put to the Committee it should be acknowledged that a significant number of trees of good stock would be planted within the ecological corridor. A total of 149 new trees would be provided across the site. It is noted that the general layout of the site is set by the earlier permission and there would be little space for additional street trees which may cause implications regarding highways maintenance should they be inappropriately located. It is considered that focussing tree planting within the areas of communal open space is a more appropriate approach to planting in this instance. The Council's Tree Officer raises no objection to the proposed landscaping scheme. A condition is recommended to ensure ongoing maintenance and replanting to replace any trees or shrubs which are lost within five years. Regarding the previous Tree Officer's comments in relation to application 17/25920/REM it is acknowledged that the proposed tree planting outweighs the loss of any existing trees within the site. The proposed tree planting is, on balance, considered to be acceptable in the context of paragraph 131.

4. National Model Design Code

The NPPF, as issued on 18 August 2021, states at paragraph 110 that the design of streets and parking areas should reflect current national guidance, including the National Design Guide (NDG) and the National Model Design Code (NMDC). The NMDC sets out design considerations which local planning authorities will be expected to take into account when developing local design codes and guides when determining planning applications. This site benefits from an extant permission for which there is no design code and on this basis it would now be inappropriate for the developer to be expected to follow a specific design code.

Furthermore, neither the site nor the surrounding area is subject to any design code. It is also considered that the NMDC is designed to lead the development of specific codes rather than provide general design guidance as with the NDG. Whilst it is acknowledged that the NPPF (paragraph 129) states that in the absence of locally produced design codes the NMDC should be used to guide decisions it must be noted that a model design code could not be rigidly applied to a specific site as the model code is not written having taken into account the various contextual elements of the site.

The NMDC makes reference to car parking provision, indicating that parking provision in suburbs (the lowest tier set out within the document) would likely be in-curtilage at the front or side of the property so that cars do not dominate the street. Car parking provision, where it forms rows fronting the street, would be broken up with planting or other access routes.

The NDG states that nature contributes to the quality of a place and is a critical component of well-designed places; natural features should include designed landscapes, public open spaces, street trees, and other trees, grass, planting and water. Some existing trees and hedges are incorporated into the proposed site whilst 149 new trees would be planted, at least a third of which would at maturity be prominent within the street scene. Through the middle of the site, and leading the form of the public open space, the ecological corridor would provide a significant amount of structural planting and an attenuation pond providing an element of water. It is considered that the proposed development comprises an appropriately landscaped scheme.

5. Development density

The approved housing density on this site is 15 dwellings per hectare. The development now proposed would have a density of 23 dwellings per hectare. Local policy refers to the need to ensure that development takes into account the density of the surrounding area. The density of development along Marlborough Close and Hazeldene is 24 dwellings per hectare. On this basis it is considered that the proposed development would result in the development having a similar density to the surrounding development and would subsequently complement the adjacent urban grain. This is considered to be acceptable with regard to the requirements of planning policy and best practice with regard to design.

Other matters

With regard to the recommendation, condition 2 has been amended to refer to the most recent revised drawings and one additional condition (20) has been included to ensure the ongoing retention and any necessary replacement of trees, shrubs and hedgerows within the site.

No additional comments have been received from Colwich Parish Council.

An additional two neighbour representations have been received in objection since the committee meeting, raising points relating to increased traffic, impacts on highway safety, capacity and scarcity of local services, drainage issues, impacts on residents during development, lack of electric vehicle charging points, increased pollution (emissions, noise, light), loss of open space and that the use of other brownfield sites should be considered first.

Summarised comments of the Council's Design Advisor:

- With regard to the qualities of connectivity and integration with the adjacent existing settlement area, it must be acknowledged that the opportunity to change the underlying spatial configuration and function of the layout has passed.
- A modified approach in how the green space within the development would connect and interact with existing green space to the southern end of Marlborough Close could bring a tangible improvement in how the proposed development relates to and functions with the adjacent settlement area.
- The removal of a physical boundary between these spaces would enable them to function as a shared, contiguous, open landscaped amenity space, whereas the space to the southern end of Marlborough Close currently functions as a relatively unattractive dead-end space. If it was more overtly joined with the proposed green space they would as a whole be far more likely to successfully augment the physical connectivity and potential social cohesion between adjacent places.
- The NPPF does not set out national standards/recommendations for density. The local planning authority is therefore to look to best practice to determine densities which support balanced and mixed communities. A key consideration from a design perspective should be whether the density and urban structure/grain of a new development reflects and reinforces the prevalent characteristics of its contextual built environment.
- Although a divergence from local conditions is not inherently unacceptable, it plays an important role in determining the eventual character and quality of new development and how than more widely affects the character and quality of the locality.
- Visually, the density appears relatively accordant with its host and any sense of the scheme's divergence or inappropriateness in its context may be more the result of the urban structure and pattern of the new development being somewhat divergent from the characteristics of the adjacent settlement area.
- Regarding density, the garden sizes and separation distances between properties are not a notably problematic aspect of the layout.
- In respect to the development's reflection of the 2018 National Design Guide, it should be acknowledged that the underlying spatial approach/layout of this proposal had already been approved prior to the production of that guidance document and therefore some of the underlying spatial qualities of the development could not be reasonably held accountable to that guidance. Where practical and relevant, design comments and recommendations have had in mind the guidance set out in that document.
- Regarding the provision of street tree planting within verges to the carriageway rather than within private gardens, it is acknowledged that doing this would potentially necessitate substantial modification of the proposed layout.

Summarised comments of the Council's Tree Officer

- The landscape proposals are acceptable.
- Can we ensure there is ongoing maintenance for at least five years to ensure establishment of the landscaping and replanting of new trees and shrubs should any die during this period.

Recommendation

Approve subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. This permission relates to the originally submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-

0300 01 (Location plan)
 301 14 (Site plan)
 0302 03 (House type 663)
 0303 03 (House type 859)
 0304 03 (House type 859 open plan)
 0305 03 (House type 912-S)
 0306 03 (House type 979)
 0307 03 (House type 980)
 0308 03 (House type 1015 rear garden)
 0309 03 (House type 1015 side garden)
 0310 03 (House type 1161)
 0311 03 (House type 1173)
 0312 03 (House type 1262)
 0313 03 (House type 1295)
 0314 03 (House type 1437)
 0315 02 (House type 1437 open plan)
 0316 03 (House type 1437 side bay)
 0317 03 (House type 2450 plans)
 0318 03 (House type 2450 elevations)
 0319 03 (House type 763)
 0320 03 (House type 789)
 0321 03 (House type 897)
 0322 03 (House type 912-D)
 0323 02 (Single garage)
 0324 02 (Shared double garage)
 0325 01 (Double garage)
 0328 14 (Materials)
 0329 08 (Boundary treatments)
 P17-0908_01-G (Soft landscape 1 of 4)
 P17-0908_02-G (Soft landscape 2 of 4)
 P17-0908_03-G (Soft landscape 3 of 4)
 P17-0908_04-C (Enhanced LEAP 4 of 4)
 AAC5444 600 P04 (Engineering concept - 117 plots)

3. Other than the access, internal road network and plots 1-7 and 103-117 no development shall take place unless and until a detailed surface water drainage design has been submitted to and approved in writing by the Local Planning

Authority. The development shall thereafter be carried out in accordance with the approved details. The design shall demonstrate:

- 1) Surface water drainage system(s) designed in accordance with the non-technical standards for sustainable drainage systems (DEFRA, March 2015).
- 2) SuDS design to provide sufficient water quality treatment, in accordance with the CIRIA SuDS Manual Simple Index Approach and SuDS treatment design criteria. Mitigation indices are to exceed pollution indices for all sources of runoff.
- 3) Limiting the discharge rate generated by all rainfall events up to the 100 year plus climate change to the agreed 8.2l/s as outlined in the preliminary engineering concept.
- 4) 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 shall demonstrate the performance of the designed system for a range of return periods and storm durations, to include as a minimum the 100-year plus 40% climate change and the 30-year return periods.
- 5) Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system, including pump failure where applicable. Finished floor levels shall be set higher than ground levels to mitigate the risk from exceedance flows.
- 6) Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water drainage systems are maintained and managed for the lifetime of the development. To include the name and contact details of responsible parties.

4. Except for plots 1-7 and 103-117 the glazing and ventilation performance of each dwelling shall comply with the requirements of paragraph 11.2.2 and table 11 of the Noise Risk Assessment and Acoustic Design Statement reference 21307-1 and dated 15 December 2020.
5. No development shall take place, except for the access, internal road network and plots 1-7 and 103-117, unless and until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved CEMP.
6. The development shall be carried out in accordance with the Ecological Construction Method Statement/Environmental Management Plan, reference edp4233_r005c, dated April 2021.
7. No dwelling shall be occupied, except for plots 1-7 and 103-117, unless and until a hard and soft landscaping scheme, which is broadly in accordance with the approved plans has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details. The scheme shall also include a programme of works, a hedgerow along the eastern boundary of the site, and details of the proposed means of enclosure and hard surfaced areas.
8. No piling or drilling works shall be carried out, except on plots 1-7 and 103-117, unless and until details of any such works together with a timetable for the carrying out of the works has been submitted to and approved in writing by the Local

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

9. The agreed off-site highway works shall be constructed in accordance with the approved plans prior to the development first being brought into use:
 - i) Provision of junction off A51;
 - ii) Provision of bus stops;
 - iii) Realignment of Little Tixall Lane;
 - iv) Provision of junctions on Little Tixall Lane; and
 - v) Provision of footway on Little Tixall Lane.
10. No further road and drainage infrastructure work shall commence, except for plots 1-7 and 103-117, unless and until details have been submitted to and approved in writing by the Local Planning Authority indicating all road construction, street lighting, drainage including longitudinal sections, and a satisfactory means of draining roads to an acceptable outfall to SuDS principles. The development shall thereafter be constructed in accordance with the approved details.
11. No individual dwelling shall be occupied, except for plots 1-7 and 103-117, unless and until the parking and turning areas associated with that dwelling have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained as such.
12. The garages hereby permitted shall be retained for the parking of motor vehicles and cycles, and storage purposes wholly ancillary to the associated dwellinghouse. No garage shall at any time be converted to living accommodation without the prior permission of the Local Planning Authority.
13. Other than plots 1-7 and 103-117, no dwelling shall be occupied unless and until the pedestrian and cycle routes shall be provided in accordance with the approved details and they shall thereafter be retained.
14. The Travel Plan (Beacon Transport Planning, dated October 2020, revision A) shall be implemented in accordance with the timetable set out in that plan. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually, on each anniversary of the date of this permission for a period of five years from first occupation, to the Local Planning Authority for approval.
15. No development shall take place, except for the access, internal road network and plots 1-7 and 103-117, unless and until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The approved CMS shall be adhered to throughout the construction period. The statement shall provide for:
 - i) Site compound with associated temporary buildings;
 - ii) Parking provision for vehicles of site operatives and visitors;
 - iii) Loading and unloading of plant and materials;
 - iv) Storage of plant and materials to be used in construction;
 - v) Wheel wash facilities; and
 - vi) Routing and access of deliveries.

16. No vegetation clearance shall be undertaken in the bird nesting season (March to August), unless it can first be demonstrated by the developer that breeding birds will not be affected through the submission of and approval in writing by the Local Planning Authority of a method statement for the protection/avoidance of nesting birds. The development shall thereafter be carried out in accordance with the approved details.
17. No dwelling shall be occupied, except for plots 1-7 and 103-117, unless and until bird boxes have been installed in appropriate locations in mature trees around the site in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.
18. Any excavations, which are left open overnight during construction works, shall be provided with a means of escape suitable for badgers, hedgehogs and other mammals.
19. Any external lighting shall be designed to avoid light spill on all existing hedgerows together with those proposed as part of any landscaping scheme secured under this permission.
20. No dwelling shall be occupied, except for plots 1-7 and 103-117, unless and until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. The development shall thereafter be carried out in accordance with the approved schedule. Any plants or trees that are removed or die or become seriously damaged or diseased within a period of 5 years from the date of planting shall be replaced with others of similar size and species in the next planting season, unless the local planning authority gives written consent to any variation.

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

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.
3. To prevent the increased risk of flooding both on and off site (Policy N2 of the Plan for Stafford Borough).
4. To safeguard the occupiers of the approved dwelling(s) from undue noise. (Policy N1e of The Plan for Stafford Borough).
5. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1e of The Plan for Stafford Borough).

6. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 174 of the National Planning Policy Framework).
7. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
8. To safeguard the occupiers of nearby residential properties from undue noise. (Policy N1e of The Plan for Stafford Borough).
9. To ensure the provision of adequate facilities in the interests of the convenience and safety of users of the highway. (Policy T2d of The Plan for Stafford Borough).
10. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
11. To ensure the provision of adequate off-street facilities in the interests of the convenience and safety of users of the highway. (Policy T2d of The Plan for Stafford Borough).
12. To ensure the provision of adequate off-street facilities in the interests of the convenience and safety of users of the highway. (Policy T2d of The Plan for Stafford Borough).
13. In the interests of the safety and convenience of pedestrians and cyclists. (Policy T1 and N1o of The Plan for Stafford Borough).
14. In order to promote sustainable travel. (Policy T1 of The Plan for Stafford Borough).
15. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
16. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 174 of the National Planning Policy Framework).
17. In order to ensure that the development results in a net gain in biodiversity. (Paragraph 174 of the National Planning Policy Framework).
18. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 174 of the National Planning Policy Framework).
19. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 174 of the National Planning Policy Framework).
20. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).

Informative(s)

- 1 In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2010, as amended, and the National Planning Policy Framework 2021, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 The applicants attention is drawn to the comments of Severn Trent Water, the Staffordshire Police Design Advisor and Staffordshire County Council Rights of Way Officer as submitted in response to consultations on this application. All comments can be viewed online through the planning public access pages of the Council's website at (www.staffordbc.gov.uk)
- 3 The applicant's attention is drawn to the possibility of any changes requiring an amended license from Natural England in respect of protected species.

Previous committee report 1 September 2021

Application:	20/33371/FUL
Case Officer:	Ed Handley
Date Registered:	25 November 2020
Target Decision Date:	24 February 2021
Extended To:	3 September 2021
Address:	Land Off Little Tixall Lane, Lichfield Road, Great Haywood
Ward:	Haywood and Hixon
Parish:	Colwich
Proposal:	Residential development of 117 dwellings
Applicant:	Lovell
Recommendation:	Approve, subject to the completion of a Section 106 Agreement and conditions

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor A R G Brown (Ward Member for Haywood and Hixon) for the following reasons:-

“The increase of proposed houses from 77 to 119 will result in increased traffic down Coley Lane, potential loss of green space and a strain on local amenities. As such this application needs to be brought before planning committee.”

(During the consideration of the application the scheme has been reduced to 117 dwellings).

Context

The application site covers an area of 5.25 hectares as well as a section of the A51 and a footway link into the neighbouring residential area to the west. An element of Little Tixall Lane, now closed to vehicular traffic also forms part of the site. The site lies southwest of Little Tixall Lane and the A51 and to the east of Marlborough Close, a residential cul-de-sac.

The site is situated within the settlement boundary of Great Haywood and within 8km of the Cannock Chase Special Area of Conservation (SAC). The site also forms part of a larger area noted within the County Historic Environment Record as a ridge and furrow landscape

and contains trees which are subject of Tree Preservation Orders. A public right of way (Colwich 51c) runs through the site from west to east, linking Marlborough Close with Little Tixall Lane and land levels fall significantly across the site towards the west and southwest.

A number of planning applications have been submitted with regard to the residential development of this site since 2013, many of which relate to amendments to the original outline permission, reference 14/20886/OUT.

This application is for 117 dwellings (including 34 affordable dwellings) and associated development, including open space, an ecology corridor and a sustainable urban drainage system.

The dwellings proposed comprise a variety of two-storey brick and tile properties with a single bungalow design. Vehicular access is from the A51 whereby a new junction has been completed under permission 19/30448/FUL. This new access dissects Little Tixall Lane which has been closed up to the west and links into the new access road to the east.

The broad layout of the site remains as approved under the outline consent as amended under 19/30448/FUL and reserved matters approval, reference 18/27961/FUL, in terms of the road network, ecological corridor, amenity space and drainage features. Prior to the submission of this application these consents are the most recent revisions of the initial outline and reserved matters approvals. The reserved matters approval (18/27961/FUL) was amended under application 21/33987/FUL in July 2021 with regard to the roof design to house type 1015 only.

The northern part of the site fronting Little Tixall Lane and the second row of dwellings remains as previously approved with 22 units (plots 1-7 and 103-117) being at various stages of completion. The remainder of the site would be varied in terms of the number of dwellings along with their design, orientation and spacing.

Leading east from the western corner of the site would be a SuDS attenuation pond, public open space, an enhanced Local Equipped Area of Play (LEAP), and further public open space. The majority of these areas would be grassed with a number of trees planted.

Officer Assessment – Key Considerations

1. Principle of development

In terms of the planning history of the site an application for outline permission under 13/19532/OUT for up to 157 dwellings was originally refused in February 2014 on the grounds that the application site was in the open countryside and consequently in an unsustainable location. Furthermore, insufficient information was provided to demonstrate whether the proposal would result in undue harm to the character and appearance of the surrounding rural area.

In March 2015 following the adoption of The Plan for Stafford Borough (PfSB) outline permission for 77 dwellings was granted under 14/20886/OUT on the grounds of the site being located immediately adjacent to Great Haywood and the scale of residential development being acceptable.

In January 2017 the settlement boundary for Great Haywood was set out in the adoption of Part 2 of the Plan for Stafford Borough within which the application site is located.

In July 2017 reserved matters to the outline permission for 77 dwellings was approved under 17/25920/REM followed by further amendments to the scheme under applications 18/27961/FUL, 18/28266/FUL, 19/30448/FUL and 20/33257/AMN.

The overarching policy consideration is the presumption in favour of sustainable development (Spatial Principle 1) which reiterates the requirement within the National Planning Policy Framework (NPPF) that permission should be granted for development which accords with an up-to-date development plan without delay.

Of the 10,000 dwellings required to be delivered in Stafford Borough during the plan period, 12% are proposed for Key Service Villages (KSVs), of which Great Haywood is one, in accordance with Spatial Principles (SP) 3 and 4.

SP 7 states that development within a settlement boundary will be supported where it is of a scale and nature appropriate to secure the sustainability of that settlement and, in the case of housing proposals, these being consistent with the delivery of the proportions of development intended by SP3 and SP4.

The site is also within the settlement boundary defined within the Colwich Neighbourhood Plan (CNP) whereby the development is supported in principle under policy CC1. Furthermore, on the basis of a shortage of one and two-bedroom homes in the Parish the CNP supports the development of such properties under policy CC2.

It is further acknowledged that the figures set out within PfSB are not maximums and additional residential development above these targets is acceptable provided that it does not undermine the development strategy for housing in the PfSB. On the basis of the targets to deliver 12% (1,200) of the required 10,000 dwellings within the KSV's the provision of 40 dwellings would amount to 3.4% of the overall target for housing within the KSVs. It is not therefore considered that the provision of an additional 40 dwellings (beyond those approved under the extant permission) in a sustainable location would undermine the development strategy for housing set out in the development plan.

By reason of the commencement of development it also acknowledged that an extant permission exists for the residential development of this site.

The principle of the proposed development is therefore considered to be acceptable subject to other materials considerations being satisfied. Additionally, whilst it is acknowledged that an outline application for up to 157 dwellings on this site was refused in 2014 it must be noted that the policy context is now different in that the site is within a defined settlement boundary.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 7, 8, 10, 11, 60, 65, 73, and 119

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; SP7 Supporting the location of new development

The Plan for Stafford Borough: Part 2

Policies: SB1 Settlement boundaries

Colwich Neighbourhood Plan

Policies: CC1 Settlement boundaries; CC2 Meeting local housing need

2. Character and appearance

Within wider views of the application site the proposed development is likely to have a generally similar appearance to that approved under 18/27961/FUL although the noticeable difference would be in the number of units and the density of development. The outer rows of dwellings would however be of a similar nature and density to that in the immediate vicinity and generally to those approved under the extant permission.

The Cannock Chase Area of Outstanding Natural Beauty (AONB) Officer originally stated that the proposed development would have an impact upon the setting of the Cannock Chase AONB and that there is potential for views towards housing. A recommendation was made that more robust structural planting, to provide visual mitigation, should be provided. In submitting amendments an increased number of medium and larger stature trees within the ecological corridor are now provided which when mature would be likely to assist in filtering views of the housing when viewed from the AONB. No objection is now raised to the proposal with regard to visual impacts upon the designated site.

Although more houses are now proposed the increased density of the built form now results in more space being given over to public open space, SuDS, and the ecological corridor than as part of the previously approved scheme. The proposed means of enclosure throughout the site would generally be as approved, however more prominent areas would be enclosed by 1.8m high brick panels rather than close boarded fences. It is considered that this would constitute an uplift in the quality of the materials used within the development. The proposed means of enclosure is generally acceptable, however it is considered that the eastern boundary should be subject to hedge planting to ensure a less incongruous boundary facing into open countryside. It is considered that this should be secured via a suitably worded condition on any forthcoming permission.

Due to the increased density of development within the site, there are instances where the separation distance between some of the dwellings is less than previously approved. There would generally be a frontage to frontage width of 16m-22m across the site. This is considered to be acceptable given the size of the proposed development and the road network comprising secondary residential streets as defined by guideline 1 (1b) of the Council's Supplementary Planning Document on Design (SPD). The streets within the development are also designed so as not to turn their backs on the adjacent land and particularly to the east. In this context it is considered that these spur roads also constitute secondary residential streets.

It is noted that the Council's Design Advisor raises concern regarding the implications of the proposed development upon the wider landscape in terms of urban design. However, it is acknowledged that this application is to be considered in the light of an extant permission which is currently being built out. Therefore, it is not considered appropriate to recommend the refusal of this application on grounds relating to connectivity to the existing settlement, or overall layout.

In isolation from the wider setting of the application site it is considered that the spatial qualities of the streets within the proposed development would result in a broadly acceptable urban grain and character. The Council's Design Advisor also notes that the separation distances between buildings and the relationship of frontages to streets is relatively generous across the site.

Notwithstanding that there are a few instances where frontages are dominated by areas of hardstanding, which the Council's Design Advisor suggests are sterile and featureless areas of hardstanding, most car parking provision would be relatively well integrated between properties, allowing their frontages to include a good provision of green space and which would contribute to the underlying character of the streets. It is considered that a condition should be attached to any permission granted to secure details of the proposed hard surfaces to ensure that this element of the scheme contributes somewhat positively to the character and appearance of the proposed development.

The proposed house types are considered to be acceptable in terms of their design and their siting across the overall scheme. There would also be an appropriate mix of house types and sizes to generate varied street scenes and enhance the quality of the environment.

It is noted that there would be a marked difference in roof pitches across the proposed development and it is considered that this would avoid the potential monotony of a standard design approach across the site. Overall, the detailed design of the house types is considered to be acceptable with having a relatively good sense of scale and massing.

Following amendment to the scheme the two-and-a-half storey units (plots 58, 59, and 69 to 71) are now located centrally within the site, reducing their prominence in wider views of the development. Whilst it is noted that roof of house type 1173 is particularly tall it is considered that, on balance, this would aid the variety of the street scene.

The Council's Design Advisor raised initial concerns over the low roof pitch and over-fenestration of the side elevation of house type 1015 (side garden). Whilst the applicant has acknowledged the roof pitch and sought to amend the design to accommodate a greater roof pitch it is noted that the fenestration of type 1015 is as previously approved. It should also be noted that permission was granted in July 2021 to incorporate the amended roof design across the site under 21/33987/FUL. A separate application was submitted as this house type is present within the part of the application site which is currently under construction. On this basis it is considered to be unreasonable to refuse the application on the basis of the level of glazing on the side elevations of these properties.

It is considered that there would be a reasonable balance between a sufficiently diverse palette of materials whilst retaining a good underlying cohesion between those elected. This balance also extends in a reasonable manner to the colours of window frames and doors

and whilst the majority of properties would have white uPVC windows, it is considered that the introduction of cream and grey uPVC windows on approximately 33% of the proposed dwellings and a mix of black, blue and green front doors is on balance acceptable.

It is considered, for the reasons set out above, that the proposal complies with the provisions of policy C1 of the PfSB which seeks to ensure an appropriate mix of housing types, tenures and sizes, including a proportion of affordable housing.

The affordable housing would be spread across the site with some abutting the dwellings along Marlborough Close, the eastern boundary of the site and some within the centre of the site to the north of the public open space and ecological corridor.

Policy C7 provides support to sport and recreation across the Borough and outlines the general principle that such open space, sport and recreation facilities be provided within a development site.

The applicant initially proposed a split on-site and off-site provision. The scheme has however been amended to include a larger area of open space with an enhanced equipped play area whereby the apparatus is of higher quality and value to offset the earlier proposed off-site contribution in order to make up the value of the required open space. The Council's Sports and Leisure Officer raises no objection to the proposal and it is considered that the proposed equipped play area is acceptable on balance. The provision of open space and enhanced play equipment should be secured via a Section 106 Agreement.

The CNP seeks to ensure that development within the parish of Colwich achieves high standards of design and that they respect local character without causing undue harm to residential amenity. On the basis of the broad compliance with the requirements it is considered that the proposal complies with the neighbourhood plan in this regard.

Policy CE2 states that development of local green space shall only be acceptable in very special circumstances. The land to the south of Marlborough Close is defined as LGS9 (local green space) within the CNP. The application does not involve the development of this area, however a pedestrian link through it is proposed. There is already an unmarked pathway around the space and the proposal would result in a footpath linking into LGS9, significantly opening up the space with the proposed public open space and SuDS attenuation basin. It is considered that the proposed link into this space would facilitate the use of the space by more people whilst improving pedestrian connectivity through the area.

Policies and Guidance:-

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

The Plan for Stafford Borough

Policies: C1 Dwelling types and sizes; C2 Affordable housing; C7 Open space, sport, and recreation; N1 Design; N7 Cannock Chase AONB; N8 Landscape character
Supplementary Planning Document (SPD) – Design

Colwich Neighbourhood Plan

Policies: CE1 Design; CE2 Local green space

3. Residential amenity

Except for the properties facing Little Tixall Lane the dwellings proposed along the western boundary of the site would be situated to the rear of dwellings on Marlborough Close. Where these would be back-to-back, sufficient separation would be achieved to ensure adequate amenity. Those dwellings which would present a side elevation to Marlborough Close would also ensure that adequate amenity is safeguarded in line with Guideline 2 of the SPD. The smallest separation distance would relate to plot 86 which would be more than 12m as recommended under the SPD from the rear elevations of 33 and 35 Marlborough Close.

The proposed development would not have any particular relationship with any other existing development which would result in any implication with regard to amenity.

Within the site the separation distances between frontages would generally meet the requirements of Guideline 1 of the SPD.

In terms of the separation distances between rear elevations, it is considered that appropriate spacing would be achieved through the site in order to achieve appropriate levels of privacy.

Guideline 3 of the SPD recommends the provision of private amenity space of at least 65sqm for properties with at least three bedrooms, reducing to 50sqm where the property has only two bedrooms. The proposed development would result in relatively generous plots across the site, however plots 6 and 13 containing three-bedroom dwellings would fall below 65sqm.

It is noted that plot 6 is within the element of the scheme approved under 19/30448/FUL and it is not considered that the size of the garden area to this unit would warrant the refusal of this application. Furthermore, it is considered that a single garden area being 2.5sqm below the recommendations is acceptable and that some future occupiers may wish to have a smaller garden area.

Whilst plots 18 and 80 would have private amenity space measuring only 47sqm and 63sqm respectively, these would be two-bedroom properties therefore complying with the SPD.

Specific bin storage areas are not shown on the application documents however it is clear that each dwelling would benefit from external access into the rear garden whereby refuse and recycling bins could be appropriately stored. To reduce the potential for antisocial behaviour in areas of poor lighting and surveillance, where access would be provided from an alleyway, Planning Committee may be minded to attach a condition to any approval to ensure that gates are provided to all shared alleyways which lead into rear gardens. In the event that Committee agree with such measures the wording of condition 9 (landscaping) to include details of such gates would be required.

The application is supported by a Noise Risk Assessment and statement on acoustic design given the proximity to the A51 to the north. The assessment concludes that the site is likely to be acceptable from a noise perspective. The Environmental Health Officer agrees with the conclusion subject to a condition to ensure that any glazing and ventilation combination meets the required façade sound reduction as specified in table 11 of the report and as

concluded at paragraph 12.1.2 of the report. Whilst earlier permissions have not been the subject of conditions relating to acoustic mitigation it is considered appropriate to attach such a condition to ensure that the development results in a place with a high standard of amenity for all future users (paragraph 130 of the NPPF).

The applicant has submitted a Construction Environmental Management Plan (CEMP) to ensure that development would be carried out in an appropriate manner. Following the recommendation of the Environmental Health Officer this has been amended to include reference to a mobile water bowser for dust suppression. The Environmental Health Officer raises no objection to the proposal in this regard, subject to a condition to ensure that development is carried out in accordance with the CEMP.

Further to this, to ensure the protection of the amenity of occupiers of existing residential properties a condition should be attached to any approval to ensure the submission of details and justification of any piling works to be carried out on site.

By reason of the general compliance with the provisions of the PfSB and the SPD it is considered that the proposed development is acceptable with regard to policy CE1 of the Colwich Neighbourhood Plan.

Whilst it is acknowledged that development is underway on site the application is supported by a phase 1 and 2 geo-environmental assessment which recommends additional investigation. The submission of a further technical note and soil desiccation analysis demonstrates that the soils were not visibly desiccated and that ground conditions are suitable for development without the need for gas protection measures adjacent to the backfilled marl pit on the site. The associated report also indicates that no further monitoring is required. The Council's Pollution Control Officer raises no objection to the proposal on the basis of the information submitted and no conditions are recommended in this regard in order to safeguard public health.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 130 and 183

The Plan for Stafford Borough
Policies: N1 Design
Supplementary Planning Document (SPD) – Design

Colwich Neighbourhood Plan
Policies: CE1 Design

4. Access and parking

The application site is accessed via a new junction off the A51 which has been provided under permission 19/30448/FUL. The applicant indicates that these works have been completed although no paperwork has been provided to demonstrate that this is the case. The new signalised junction bisects Little Tixall Lane which has now been stopped up in the westbound direction and provides no vehicular access beyond 54 Little Tixall Lane. To the

east, Little Tixall Lane crosses the A51 and leads to Coley Lane. Vehicular access to the site is therefore limited to the A51 and Little Tixall Lane east.

The road layout within the site would also remain as previously approved with the access leading into a number of cul-de-sacs whereby there would not be a circulatory route around the proposed development.

All of the proposed units which would have either two or three bedrooms would benefit from at least two external parking spaces, thereby complying with the requirements of appendix B of the PfSB and consequently policy T2.

The majority of plots with four and five bedrooms would benefit from the provision of three parking spaces. However, plots 4, 112 and 115 consist of four-bedroom dwellings with a single garage and one external parking space. Whilst this provision would fail to comply with local plan parking standards it must be acknowledged that these three plots are all as approved and could be erected without this application being approved. Consequently, it is not considered that the failure of three dwellings in meeting parking standards would justify the refusal of this application.

All plots with five bedrooms would benefit from a large private driveway and a double garage, thereby complying with local plan parking standards.

The Highway Authority raise no objection to the proposal acknowledging that it is for 117 dwellings to replace planning permission for 77 dwellings and the submission of an amended Transport Assessment to reflect the additional impact upon the highway network.

Furthermore, it is stated that no additional or amended works would be required relating to the highway works to provide access from the A51. The Highway Authority considers that no significant impact would result upon the highway network above and beyond the impacts arising from the extant permission for 77 dwellings.

A number of conditions are recommended by the Highway Authority relating to access provision; construction method statement; off-site highway works; detailed road design; parking provision; pedestrian and cycle routes and the implementation of the proposed travel plan. It is considered that such conditions would ensure that the proposed development is acceptable with regard to highways matters.

Additionally, it is recommended that the applicant should enter into a Planning Obligation to secure the payment of a travel plan monitoring fee of £7,000.

A public right of way runs through the site from its western boundary with properties along Marlborough Close to its north-eastern corner abutting Little Tixall Lane. It is proposed that this right of way would follow the estate roads through the development and it is acknowledged that the building out of development permitted under 19/30448/FUL would result in the same impact upon the right of way given the road layout is as previously approved. The County Council's Rights of Way Officer states that this intention is clear within the application submission. It is recommended that the attention of the applicant is drawn to the requirement that any planning permission does not construe the right to divert, extinguish, or obstruct any part of the public footpath network and that the applicant should

apply to divert the right of way in order to facilitate the development. An informative on any approval would be appropriate in this regard.

Further to the public right of way leading into the site from Marlborough Avenue, a new pedestrian access is proposed to the southern end of Marlborough Avenue into LGS9.

Policy CTR2 of the CNP states that the development of opportunities for walking, cycling, and public transport will be supported, especially where this increases connectivity. Furthermore, policy CTR3 states that development which introduces pedestrian friendly routes which are safe and accessible, connect with existing pedestrian links and promote new links to green spaces will be supported. It is considered that the link between the proposed development and the adjacent residential area would improve pedestrian connectivity. No improvements are proposed to the pedestrian link through LGS9 towards The Uplands. However, it is noted that Staffordshire Police indicate that the walkway should be improved (including lighting being provided) to increase the safety of future users. It is, however, acknowledged that this walkway is an existing feature and the Highway Authority who have control over this land have not recommended that any improvements be made. It is not considered appropriate in this instance to require such works to be carried out on third party land.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 100, 107, and 108

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

Colwich Neighbourhood Plan
Policies: CTR2 Sustainable travel; CTR3 Pedestrian facilities; CE2 Local green space

5. Ecology and biodiversity

As the proposal would result in a net increase in dwellings within 8km of the SAC it is considered that an appropriate assessment under the habitat regulations needs to be carried out. The latest evidence suggests that the SAMMMs (Strategic Access Management and Monitoring Measures) will deliver sufficient mitigation and avoidance measures to prevent any likely significant effects arising towards the Cannock Chase SAC from residential development in this area. As the scheme would result in a net increase of more than 10 dwellings it is above the threshold at which point it is considered appropriate for financial contributions towards the SAMMMs to be secured by a planning obligation. Such contributions, equating to £159 per dwelling (£18,603) would ensure that any likely significant effects to the Cannock Chase SAC can be mitigated. Natural England confirm that this approach is acceptable and raise no objection.

The application is supported by a preliminary ecological appraisal undertaken by EDP and followed by specific surveys for bats and Great Crested Newts. A further follow-up extended phase 1 survey was also undertaken in 2020 to ensure an up-to-date assessment of the site. The supporting reports state that the habitats present within the site have not changed

materially in the intervening period since planning permission was granted for 77 dwellings. Therefore, there is no significant constraint to the proposed increase in the number of dwellings on the site. The report concludes that subject to appropriate mitigation measures the proposed scheme can continue to comply with relevant policy.

The application is supported by a Construction Environmental Management Plan (CEMP) which, amongst other aspects, covers pre-construction works and fencing which have been carried out prior to determination of this application and also habitat creation and landscape planting, establishments and management, and monitoring measures which are proposed.

The Council's Biodiversity Officer (BO) raises no objection to the proposal following amendments to the green corridor to bring it back in line with the earlier approved scheme. The BO also advises that the scheme, as it stands, poses no significant change to the landscaping agreed between the developer and Natural England with regard to the mitigation measures for Great Crested Newts. As the proposed development goes beyond the scope of that previously approved it is possible that a new licence would be required from Natural England. However, this is a matter for the applicant to resolve and an informative should be attached to any approval to bring this requirement to their attention. Also, that the scheme continues to provide adequate biodiversity interest as the planting schedules provide a variety of plants and trees which would be planted and managed in order to present an attractive development and safe environment and which is sensitive to wildlife and maintains the biodiversity value of the site. The BO also confirms that the CEMP and Landscape Environmental Management Plan are acceptable. Conditions are also recommended to ensure the following:

- The design and management of the green corridor and other soft landscaping in accordance with the supporting documents;
- Lighting schemes to be designed to avoid light spill on hedgerows;
- Vegetation clearance to be undertaken outside of the bird nesting season (March to August) unless it can be demonstrated that breeding birds would not be affected;
- The installation of bird boxes in appropriate locations in mature trees around the site; and
- The provision of a means of escape to any excavations left open overnight and precautionary measures applied for hedgehogs.

The Cannock Chase AONB Officer initially raised concern about the site's relationship to the setting of the Cannock Chase AONB and that there is potential for views towards housing on the higher parts of the site. Furthermore, the proposed route of the public right of way would result in views towards the AONB being obscured resulting in an impact upon the appreciation of the AONB by the wider community.

However, it needs to be acknowledged that the site benefits from an extant permission for 77 dwellings and that development has commenced on site. This application therefore relates to an increased density and revised orientation of dwellings in the southern part of the site rather than comprising the new development of a greenfield site. Structural planting was also recommended to provide visual mitigation which was welcomed the AONB Officer. The AONB Officer states that the soft landscaping proposal appears to include a small increase in the number of medium and larger stature trees within the ecological area which, when mature may assist in filtering views of the housing in the northern part of the site when viewed from the AONB.

There are various trees within and abutting the application site, one of which is an Oak within the northern boundary. The Council's Tree Officer considered this tree to be of such significance to warrant it being a prohibitive constraint to development. Whilst concern is raised that plots 109 and 110 and the associated access would be within the nominal root protection area of this tree it needs to be acknowledged that the siting of these plots is as approved under permission 18/27961/FUL. On this basis, the initial comments of the Council's Tree Officer have been retracted and no objection is raised.

Policy CE3 of the CNP requires that development is designed in a way which incorporates biodiversity and encourages the enhancement of wider networks and corridors. The proposed development would maintain the ecological corridor set out within the earlier approval which would create a biodiverse green infrastructure through the site and achieve an ecological net gain on this site.

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; N7 Cannock Chase AONB

Colwich Neighbourhood Plan

Policies: CE3 Biodiversity

6. Flooding and drainage

The site lies within flood zone 1 and the application is supported by a revised Flood Risk Assessment (FRA) dated April 2021. The FRA concludes that all uses of the land are acceptable and that there is a low risk of groundwater flooding or flooding from other sources across the site. The FRA also found that soil types would not support the effective use of infiltration SuDS features and therefore the drainage strategy incorporates permeable surfaces, detention basin, and discharging attenuated runoff into the adjacent Severn Trent Water public sewers. Consequently, the FRA concludes that there would be no increased risk of flood or any adverse impacts on surface water drainage as a result of the proposed development.

Severn Trent Water raise no objection to the proposed development on the basis that all foul sewage is to be discharged to the public foul sewer at manhole 1507 and surface water is to be discharged to the public surface water sewer at a rate of 25 litres per second at manhole 1505. It is considered that this is a satisfactory means of discharge. The comments of Severn Trent Water raise the prospect of there being a public sewer located within the application site therefore an informative should be attached to any approval to bring these comments to the attention of the applicant.

Following extensive consultation and various amendments to the general drainage design the Lead Local Flood Authority confirm that the proposed development is acceptable, subject to a condition to secure a detailed drainage design. It is acknowledged that the 22

dwelling under construction are being erected under an earlier permission and subject to an earlier drainage design. Any further approval would need to be subject to a condition to ensure that a detailed design is approved before development commences with regard to the overall scheme for 117 dwellings. Furthermore, it is noted that the extant consent is subject to a condition to secure the provision of a French drain on the western boundary, such provision is shown on the submitted drawings and it is considered that if this is required as part of a functioning drainage system it would form part of the detailed drainage design to be secured by condition. It is therefore not recommended that a separate condition is necessary in this instance.

Initial concerns indicated that there is surface water risk, particularly from two separate 1000-year extent flow paths which would likely be intercepted by on site positive drainage. The applicant was advised that the drainage design was broadly acceptable, however further details relating to the discharge rate, impermeable areas, groundwater variability, and basin capacity were required. It is considered that the applicant has provided sufficient information to demonstrate that an adequate drainage design would be achieved.

On this basis it is considered that the proposal complies with the provisions of policy N2 in that it would incorporate sustainable design features, including the proposed surface water drainage, which would mitigate against the impacts of climate change and ensure protection from, rather than worsening the potential for, flooding through the use of SuDS which limits surface water discharge, separates foul and surface water runoff, and is sympathetically designed.

Policy CI1 of the CNP states that, where possible and appropriate, development should incorporate SuDS and that the enhancement of wildlife and biodiversity as part of these systems would be supported. It is considered that the proposal complies with the requirements of the neighbourhood plan in this regard.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs: 8, 153, 154, 159, 161, 163, 164, 167, 168

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

Colwich Neighbourhood Plan

Policies: CI1 Flooding

7. Other

The application site lies within a larger area listed on the Staffordshire Heritage Environment Record as a ridge and furrow formation although it is acknowledged that this is not statutorily protected. Furthermore, the extant permission for the residential development of this site is not subject to any conditions relating to archaeology. Consequently, it is not considered that the requirement for any further detail on this matter or the attachment of any conditions relating to archaeology would be reasonable in this instance.

The applicant has provided a heritage statement written in support of the earlier application for 77 dwellings on the site. The report concludes that the application site is not visible from the designated house, park, or garden of the Shugborough Estate and that hedgerows should be retained in order to retain landscape character and legibility of the landscape as best as possible. The Council's Conservation Officer was not consulted during the consideration of the extant outline consent (14/20886/OUT) and it is not considered necessary to seek their views with regard to this application on the basis that the proposal would result in the increased density of the proposed development beyond that of 77 dwellings, and that this is not likely to be particularly evident in any significant views from or toward the conservation area.

The Staffordshire Police Design Advisor states that the submission identifies that reducing opportunity for crime and disorder has been considered and welcomes the inclusion of a safe place for younger children and families to play and reconfiguration of the public open space whereby dwellings would generally face onto the open space. Concerns relating to access via garden paths and the security of the link to The Uplands are considered in more detail within this report, whilst other recommendations made should be brought to the attention of the applicant via an informative on any approval.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs: 8; 130, 189, 192, 194, 195, 197, 199, 200, 202, and 203

The Plan for Stafford Borough

Policies: N1 Design; N9 Historic Environment; C7 Open space, sport, and recreation

8. Planning obligations

Affordable housing

Policy C2 sets out that development of 12 or more dwellings within Great Haywood requires the provision of at least 30% affordable housing. The development of 117 dwellings in this location would therefore require the provision of 35 affordable houses. Whilst the Council's Housing Manager would generally expect an 80/20 split across such a development, the tenure mix of the 35 affordable houses to be provided on-site is yet to be agreed. It would be appropriate for this matter to be agreed as part of the Section 106 Agreement.

It is noted that policy C2 also requires that on large sites affordable housing should be clustered in small groups of up to 15 homes distributed across the development and that their appearance should be indistinguishable from that of open market homes. In terms of their detailed design and materiality it is not considered that the proposed affordable housing would be distinguishable from market housing. It is also noted that the affordable housing would be provided in two clusters of 17 and 18 dwellings (two and three above that which is generally considered to be acceptable). However, it is acknowledged that the clusters are spread across a number of streets where they would be directly opposite market housing. Furthermore, the clusters are separated by footpaths and roads and smaller groups within these clusters would be more closely associated with adjacent market housing with which they share vehicular access or street frontages. It is not considered that the proposed clusters of affordable housing would result in their dominance in any particular part of the development.

On balance the proposal is considered to be acceptable with regard to the provision of affordable housing and the provision of such should be secured via a Section 106 Agreement.

Education

During consideration of this application the County Schools Organisation advised that financial contributions are required towards education provision. Depending on the tenure mix the development of 117 dwellings would result in a contribution as outlined below. The tenure mix would be determined and agreed within the Section 106 Agreement to which any approval would be subject.

Tenure mix		Financial contribution		
Social rent	Intermediate	Primary	Secondary	Total
80%	20%	£360,050	£243,386	£603,436
70%	30%	£360,050	£262,108	£622,158
65%	35%	£360,050	£262,108	£622,158

Highways

The Highway Authority recommend that the development be carried out and occupied in accordance with the travel plan submitted in support of the application and that a travel plan monitoring fee of £7,000 is secured by a Section 106 Agreement to cover the costs of monitoring for a period of five years from the date of the first occupation of the development.

Open space

Policy C7 requires that, as a general principle, open space and recreation facilities be provided within the development site. Whilst the applicant initially proposed a combination of on and off site provision the scheme has been amended at the request of the Council's Sports and Leisure Officer to include a smaller area of public open space than would otherwise be requested with this offset by the provision of enhanced equipment within the play area.

It is noted that the extant permission includes some on-site provision and a financial contribution towards off-site provision at Jubilee Playing Field. It is apparent that because the earlier scheme was smaller (77 dwellings) an off-site provision was considered acceptable at the time the application was first considered. In the intervening period a number of financial contributions have been made from elsewhere which have been spent on enhancements of this open space and consequently it is considered that there is little remaining scope for additional enhancements to be made.

The current application, a scheme comprising 117 dwellings, is considered to be of a size whereby contributions to off-site open space is not appropriate and the Council's Sports and Leisure Officer has stated this in each representation made with regard to this application.

The development of 117 dwellings would trigger the requirement for the provision of on-site open space covering an area of 6,978.82sqm, equating to a monetary value of £107,122.10. Due to constraints on the site, including the retention of the ecological corridor the on-site open space proposed is 4,960sqm (to a value of £75,992.60), a shortfall of 2018.82sqm (£31,129.50). In the context of this specific site and the surrounding area it is considered that the physical quantum of on-site provision would be acceptable in this instance provided

that the shortfall in monetary terms is reinvested into the on-site provision through the provision of an enhanced equipped play space.

Furthermore, financial contributions towards the provision and enhancement of sports facilities in the area are required. Both the provision of on-site open space and these contributions should be secured via a Section 106 Agreement.

Cannock Chase SAC

As set out in section 5 of this report it is considered that the applicant should be required to contribute a total of £18,603 towards the Cannock Chase SAC SAMMMs, equating to £159 per dwelling. Such payment should be secured by a Section 106 Agreement.

Mechanism for delivery

Development has already commenced on the site under planning permission 19/30448/FUL and which is the subject of a Section 106 Agreement to secure the following planning obligations:

- Affordable housing
- Education
- Highways
- Open space
- Cannock Chase SAC

The applicant has indicated its intention to construct plots 1-7 and 103-117 (22 dwellings) under permission 19/30448/FUL. Given the overlap between this application and the previous permission, any approval should be subject to a section 106 agreement restricting the operation of permission 19/30448/FUL, once the 22 dwellings have been constructed, and ensuring that any outstanding obligations arising from the previous permission are accounted for, in addition to providing for obligations securing affordable housing, education, highways, open space and Cannock Chase SAC

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 55, 56, 57, and 58

The Plan for Stafford Borough
Policies: C2 Affordable Housing; C7 Open space, sport, and recreation; T1 Transport; I1 Infrastructure delivery policy

9. Conclusion and planning balance

The principle of development is clearly acceptable as the site is within the settlement boundary and an extant permission is currently being carried out.

Having acknowledged the extant consent which could be implemented in full and is part constructed, on balance, the overall design of the proposed residential development is considered to be acceptable. It is not considered that the increased density of development would result in any undue harm with regard to the character and appearance of the area

and the residential amenity of occupiers of existing residential properties and those proposed would remain acceptable.

The main access into the site has been constructed in accordance with earlier approvals and the internal road network remains as approved, as does the ecological corridor running roughly east to west through the site. Future occupiers would benefit from adequate parking provision.

The applicant has demonstrated that an appropriate drainage design could be achieved to service the development and a detailed scheme would need to be secured by condition. The design would also need to take into account the system in place to service the 22 dwellings which are currently under construction.

In order to render the scheme acceptable the developer would be required to meet obligations relating to the provision of affordable housing and open space, and financial contributions relating to education provision, highways matters and the protection of the Cannock Chase SAC. Such obligations must be secured via a Section 106 Agreement.

Consultations

Design Advisor:

Comments dated 21 June 2021:

- In relation to the applicants proposal to further increase the provision of units with windows/doors in the alternative colours suggested to 33% as opposed to their initially 0 and then 15%, I would advise that although this remains less than recommended and less than has been secured elsewhere, it nonetheless now at least represents a notable improvement to the finer grained qualities of the scheme. Additionally, given the more fundamental design weaknesses of the development I do not consider in this instance that further increased provision of alternative window/door colours would have a further substantially positive impact on the overall design quality of this development and so on balance I am content to accept it.

Comments dated 7 June 2021:

- The variation in colour of the doors is a welcomed, albeit minor improvement but it does not go far enough to allay the earlier concerns. A variation in the colours of windows would make a substantive difference.

Comments dated 21 May 2021:

- The approach taken to the principle external materials is acceptable as they strike a reasonable balance between providing sufficient diversity and a good sense of cohesion in their application.
- The 'other materials', including doors, windows, fascias, eaves, etc would exert a monotonising impact on the overall character and feel of the development. A wider range of perhaps 3 different but complimentary colours should be specified for windows, front doors, garage doors, etc to be introduced across the site in a manner which compliments the application of the principle external materials.

Comments dated 4 February 2021:

- Concerns relating to connectivity/legibility with the existing settlement remain;
- The layout remains largely a cul-de-sac and fails to explore the option of linking to Marlborough Close and retain the existing function and hierarchical status of Little Tixall Lane in the wider movement network;
- The junction with the A51 and potential to unlock further development opportunities appears to be the priority;
- Pedestrian and cycle connectivity is reasonably well provided, however the potential of Little Tixall Lane as a key link to the existing settlement has been significantly eroded and the new arrangement isolates the proposed development;
- The development would function as its own separate residential estate; almost every edge of the proposed layout is inward facing and fails to engage and activate the space around it;
- The eastern boundary would provide a visually hard edged, stark, and inactive fence line which fails to provide a high quality edge of settlement relationship with the surrounding landscape;
- The most beneficial outward facing edge would be Little Tixall Lane to generate an active and enlivened street scene. It is disappointing that despite the proposed bungalows helping the proposal sit comfortable next to the existing development the locally prevalent form of development is not reinforced. The approach furthers the underlying sense of separateness and isolation that the scheme has in relation to its host settlement;
- There is little sense of a natural hierarchy to the movement network within the proposed development which could contribute to its legibility and character;
- The layout also appears to preclude the development from including street tree planting within verges to assist the articulation of the network hierarchy or to contribute to the structural character and quality of the street scene. The majority of trees within streets would be within private garden space and there would be little certainty to their long-term retention;
- In isolation the spatial qualities of the streets generate a generally acceptable grain and character;
- The building to building distances and the relationship of frontages to street is relatively generous;
- There are a few instances where frontages are dominated by large areas of sterile and featureless hardstanding but most parking is relatively well integrated between properties, allowing their frontages to include a good provision of green space which would contribute to the underlying character of the streets;
- There is a good mix of housing types and sizes to generate a more varied and informal character to the quality of the environment;
- The detailed design of the house types mostly appears to demonstrate a relatively good sense of scale/massing and a generally acceptable sense of proportion in the composition of the elevations;
- It is positive that there is a marked difference in roof pitches across the site as this would help to enrich what could be a monotonous aspect of new development;
- There are some concerns with house types:
 - Type 1015 has a low roof pitch and the side elevation is slightly over-fenestrated;
 - Type 1173 has a very tall and over-bearing roof;
- Generally two-and-a-half storey units at the outer edges is not acceptable as this unnecessarily increases the perceived scale and massing of the development within its

wider landscape setting, but given that only two such pairs of units trigger this concern they would be unlikely to have such a detrimental impact on the overall impression of the development from distance to constitute a substantially negative impact. However, if they could be relocated within the development it would be welcomed;

- The use of materials across the site seems to strike a reasonable balance between a sufficient diversity of principle external materials and a good underlying sense of cohesion;
- There is no specification for windows, doors, fascias, eaves, etc. the site should be varied in this respect in a similar manner to the rationale of the facing materials;
- The boundary treatments proposed are broadly supported, however the necessity and desirability of completing fencing in the principle area of public open space is questioned as this appears to render the space inaccessible.

Highway Authority:

Comments dated 25 June 2021:

No objection. Refer to previous comments.

Comments dated 27 January 2021:

- An additional parking space is required at plots 4, 114, and 117.
- The condition for off-site highway works would be required to ensure that the works are secured and would be completed.

Comments dated 21 January 2021:

No objection.

- The works to the access from the A51 has been considered against the amended transport assessment and requires no additional or amended work;
- The proposed development would not have a significant impact on the highway above that which would result from the extant permission for 77 dwellings on this site;
- Conditions to secure the following are recommended:
 - o Completion of access to binder course prior to the commencement of development and completion of access to surface course prior to occupation;
 - o Offsite highway works to be completed prior to first occupation;
 - o Provision of road construction, street lighting, and drainage details;
 - o Provision of parking and turning areas;
 - o Provision of pedestrian and cycle routes;
 - o Retention of garages for parking or motor vehicles and cycles;
 - o Implementation and monitoring of the travel plan; and
 - o Provision of a construction method statement.
- The developer would be required to enter into a s106 agreement to secure a travel plan monitoring fee of £7000.

County Rights of Way Officer:

Comments dated 8 December 2020:

- Whilst the submission acknowledges the presence of the public footpath (Colwich 51) it is not shown in its correct alignment. The submission indicates the intention to divert the footpath along the proposed estate roads and pavements.
- The attention of the developer should be drawn to the requirement that any planning permission does not construe the right to divert, extinguish, or obstruct any part of the public path network. The path would need to be diverted as part of the proposal and therefore the developer should apply to divert the rights of way in order to allow the development to commence.
- Trees should not be planted within 3m of the public right of way unless the developer and any subsequent landowners are informed that the maintenance of the trees is their responsibility.

Lead Local Flood Authority:

Comments dated 7 July 2021:

No objection.

- The proposed drainage strategy is acceptable.
- A condition should be attached to any approval to ensure that no development commences before a final detailed surface water drainage design is submitted to and approved by the Local Planning Authority.

Comments dated 26 May 2021:

Objection.

- The basin sizing issue remains unresolved.
- Regarding points 1 and 2 of report AAC5444:
 - o If flows from permeable areas are intercepted by the positive drainage this should be included within the contributing area within the calculations.
 - o The basin should be sized to accommodate controlled discharge up to the 100-year plus climate change standard and should accommodate all anticipated flows.
 - o The proposed 25l/s limiting discharge is based on the total site area yet only the impermeable area is included within the MD calculation's contributing area.
- Regarding points 3 and 4 of report AAC5444:
 - o Any freeboard allowance should be provided in excess of the design top water level (TWL) where this level is based on a methodology which includes all anticipated flows.

Comments dated 22 April 2021:

Objection.

- Many of the previous concerns have been addressed, however the issue of the attenuation basin remains outstanding.
- There are known issues regarding the attenuation basin's location, specifically the way it would intercept a natural drainage path. Consequently, it would collect more flow than simply from the positive drained impermeable area.
- Due to previous agreements now brought to our attention the 25l/s discharge rate is considered to be acceptable, provided the basin capacity can be addressed.

Comments dated 22 March 2021:

Objection.

- Having reviewed the response to our earlier representation, together with the updated contributing area plan the following comments are offered:
 - Proposed discharge rate: Irrespective of any agreement with Severn Trent the remit of the LLFA includes the setting/agreement of the proposed discharge rate(s). The rate should be limited to greenfield QBAR (for a design with single control) with the area term should be based on the proposed impermeable area. Therefore the proposed 25l/s rate is too high unless it can be adequately justified otherwise.
 - Contributing areas:
 - Plots 21-26 are not included in the impermeable area, this appears to be an error.
 - The pond should be considered as a contributing area.
 - Attenuation basin:
 - The drainage strategy plan shows a dwelling with a FFL of 91mAOD immediately to the north of the pond and would be at the same level as the basin top of bank. The FFL or basin design should be revised or clarification provided.
 - Previous comments relating to off-site FFLs should be re-addressed with regard to exceedance routes.
 - Previous comments on basin capacity have not been addressed.

Comments dated 8 February 2021:

Objection.

- Irrespective of agreement with Severn Trent the proposed discharge rate is not based on sound reasoning and should be revised.
- A plan should be provided to show the proposed contributing areas to verify the modelled values.
- Detail is required regarding existing land drainage.
- There is risk from exceedance flows. To properly understand the risk to certain properties their threshold levels must be established and marked on a plan. More evidence is required to demonstrate that the proposal is acceptable with regard to exceedance of the proposed basin.
- Evidence is required of assessment of seasonable variability in groundwater levels as the position of the basin may result in it filling with groundwater ingress and/or runoff from upstream.

Comments dated 14 January 2020:

Objection.

- The site is within flood zone 1.
- There is surface water risk; there are two separate 1000-year extent flow paths but they originate on site and are likely to be intercepted by on site positive drainage.
- There are no past flooding records within 20m of the site.
- There are no watercourses within 5m of the site.
- The existing pond should remain unaffected by the proposed development.
- Whilst the conceptual approach is generally satisfactory and the detailed design could be secured by pre-commencement condition, the following issues should be addressed at this stage:

- Derivation of the maximum discharge rate of 25l/s should be shown. A rate based on the greenfield QBAR would be acceptable with the area term based on the area to be positively drainage (usually the proposed impermeable area).
- Evidence of a connection agreement with Severn Trent Water is required to demonstrate that the proposed point of discharge is viable.

Severn Trent Water:

Comments dated 1 June 2021:

No objection.

All foul sewage is to discharge to the public foul sewer at MH 1507 and surface water is to discharge at 25 litres/second to the public surface water sewer at MH 1505.

Comments dated 16 December 2020:

No objection, subject to conditions to secure the provision of drainage plans for the disposal of foul and surface water flows to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

There may be a public sewer located within the application site which may be protected.

Biodiversity Officer:

Comments dated 14 April 2021:

No objection.

- There are no significant changes to the landscaping agreed with the developer and Natural England with regard to Great Crested Newt mitigation and the landscaping would provide adequate biodiversity interest.
- The CEMPT and LEMP are acceptable.
- The design and management of the green corridor and other soft landscaping should be carried out as stated.

Comments dated 22 January 2021:

Conditions to secure a Landscape ecological management plan (LEMP) and Construction environmental management plan (CEMP) are also recommended.

Comments dated 21 January 2021:

No objection.

EDP undertook a preliminary ecological appraisal followed by specific surveys for bats and great crested newts and a follow-up further extended phase 1 survey in 2020 to ensure up-to-date assessment of the site. The recommendations made in the survey report should be carried out as stated and will include:

- Great crested newts:
 - A large amount of surveying work has been carried out over many years. Natural England licensing worked with EDP and the developer to mitigation proposals creating an ecological corridor through the site to allow movement and dispersal.
 - The amended landscaping plan (02B) indicates the removal of a pond on the eastern section of the corridor; this should be reinstated in line with the original mitigation plan in order to aid great crested newts and other aquatic biodiversity and help to strengthen the corridor.

- Bats:
 - o A sensitive lighting scheme should be designed to avoid light spill on hedgerows.
- Nesting birds
 - o Vegetation clearance should be undertaken outside of the nesting season (March to August) unless it can be demonstrated that breeding birds would not be affected.
 - o Schwegler bird boxes should be installed in appropriate locations in mature trees around the site.
- Mammals:
 - o During construction, any excavations left open over night should be provided with a means of escape. Precautionary measures should be applied for hedgehogs.
- Habitats/landscaping:
 - o Planting schedules are satisfactory and provide a good variety of plants and trees.

Natural England:

Comments dated 21 December 2020:

No objection.

- Natural England concur with Stafford Borough Council's habitat regulations assessment in that the adverse effects arising from the proposal are wholly consistent with the effects detailed in the Cannock Chase SAC evidence base and that these effects can be satisfactorily mitigated by the measures set out in the SAMMMs.
- An appropriate obligation should be attached to any approval to secure these measures.

AONB Officer:

Comments dated 1 April 2021:

- The soft landscaping proposal appears to indicate a small increase in the number of medium and larger stature trees in the ecological area which, when mature may assist in filtering views of the housing in the northern part of the site when viewed from the AONB. This is welcomed.

Comments dated 21 January 2021:

- It is disappointing that the proposal does not provide more large stature trees. Whilst species selection should consider proximity to buildings, the ecological area offers space to accommodate several large stature native trees away from buildings which would deliver a higher level of visual mitigation.
- There appears to be a mistake in the calculation of native hedgerow mix to the west of the existing pond retained. The numbers seem a bit low considering the length of the hedge indicated.

Comments dated 16 December 2020:

- The site is in the setting of the Cannock Chase AONB and it is disappointing that this is not acknowledged within the application submission.
- There is potential for views towards housing on the higher site elevations and, therefore, structural planting is essential to provide visual mitigation. The ecological corridor offers the opportunity to deliver landscape structure but the plans do not show evidence of this, therefore a more robust scheme of planting is sought.
- As the proposed route of Colwich 51 mainly follows estate roads and pavements, views towards the AONB would be additionally obscured by housing, impacting upon the appreciation of the AONB by the wider community.

Tree Officer:

Comments dated 20 January 2021:

No objection.

- In light of the layout of the extant permission please disregard my original comments.

Comments dated 14 January 2021:

Objection.

- Arboricultural comments have previously only been provided with regard to proposed landscaping of the site;
- There are a number of trees within and abutting the site which would potentially be impacted by the proposed development;
- The Oak on the northern boundary was at risk under the initial consent unless tree protection measures are adhered to rigorously;
- Plots 109 and 110 (including the associated access) would be both well within the nominal root protection area and the physical crown spread of the tree itself. The tree is very likely to sustain significant damage requiring limb removals and reductions and severe ground compaction which is likely to result in the swift decline of the tree and its premature loss;
- The remaining trees are of much poorer quality and do not merit being a material constraint to development; and
- Given the significant value of the Oak tree and that it is the only tree on site worthy of being a prohibitive constraint to development, a redesign of the layout to wholly remove plots 109 and 110 from within the nominal root protection area of this tree would be sufficient to enable me to retract my objection.

Pollution Control Officer:

Comments dated 13 May 2021:

No objection.

- The reports are satisfactory and there are no additional recommendations.

Comments dated 11 January 2021:

- The phase 2 investigation report recommends additional investigation of the marl pit and ephemeral pond. It is unclear whether this has been carried out and the assessment available.

Comments dated 23 December 2020:

Objection.

- The information provided is insufficient to determine on suitability or remediation. A report based on fieldwork findings is required.

Comments dated 3 December 2020:

Objection.

- The application should be supported by a phase 1 desktop land contamination risk assessment with particular focus on former marl pits and potential infill.

Environmental Health Officer:

Comments dated 5 August 2021:

No objection.

- It is unclear if piling is proposed;
- The CEMP is light on detail regarding reactive dust suppression mitigation. A statement should include the use of a dust suppression cannon with adequate water supply where shown to be necessary. Confirmation is required that this option would be made available on site. Otherwise the CEMP is satisfactory.

Comments dated 8 January 2020:

No objection, the noise report is satisfactory.

- A condition is recommended that any glazing and ventilation combination meets the required façade sound reduction as specified in table 11 of the report and as concluded at paragraph 12.1.2 of the report.

Comments dated 22 December 2020:

No objection, subject to conditions to secure the following:

- Submission of a Construction Environmental Management Plan;
- Details and justification of any piling works; and
- Provision of appropriate refuse and recycling bin storage.

Housing Manager:

Comments dated 14 December 2020:

No objection.

- The proposed development of 119 dwellings would require 35 affordable homes;
- Stafford Borough has an annual affordable housing shortfall of 210 dwellings;
- The Strategic Housing Market Assessment identified an annual shortfall in general needs accommodation of approximately 154 units and a shortfall of 55 for older persons' accommodation. The proposed development would help to reduce the shortfall;
- Council policy suggests that affordable housing should be provided at a ratio of 80% social rent and 20% intermediate affordable housing. Therefore, this proposal should deliver 28 social rented homes and 7 intermediate affordable homes;
- Whilst there is an identified undersupply of one and two-bedroom homes and it would usually be beneficial to see one-bedroom properties within the development, a significant number of one-bedroom homes have been provided recently in Great Haywood, meeting much of the current demand, and in this instance the proposed mix is acceptable.

Sport and Leisure Officer:

Comments dated 10 August 2021:

No objection.

- An off-site contribution is not suitable as this is a large development and as such should have an element of on-site provision. Additionally, the existing provision within the area has had a number of contributions for other development and there are limited opportunities to provide additional enhancements.
- The development of 117 dwellings should provide open space on-site to the size of 6,978.82sqm, to a value of £107,122.10.
- Due to constraints on the site the on-site open space proposed is 4,960sqm (to a value of £75,992.60), a shortfall of 2018.82sqm (£31,129.50).

- Through discussion with the applicant, it has been agreed that the lesser physical amount of on-site provision would be acceptable and that the monetary shortfall be reinvested into the on-site provision through an enhanced equipped play space.

Comments dated 22 June 2021:

No objection.

Comments dated 19 January 2021:

No objection.

- All open space provision should be on site.
- Whilst it would be preferable for the play space to be more central to the site it is recognised that the location takes into account the constraints of the site due to biodiversity implications but also providing a link between the identified open space at the end of Marlborough Close.
- The developer has expressed the desire to provide a split provision with some open space being provided onsite, not a formal play space, and a contribution for offsite. After reviewing the open space assessment it is highlighted that the on-site provision does not meet the requirements. An offsite contribution is not acceptable.
- It is recommended that the applicant investigates how additional space can be used towards play space and other equipment should be investigated.

Comments dated 15 December 2020:

Objection.

- Sports pitch provision and built associated facilities within the area fall short of national standards.
- Due to the size of the proposed development the Council is reasonably entitled to request a quantitative provision of 26.6sqm per person of open space provision. All open space provision should be on site. An off-site contribution is not acceptable.
- The contribution required for this development would be £108,953.52 (capital cost);
- The open space should cater for a wide range of users, with dedicated play space equipment for toddlers and juniors which encourages balancing, climbing, sliding, swinging, group, and individual play.
- The space should be provided central to the site to encourage social cohesion, maximum use, and natural surveillance.
- On the basis of the shortfall in leisure facilities the following contributions are required:
 - o £37,162 (pool);
 - o £24,661 (sports courts/halls); and
 - o £5,470 (artificial sports pitches).
- Any footpath or cycleway and associated infrastructure should be adopted by the local highway authority.
- Alternative management methods for the open space must be secured.
- Trees planted adjacent to footpaths or hardstanding should be in tree pits and liner pavement protected should be installed.

County Schools Organisation:

Comments dated 9 August 2021:

- The following contributions would be required, depending on the agreed mix of tenure:
 - o 80% social rent / 20% intermediate: £360,050 (primary) + £243,386 (secondary) = £603,436 (total);
 - o 70% social rent / 30% intermediate: £360,050 (primary) + £262,108 (secondary) = £622,158 (total);
- The primary contribution would remain the same due to the method of calculation.

Comments dated 16 June 2021:

No objection, subject to a contribution of £622,158 to mitigate the impact on education resulting from the proposed development, relating to primary education (£360,050) and secondary education (£262,108).

Comments dated 16 December 2020:

No objection, subject to a contribution of £697,046 (index linked) to mitigate the impact on education resulting from the proposed development, relating to primary education (25 places x £14,402 = £360,050) and secondary education (18 places x £18,722 = £336,996).

Staffordshire Police Design Advisor:

Comments dated 30 March 2021:

- The reconfiguration of the public open space is an improvement in the layout.
- The inclusion of a safe place for younger children and families to play is beneficial.
- Good sight lines and natural surveillance should be retained.
- The footpath link halfway along Marlborough Close is less problematic.
- Improvements should be made for pedestrian linkage along this footpath and Little Tixall Lane.
- The link to The Uplands is far from ideal; it is narrow, not straight, enclosed with fencing or high hedges, has an unrestricted alley leading off it, and the lighting is questionable. This is within the application site boundary and improvements should be made to benefit pedestrian safety.

Comments dated 24 December 2020:

No objection.

- Generally the proposal is viewed favourably in terms of the likely impact upon the opportunity for crime and disorder. That the applicant has given consideration to such matters is evident from reference made within the design and access statement.
- However, the following points should be taken into consideration:
 - o Access to the rear access paths would not appear to be restricted to deny unauthorised access;
 - o Some rear garden boundaries would abut publicly accessible space, leaving them vulnerable. The layout should be re-thought or consideration be given to enhancing the intruder-resistance of the boundary treatments.
 - o Additional windows should be provided to allow surveillance of parking provision;
 - o An appropriate lighting scheme is required to facilitate natural surveillance; and
 - o The provision of certified attack-resistance doors and windows should be used.

Colwich Parish Council:

Comments dated 2 February 2021:

Objection.

- Further to the earlier comments of the Parish Council there is concern that the proposed play area is close to the sustainable drainage features.
- Furthermore, the means of enclosure separating the SuDS from Little Tixall Lane East is inadequate.

Comments dated 18 December 2020:

Objection.

- The increased size of the proposed development is unsustainable due to its scale in relation to Great Haywood.
- There is insufficient space to provide 119 dwellings and associated open space within the application site.
- Without vehicular connectivity to Great Haywood the site should not be viewed as being within the settlement boundary and that there is an extant permission for development of the site is immaterial as the context of the site has changed since Little Tixall Lane has been closed.
- The Stafford Borough Local plan 2020-2040 Issues and Options Consultation Document makes no provision for additional development in the Colwich Parish Area and it recognises that the parish area (in particular Great Haywood) has received a disproportionate amount of housing.
- Management of the public footpath must be taken into account.
- The provision of the new link road to the A51 will lead to a significant increase in traffic on Little Tixall Lane East and Coley Lane.
- An access point is proposed over a designated local green space and includes an unadopted route into Great Haywood which is not considered to be acceptable.
- There is no provision for bus stops on the link road; the nearest bus stops are within the centre of Great Haywood.
- There is no safe pedestrian access into the village;
- Colwich parish does not have the amenities to support a further 119 dwellings;
- The transport report is inaccurate and fails to reflect the true context, for example there are no safe cycle routes between Great Haywood and either Stafford or Hixon; and
- There is insufficient surface water drainage in the village.

Neighbours:

66 consulted: 17 representations received in objection, raising the following points:

- The number of dwellings in the original scheme was reduced in order to obtain approval and increasing the number of units is not acceptable;
- Great Haywood, Little Haywood, and Colwich are merging and losing their separate character;
- The application site has no connectivity with Great Haywood and should be considered outside of the settlement boundary ('rest of Borough area');
- Great Haywood has taken the required quote of residential development;
- Additional homes are not required in Stafford Borough as there are numerous empty homes;
- There are insufficient services and facilities (healthcare and education) to support additional residential development;
- Overdevelopment of the site so that it would not be in keeping with the prevalent densities of the surrounding area;

- The proposed open space would be inadequate;
- The proposed development would exacerbate flooding;
- Appropriate surface water drainage would be required;
- The assessment includes no mention of surface water which currently flows into the site;
- The flood risk assessment is inadequate;
- Harm to biodiversity in the vicinity;
- Loss of mature trees and hedgerows;
- Works carried out in forming the access has caused damage to the hedgerows;
- Increased disturbance during development;
- Inadequate public transport system;
- Increased traffic on a constrained local highway network and consequent safety issues;
- Improved safety measures are required along Coley Lane;
- Little Tixall Lane should be restricted to the east of the site;
- Proposed road layout is insufficient for large delivery vehicles;
- The lack of connectivity will result in visitors parking on Marlborough Close;
- The travel plan does not accurately reflect the proposed development, location, and potential impacts;
- There is no pedestrian connectivity to the village of Great Haywood given the width of the link towards The Uplands;
- This link should be increased in width;
- Low cost housing should be provided;
- Any affordable housing should be for local people;
- Dust emissions during development may cause health issues;
- Longer construction period will result in greater impacts;
- Loss of daylight;

One further representation has been received in objection, from 'The Haywood Society', a local resident's group, raising the following concerns:

- The concerns raised in 2013 remain:
 - o Flooding due to surface water run-off;
 - o Poor vehicular connection with Great Haywood; and
 - o Accessibility by public transport;
- Additional houses in the area increases built density, water run-off, and traffic congestion;
- The new junction with the A51 has cut off connection to Great Haywood;
- Public transport provision has decreased; and
- The provision of cycle storage and encouragement of the use of canal towpaths, local land, and cycle paths is impractical in terms of easing congestion.

Site notice expiry date: 8 January 2021

Newsletter advert expiry date: 6 January 2021

Relevant Planning History

- 13/19532/OUT – Outline residential development of up to 157 units with all matters reserved except for means of access – Refused 10 February 2014
- 14/20886/OUT – Outline development of 77 houses – Approved 13 March 2015
- 17/25920/REM – Reserved matters (14/20886/OUT) addressing the appearance, landscaping, layout, and scale – Approved 4 July 2017
- 18/27961/FUL – To vary conditions 2, 4, and 5 and to remove conditions 11, 13, and 14 of 17/25920/REM – Approved 4 May 2018
- 18/28266/FUL – Variation of conditions 13, 14, 15, and 16 of 14/20886/OUT – Approved 1 June 2018
- 19/30448/FUL – Variation of conditions 2, 11, and 12 of 18/28266/FUL – Approved 7 January 2020
- 20/33257/AMN – Non-material amendment to permission 18/27961/FUL – Approved 27 November 2020
- 21/33987/FUL – Variation of condition 2 (plans) on 18/27961/FUL – approved 30 July 2021

Recommendation

Approve subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. This permission relates to the originally submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-

0300 01 (Location plan)
 301 10 (Site plan)
 0302 03 (House type 663)
 0303 03 (House type 859)
 0304 03 (House type 859 open plan)
 0305 03 (House type 912-S)
 0306 03 (House type 979)
 0307 03 (House type 980)
 0308 03 (House type 1015 rear garden)
 0309 03 (House type 1015 side garden)
 0310 03 (House type 1161)
 0311 03 (House type 1173)
 0312 03 (House type 1262)
 0313 03 (House type 1295)
 0314 03 (House type 1437)
 0315 02 (House type 1437 open plan)
 0316 03 (House type 1437 side bay)
 0317 03 (House type 2450 plans)
 0318 03 (House type 2450 elevations)

0319 03 (House type 763)
 0320 03 (House type 789)
 0321 03 (House type 897)
 0322 03 (House type 912-D)
 0323 02 (Single garage)
 0324 02 (Shared double garage)
 0325 01 (Double garage)
 0328 11 (Materials)
 0329 05 (Boundary treatments)
 P17-0908_01-E (Soft landscape 1 of 4)
 P17-0908_02-E (Soft landscape 2 of 4)
 P17-0908_03-E (Soft landscape 3 of 4)
 P17-0908_04-C (Enhanced LEAP 4 of 4)
 AAC5444 600 P04 (Engineering concept - 117 plots)

3. Other than the access, internal road network and plots 1-7 and 103-117 no development shall take place unless and until a detailed surface water drainage design has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details. The design shall demonstrate:
 - 1) Surface water drainage system(s) designed in accordance with the non-technical standards for sustainable drainage systems (DEFRA, March 2015).
 - 2) SuDS design to provide sufficient water quality treatment, in accordance with the CIRIA SuDS Manual Simple Index Approach and SuDS treatment design criteria. Mitigation indices are to exceed pollution indices for all sources of runoff.
 - 3) Limiting the discharge rate generated by all rainfall events up to the 100 year plus climate change to the agreed 8.2l/s as outlined in the preliminary engineering concept.
 - 4) 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 shall demonstrate the performance of the designed system for a range of return periods and storm durations, to include as a minimum the 100-year plus 40% climate change and the 30-year return periods.
 - 5) Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system, including pump failure where applicable. Finished floor levels shall be set higher than ground levels to mitigate the risk from exceedance flows.
 - 6) Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water drainage systems are maintained and managed for the lifetime of the development. To include the name and contact details of responsible parties.
4. Except for plots 1-7 and 103-117 the glazing and ventilation performance of each dwelling shall comply with the requirements of paragraph 11.2.2 and table 11 of the Noise Risk Assessment and Acoustic Design Statement reference 21307-1 and dated 15 December 2020.

5. No development shall take place, except for the access, internal road network and plots 1-7 and 103-117, unless and until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved CEMP.
6. The development shall be carried out in accordance with the Ecological Construction Method Statement/Environmental Management Plan, reference edp4233_r005c, dated April 2021.
7. No dwelling shall be occupied, except for plots 1-7 and 103-117, unless and until a hard and soft landscaping scheme, which is broadly in accordance with the approved plans has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details. The scheme shall also include a programme of works, a hedgerow along the eastern boundary of the site, and details of the proposed means of enclosure and hard surfaced areas.
8. No piling or drilling works shall be carried out, except on plots 1-7 and 103-117, unless and until details of any such works together with a timetable for the carrying out of the works has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
9. The agreed off-site highway works shall be constructed in accordance with the approved plans prior to the development first being brought into use:
 - i) Provision of junction off A51;
 - ii) Provision of bus stops;
 - iii) Realignment of Little Tixall Lane;
 - iv) Provision of junctions on Little Tixall Lane; and
 - v) Provision of footway on Little Tixall Lane.
10. No further road and drainage infrastructure work shall commence, except for plots 1-7 and 103-117, unless and until details have been submitted to and approved in writing by the Local Planning Authority indicating all road construction, street lighting, drainage including longitudinal sections, and a satisfactory means of draining roads to an acceptable outfall to SuDS principles. The development shall thereafter be constructed in accordance with the approved details.
11. No individual dwelling shall be occupied, except for plots 1-7 and 103-117, unless and until the parking and turning areas associated with that dwelling have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained as such.
12. The garages hereby permitted shall be retained for the parking of motor vehicles and cycles, and storage purposes wholly ancillary to the associated dwellinghouse. No garage shall at any time be converted to living accommodation without the prior permission of the Local Planning Authority.

13. Other than plots 1-7 and 103-117, no dwelling shall be occupied unless and until the pedestrian and cycle routes shall be provided in accordance with the approved details and they shall thereafter be retained.
14. The Travel Plan (Beacon Transport Planning, dated October 2020, revision A) shall be implemented in accordance with the timetable set out in that plan. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually, on each anniversary of the date of this permission for a period of five years from first occupation, to the Local Planning Authority for approval.
15. No development shall take place, except for the access, internal road network and plots 1-7 and 103-117, unless and until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The approved CMS shall be adhered to throughout the construction period. The statement shall provide for:
 - i) Site compound with associated temporary buildings;
 - ii) Parking provision for vehicles of site operatives and visitors;
 - iii) Loading and unloading of plant and materials;
 - iv) Storage of plant and materials to be used in construction;
 - v) Wheel wash facilities; and
 - vi) Routing and access of deliveries.
16. No vegetation clearance shall be undertaken in the bird nesting season (March to August), unless it can first be demonstrated by the developer that breeding birds will not be affected through the submission of and approval in writing by the Local Planning Authority of a method statement for the protection/avoidance of nesting birds. The development shall thereafter be carried out in accordance with the approved details.
17. No dwelling shall be occupied, except for plots 1-7 and 103-117, unless and until bird boxes have been installed in appropriate locations in mature trees around the site in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.
18. Any excavations, which are left open overnight during construction works, shall be provided with a means of escape suitable for badgers, hedgehogs and other mammals.
19. Any external lighting shall be designed to avoid lightspill on all existing hedgerows together with those proposed as part of any landscaping scheme secured under this permission.

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

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.

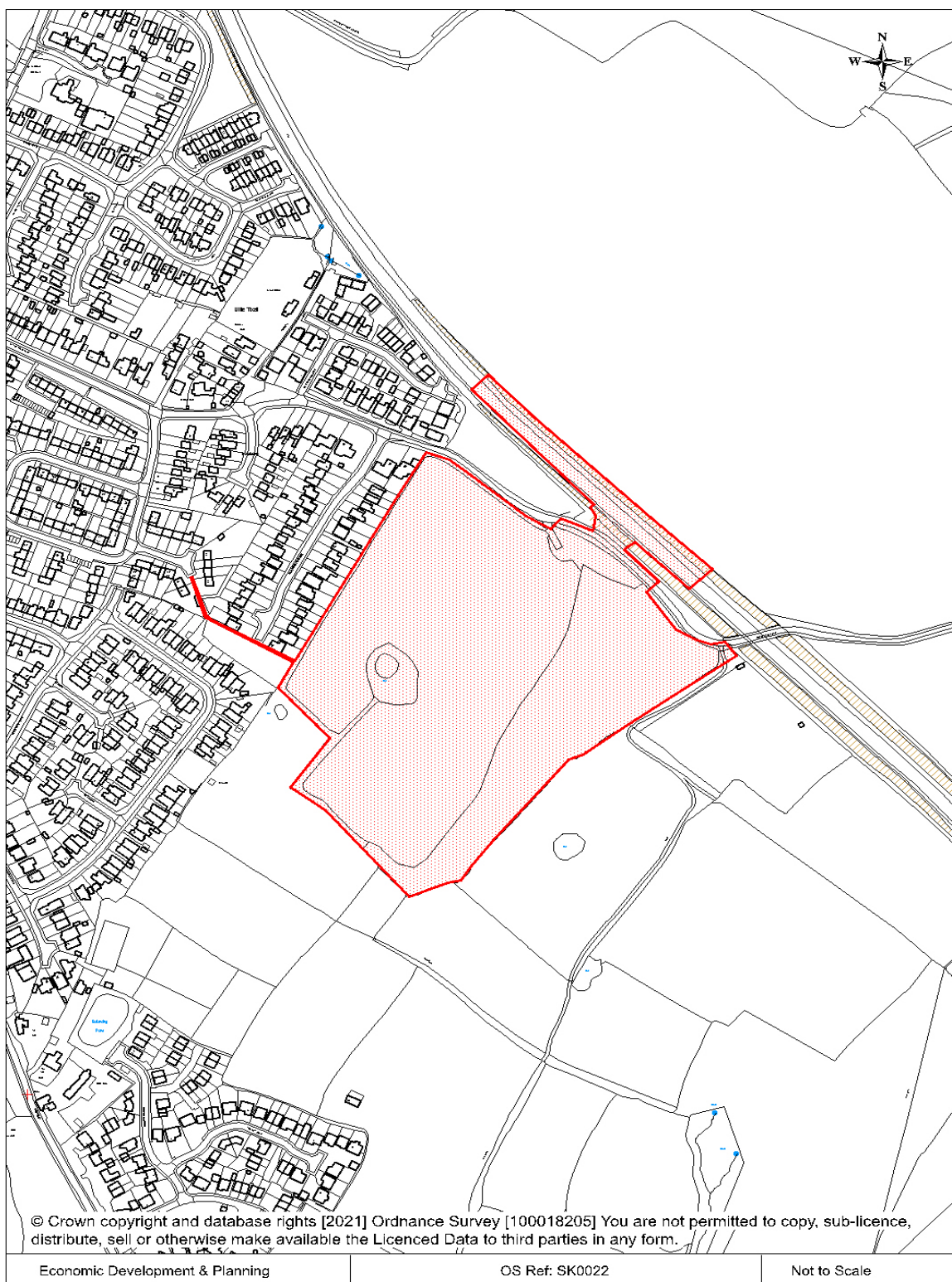
3. To prevent the increased risk of flooding both on and off site (Policy N2 of the Plan for Stafford Borough).
4. To safeguard the occupiers of the approved dwelling(s) from undue noise. (Policy N1e of The Plan for Stafford Borough).
5. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1e of The Plan for Stafford Borough).
6. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 174 of the National Planning Policy Framework).
7. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
8. To safeguard the occupiers of nearby residential properties from undue noise. (Policy N1e of The Plan for Stafford Borough).
9. To ensure the provision of adequate facilities in the interests of the convenience and safety of users of the highway. (Policy T2d of The Plan for Stafford Borough).
10. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
11. To ensure the provision of adequate off-street facilities in the interests of the convenience and safety of users of the highway. (Policy T2d of The Plan for Stafford Borough).
12. To ensure the provision of adequate off-street facilities in the interests of the convenience and safety of users of the highway. (Policy T2d of The Plan for Stafford Borough).
13. In the interests of the safety and convenience of pedestrians and cyclists. (Policy T1 and N1o of The Plan for Stafford Borough).
14. In order to promote sustainable travel. (Policy T1 of The Plan for Stafford Borough).
15. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
16. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 174 of the National Planning Policy Framework).
17. In order to ensure that the development results in a net gain in biodiversity. (Paragraph 174 of the National Planning Policy Framework).

18. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 174 of the National Planning Policy Framework).
19. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 174 of the National Planning Policy Framework).

Informative(s)

- 1 In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2010, as amended, and the National Planning Policy Framework 2021, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 The applicant's attention is drawn to the comments of Severn Trent Water, the Staffordshire Police Design Advisor and Staffordshire County Council Rights of Way Officer as submitted in response to consultations on this application. All comments can be viewed online through the planning public access pages of the Council's website at (www.staffordbc.gov.uk)
- 3 The applicants attention is drawn to the possibility of any changes requiring an amended license from Natural England in respect of protected species.

**20/33371/FUL
Land Off Little Tixall Lane
Lichfield Road
Great Haywood**



Application:	20/32899/FUL
Case Officer:	Teresa Dwight
Date Registered:	28 September 2020
Target Decision Date:	23 November 2020
Extended To:	
Address:	Land North Of Old House Farm, Kempsage Lane, Garmelow
Ward:	Eccleshall
Parish:	Eccleshall
Proposal:	Excavations and formation of embankments to create slurry lagoon.
Applicant:	PD and RL Fenton
Recommendation:	Approve, subject to conditions

REASON FOR REFERRAL TO COMMITTEE

This application was considered by Planning Committee on 17 March 2021 who resolved that the application be referred back for the following reasons:

- To check that the Environment Agency have responded on the correct site;
- To check concerns have been raised specifically about flooding on the site of the slurry lagoon;
- Clarification of environmental impact if considered in a different location

Officer Assessment

There has been no amendments for a revised siting.

The applicant has commissioned a specialist report regarding the flood risk on site and the construction of the lagoon in the location as applied for.

Amongst other things, the report confirms that the site is within flood zone 1 and the Environment Agency have no objection. A method statement (MS1) recommends the installation of a 1m clay lining to create an impermeable layer.

The report also states the following:

'The applicant in researching his proposal would have considered the risk of flooding. If the site was considered a flood risk, then this could render his site unsuitable and put the considerable

investment at risk. It is in the applicants own interest to ensure that the lagoon and new farming system works to its potential otherwise the large investment they made would be unviable.

I have been shown a site plan (DR1) that shows the re-routing of a field drain to avoid the proposed site. I consider this a sensible risk avoidance measure. In addition to the re-routing of the land drains I also understand that additional land drains are proposed in certain areas to provide additional drainage capacity.

As part of the construction phase of the lagoon development ground levels will be increased in certain areas to a height 1.5m above current ground levels. If the ground above the lagoon is raised this will reduce any potential flooding issues.'

The council consider that there are no flooding issues to consider in context of the siting of the lagoon within Flood Zone 1. The Environment Agency (EA) have been re-consulted and have not raised any objections. The EA state that the flood risk referred to is in relation to surface water and falls within the remit of the Lead Local Flood Authority (LLFA) at Staffordshire County Council to advise, and therefore refer to the comments provided by the LLFA on 29 April 2021.

The Lead Local Flood Authority (LLFA) have commented that this is a non-statutory consultation which they would not normally comment on. As non-statutory consultee they can offer the following information in good faith:

'The LLFA's original comments were related directly to an enquiry about the possible presence of a field drain or watercourse at the site location and we recommended further investigations. Existence of surface water ponding was not picked up under this enquiry, but after reviewing their data further, there does appear to be surface water ponding at the proposed site area, indicating a low point. Following a search on historic mapping, the LLFA can see that a number of hedgerows would have crossed the fields, which would most likely have been a hedge and ditch arrangement. The LLFA would not have information on whether any field drains were installed to replace any lost ditches.

The LLFA observe that contours show that land falls gently from the north east in a south westerly direction. Looking at the EA website for long term flood risk, there appears to be a possible natural flow route from Cash Lane (east) across the fields to a watercourse on Kempsage Lane (west), which then joins Lonco Brook. Depending on where the foot of the external embankment is proposed, the eventual siting or orientation of the lagoon may need to be modified to take account of possible surface water flooding. If any works are proposed to modify the low point where surface water collects, the applicant must ensure that this does not increase risk of flooding off-site'

It is noted that the LLFA are non-statutory consultees and do not formally object to the application.

As noted previously, it is indicated that during the construction of the lagoon ground levels will be increased in certain areas to a height 1.5m above current ground levels. However, this appears to relate to the construction of the lagoon itself and not any specific modifications to any low point where surface water collects. Furthermore, the specialist report considers that if the ground above the lagoon is raised this will reduce any potential flooding issues.

It is acknowledged that photographs of surface water flooding were presented at committee that were stated to be within the application site. However, it is unclear when these were taken and

whether or not there were any factors eg a blocked ditch/drain that could have caused/exacerbated the ponding of surface water. There was no evidence of surface flooding ponding within the application site during the case officer's site visit which was carried out after a period of heavy rain, even though surface water flooding was observed on rural roads in the wider locality en route to and from the site.

Taking all of the above into consideration, the Council summaries as follows:

The applicant has not sought a revised siting as the exact siting applied for was investigated and found suitable prior to the submission of the planning application. The council do not consider that a new siting should reasonably be asked to be investigated in these circumstances.

There is no evidence to suggest that the EA have considered the wrong site.

The surface water flooding layer presented at Committee is as found on the EA's public map, however, there is no current flooding hotspot indicated on the Council's own internal technical mapping system that receives its mapping information for surface water flooding layers from the LLFA. The LLFA have since reviewed their data further, and have stated that there does appear to be surface water ponding at the proposed site area, indicating a low point. However, the LLFA also state that following a search on historic mapping, they can see that a number of hedgerows would have crossed the fields, which would most likely have been a hedge and ditch arrangement. The LLFA would not have information on whether any field drains were installed to replace any lost ditches.

The Council consider, that in context of any potential surface water flooding risk, this can be adequately mitigated for by good land drainage management techniques such as re-routed and additional land drains. It is of more priority that the lagoon is constructed in accordance with the current legislation/within the parameters of EA legislation/guidance and in a manner that does not cause ground water contaminations. The Council consider that there is nothing to suggest that the lagoon will be constructed in such a manner as to cause spillage or overflow, to include into any potential surface water floodwater that may occur on site

Conclusion and Planning balance

Given the contents of the specialist report and the further comments of the EA and the LLFA, it is considered that there are no reasonable grounds for the Council to refuse the application on grounds of the environmental impacts of potential surface water flooding.

The application is therefore considered acceptable.

Re-Consultations:

Environment Agency:

Thank you for your enquiry which was received on 31 March 2021.

The Environment Agency has reviewed the location of the proposed development and note the site is located in Flood Zone 1 according to our Flood Map for Planning (Rivers and Sea) (<https://flood-map-for-planning.service.gov.uk/>).

The flood risk referred to is in relation to surface water and falls within the remit of the Lead Local Flood Authority (LLFA) at Staffordshire County Council to advise. We therefore refer to the comments provided by the LLFA on 29 April 2021.

The Environment Agency's statutory planning remit is in relation to fluvial flood risk from rivers. As the site is located in Flood Zone 1, we consider the proposed development low risk from a flood risk perspective and have no further comments to make.

Lead Local Flood Authority: Flood Risk Management Team, Stafford County Council: Appended:

Thank you for consulting us further on the above application. This is a non-statutory consultation which we would not normally comment on. As non-statutory consultee we can offer the following information in good faith:

Our original comments were related directly to an enquiry about the possible presence of a field drain or watercourse at the site location and we recommended further investigations. Existence of surface water ponding was not picked up under this enquiry, but after reviewing our data further, there does appear to be surface water ponding at the proposed site area, indicating a low point. Following a search on historic mapping, we can see that a number of hedgerows would have crossed the fields, which would most likely have been a hedge and ditch arrangement. We would not have information on whether any field drains were installed to replace any lost ditches.

The contours show that land falls gently from the north east in a south westerly direction. Looking at the EA website for long term flood risk, there appears to be a possible natural flow route from Cash Lane (east) across the fields to a watercourse on Kempsage Lane (west), which then joins Lonco Brook.

Depending on where the foot of the external embankment is proposed, the eventual siting or orientation of the lagoon may need to be modified to take account of possible surface water flooding. If any works are proposed to modify the low point where surface water collects, the applicant must ensure that this does not increase risk of flooding off-site.

Recommendation

Approve, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. This permission relates to the submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence :-

DCRP2020.3.2-02 Rev D Site plan (proposed)
 DCRP2020.3.2-03 Rev C Location Plan
 Drwg. No. 2637-20 Rev C Proposed Lagoon
 Drwg. No. 2637-30 Proposed Timber Fence and Gates

3. Prior to the commencement of any development, including demolition, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The approved management plan shall include details relating to construction access, hours of construction, routing of HGV's, delivery times and the location of the contractors compounds, cabins, material storage areas and contractors parking and a scheme for the management and suppression of dust and mud from construction activities including the provision of a vehicle wheel wash. It shall also include a method of demolition and restoration of the site. All site operations shall then be undertaken strictly in accordance with the approved CEMP for the duration of the construction programme.
4. Unless otherwise agreed within a Construction Environmental Management Plan (CEMP) approved under Condition 3 above, all construction works, including demolition, together with associated deliveries to the site shall only take place between the hours of:

8:00 am and 18:00 pm Monday to Friday inclusive;
8:00 am and 14:00 pm on Saturdays;
Not at all Sundays, Bank Holidays and other public holidays.
5. There should be no burning on site during development and all demolition materials shall be removed from site and properly disposed of.
6. Any high intensity site lighting during works should be directed away from nearby residences.
7. Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of adjacent occupied residential dwellings
8. Any high intensity lighting associated with the proposed development such as floodlights shall be directed away from nearby residences and be angled towards the ground.

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

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.
3. In the interests of the safety and convenience of users of the highway and to safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policies N1e and T1c of The Plan for Stafford Borough).
4. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1e of The Plan for Stafford Borough).

5. To safeguard the occupiers of nearby residential properties from undue fumes and general disturbance and to safeguard the amenities of the area. (Policy N1e of The Plan for Stafford Borough).
6. To safeguard the occupiers of nearby residential properties from undue disturbance during the construction period. (Policy N1e of The Plan for Stafford Borough).
7. To safeguard the occupiers of nearby residential properties from undue disturbance in this rural location and to safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).
8. To safeguard the occupiers of nearby residential properties from undue disturbance in this rural location and to safeguard the amenities of the area(Policy N1e of The Plan for Stafford Borough).

Informative(s)

- 1 In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2010, as amended, and the National Planning Policy Framework 2019, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 That the applicants attention be drawn to the comments of the SCC Flood Risk Management Team, the Environment Agency and Natural England, available for view on public access in respect of this application and as summarised in the case officer's report.

Previous report which went to committee 17 March 2021

Application:	20/32899/FUL
Case Officer:	Teresa Dwight
Date Registered:	28 September 2020
Target Decision Date:	23 November 2020
Extended To:	19 March 2021
Address:	Land North of Old House Farm, Kempsage Lane, Garmelow, Eccleshall, ST21 6HL
Ward:	Eccleshall
Parish:	Eccleshall
Proposal:	Excavations and formation of embankments to create slurry lagoon.
Applicant:	PD and RL Fenton
Recommendation:	Approve, subject to conditions

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor J M Pert (Ward Member for Eccleshall) for the following reason:-

"For planning committee to discuss the impact of the proposed development on the environment, especially the impact on local water courses, and the impact on the local area"

Context

The application site is in open countryside and is accessed off Kempsage Lane, an isolated country lane that also provides access to one residential property from this direction.

The application site is the subject of four applications that propose an inter-related agricultural development and associated works on land to the north of Old House Farm.

The existing farm complex of Old House Farm lies mainly to the south of Kempsage Lane. There are also several existing older agricultural buildings located to the north of Kempsage Lane. These are towards the front of the application site. However, the buildings are in poor condition and are therefore proposed for demolition.

The proposed development is required in order to establish a new milking enterprise alongside the existing farm operations. The proposals have been submitted by the new owners of Old House Farm. The resultant expansion of the farm complex will be on land immediately opposite the existing main farm complex.

The works are referenced under the following planning applications, which are being considered concurrently:

20/32914/FUL The erection of a cubicle shed for dairy cattle.

20/32915/FUL Erection of a silage clamp.

20/32903/FUL The erection of a milking parlour and dairy with bulk milk tank within, and associated works

20/32899/FUL Excavations and formation of embankments to create slurry lagoon.

The site is an agricultural field immediately opposite and to the north of the highways access to the main farmyard complex, which is located on the other side of the lane.

In terms of the wider context, the site layout for the four applications shows the following arrangements:

The slurry lagoon will be to the western (side) and northern (rear) boundaries of the site; the silage clamp will be to the east of the lagoon and along the northern (rear) boundary; the parlour and dairy building will be to the southern (front and eastern (side) boundaries of the site; the cubicle shed will be central to the other development but will also be partially to the northern (rear) boundary and will also be along the eastern (side) boundary.

This report considers application 20/32899/FUL, which seeks consent for the excavations and the formation of embankments to create a slurry lagoon.

The lagoon will measure approximately 68.5m x 38m to include a 1m high grassed embankment on top of which will be sited a 1.8m high plastic coated wire metal fence with an access gate to safely enclose the lagoon.

Officer Assessment

1 Policy Framework – Principle of Development

Spatial Principle SP7 of The Plan for Stafford Borough states that development outside of the Settlement Boundaries and in the countryside, as in this case, will only be supported where, amongst other things:-

ii) It is consistent with the objectives of SP6 and Policy E2 in supporting rural sustainability;

SP6i promotes a sustainable rural economy and this scheme would contribute to that aim.

Policy E2 (ii) is explicit that in supporting rural sustainability, provision for the essential operational needs of agriculture will be made.

Policy E2 also requires that all development in these areas should, where appropriate and feasible:

- a. make use of suitable existing buildings or previously developed land before proposing new buildings or development of Greenfield land;
- b. be well related to an existing farmstead or group of buildings, or be located close to an established settlement, except where there is an agricultural or other justification for a use in a specific location;
- c. be complementary to, and not prejudice, any viable agricultural operations on a farm and other existing viable uses;
- d. respect and protect the natural landscape, the built vernacular character of the area, and any designated or undesignated heritage asset;
- e. be of a high quality of design, consistent with the requirements of Policy N1;
- f. be appropriately designed for its purposes;
- g. not be detrimental to the amenity of the area, or it is demonstrated that alternative uses are preferable for reasons of heritage interest;

Mitigation or compensation for harmful impacts would be required.

Agricultural Need

The National Planning Policy Framework clearly supports development essential to the operation of an agricultural business or that contributes to the development of the rural economy. Nevertheless, it is still necessary to avoid unnecessary harm to a range of matters including the environment, local character and amenity, while a balance of the pros and cons in terms of sustainability also needs to be considered.

In this instance, sufficient information (via an agricultural need statement and a planning statement) has been submitted by the applicant to justify the need for the proposal (E2(ii)) and for its siting away from, but in close proximity to, the main farmyard complex (E2a and E2b).

It is stated in the Agricultural Need Statement that the need for the proposed buildings arises from the applicants' intention to establish a dairy enterprise on the farm. It will be the primary enterprise on the farm, which extends to 180 acres (72 hectares). A further 90 acres (36 hectares) in the Bradley area, renewed every five years.

An itemised list of the existing buildings on the farmstead has also been submitted, to include their locations, uses, and states of repair.

It is stated that Buildings-4 are obsolete and in poor repair, and require demolition. These are the existing buildings to the north of the site.

The proposal will provide full-time employment for both applicants and also for a part-time student worker.

Stock is as follows:

Herd of 180 dairy cows to be brought on to the farm when the unit is ready;
90 bovine followers including 20 calves.

In context of the current proposal as a whole, in particular, it is stated in the Agricultural Need Statement that ‘the main buildings will be a milking parlour approximately 540 square metres in area and a cubicle shed (1202 square metres in area). There will also need to be a slurry lagoon just under 2,000 square metres in area, with a capacity of 3,775 cubic metres, and a silage clamp divided into two bays (one 12.2m in width and the other 13.71m), totalling just under 830 square metres in area. The minimum capacity of the slurry lagoon is determined by reference to the excreta produced by the cattle, the volume of e.g. parlour washings that will supplement it, annual precipitation, and the need to maintain five months’ storage.

The milking parlour is largely self-explanatory, though it will also include a dairy with bulk milk tank and associated equipment. It will have a 24/48 herringbone pattern. The cubicle shed will be used to accommodate the cattle during the winter months. The silage clamp will store silage, which will be used to feed the cattle while they are in the cubicle shed, and supplement grazing of the surrounding land.’

In particular, it is stated in the Planning Statement that it is not feasible to use or adapt the existing buildings, or to erect new buildings to the south of the lane. Amongst other things, it is noted that ‘the south of the site is a Source Protection Zone (SPZ), designated by the Environment Agency. SPZs are defined around large and public potable groundwater abstraction sites. Their purpose is to provide additional protection to safeguard drinking water quality through constraining the proximity of an activity that may impact upon a drinking water abstraction.....Broadly, the closer the activity, the greater the risk. The location of the SPZ1, together with potential for conflict with existing overhead electricity wires, influenced the applicant’s decision to seek to develop the new buildings to the north of the lane rather than to the south of the existing modern buildings..... Particular care was required in regard to the proposed slurry lagoon, as poorly constructed or managed lagoons can cause water pollution. The details of the proposed slurry lagoon are regulated by the Environment Agency, which must be notified at least 14 days before construction begins.’

It is also stated in the Planning Statement that ‘It is not feasible to make use of the existing buildings for the proposed dairy enterprise. Dairy production has become a specialist function and the equipment required for it needs to be housed in a building of appropriate dimensions; adaptation of an existing one is rarely practicable. Furthermore, the cows’ housing and living space is paramount to their health and wellbeing. The cows need to be encouraged to move through the milking parlour and cubicles, and this has implications for the layout of buildings and their design. Hence the construction of new buildings is essential to the efficiency of the unit, which in turn is vital if the enterprise is to be economically viable in the long term. This means that the old set-up is not suitable for a modern, efficient dairy enterprise.

The proposed buildings are as close as possible to the existing ones at Old House Farm.’

In context of E2c, d, e, f, and g, is considered that the proposal meets the requirements of Policy E2.

From the information submitted under this application, and without any evidence to the contrary, it is considered that the proposed location would provide a suitable balance between meeting the needs of the established agricultural business and justifiable impact on local character.

With the above in mind it is considered that the development is reasonably required for the operation of the agricultural business at Old House Farm and that the siting proposed is appropriate.

The principle of the development is therefore accepted, subject to all other material considerations being met.

Policies and Guidance:-

National Planning Policy Framework- Paragraphs 8, 83, 170

The Plan for Stafford Borough – Policies Spatial Principle 1 – Presumption in Favour of Sustainable Development, Spatial Principle 3 – Stafford Borough Sustainable Settlement Hierarchy, Spatial Principle 6 – Achieving Rural Sustainability, Spatial Principle 7 – Supporting the Location of New Development, E2 – Sustainable Rural Development
Eccleshall Neighbourhood Plan

2. Impact on Character and Appearance

The surrounding land is gently undulating farmland and the proposal involves the expansion of an existing farm enterprise into currently open land.

As such, it is acknowledged there will be views from the wider area, to include passing views along public footpaths to the east.

However, as discussed previously, sufficient justification for the need and siting of the proposal has been submitted and is considered acceptable.

The proposed development as a whole would be sited close to existing farm buildings and integrated with others previously granted consent within the main complex. The demolition of dilapidated existing buildings on the site to the north will help to offset the impacts of the new development as well as visually improve the site.

The proposal would be complementary to the agricultural operation and would not affect any heritage asset nor significantly harm the appearance of the landscape. The development as a whole would be of high quality taking into account the purpose for which it was designed and the external materials would be typical of similar agricultural development and buildings in the countryside. The slurry lagoon itself would cover a large area, however, this is requisite for its intended use and its prominence would be limited by its very nature consisting of a 1m grassed earth embankment to all sides with a 1.8m high plastic coated wire perimeter safety fence atop.

The lagoon's siting towards the western and northern site boundaries will minimise overall impacts whereby it would be either be screened from public and wider views by the other existing and proposed development on the farm complex, or it would be seen against the backdrop of the existing and proposed farm complex as a whole.

It is stated in the submission that there are trees in the hedgerow, which will be retained, and other trees in the vicinity (also to be retained). The hedgerow will be retained and its management improved for containment of livestock, wildlife habitat and screening of the proposed development.

The retention of existing soft landscaping will help to minimise any disruption to the existing rural fabric.

Typical new boundary treatments are shown as 1.2m high timber post and rail fencing with galvanised steel gates and are considered appropriate for the rural location.

No objection is thus raised based on policy issues and the visual impact on the countryside.

The siting, design and external appearance of the proposed slurry lagoon, in conjunction with the proposed development as a whole, is therefore considered to be satisfactory in accordance with the relevant provisions of Policies E2, N1 and N8 of The Plan for Stafford Borough.

Neighbour comments in context of appearance and visual impact are noted and addressed above.

Policies and Guidance

National Planning Policy Framework- Paragraphs 124, 125, 126, 127, 130

The Plan for Stafford Borough- Policies N1 Design, N8 Landscape Character, E2 Sustainable Rural Development
Supplementary Planning Document (SPD) – Design
Eccleshall Neighbourhood Plan

3. Residential Amenity

The proposed lagoon would be sited at a minimum distance of approximately 72m from the nearest residential neighbour to the southwest, with the existing farm complex being in closer proximity to residential neighbours to this side. To the southeast, the proposal would be sited at a minimum distance of approximately 281m from the nearest residential neighbour, with the existing farm complex being in closer proximity to residential neighbours to this side. To the northwest, the nearest residential neighbour would be approximately 205m away over open agricultural land. To the northeast, the nearest residential neighbour would be approximately 400m away also over open agricultural land.

The Environmental Health Officer (EHO) raises no objections subject to conditions to safeguard nearby residential occupiers from undue disturbance during development. These are considered reasonable to attach to any grant of consent where not covered by other conditions or where be better controlled under separate legislation.

The EHO also recommends a condition that high intensity lighting associated with the development such as floodlights should be directed away from nearby residences and be angled towards the ground.

In context of disturbance from the use of the proposed development, the EHO confirms that application has addressed concerns regarding operational noise and odours and no conditions are requested in respect of these matters.

It is therefore considered that the siting of the proposal is appropriate in respect of any neighbouring residential properties to minimise impacts of malodour, noise and general disruption and that the proposal would not otherwise impact on amenity.

Neighbour comments in respect of potential odour and nuisance from the proposal are noted and addressed above. However, as stated above, The Environmental Health Officer has not raised any concerns on these matters, which would in any case be better dealt with under separate legislation.

The EHO has not identified any danger to health as a material consideration in this case over and above normal standards.

Policies and Guidance

National Planning Policy Framework – Paragraphs 127, 170

The Plan for Stafford Borough (TPSB) - N1 Design, N4 The Natural Environment and Green Infrastructure
Supplementary Planning Document (SPD) – Design
Eccleshall Neighbourhood Plan

4. Highways

The proposed development would be accessed through an existing field/agricultural access opposite the access to the main farmyard complex. It is acknowledged that the wider site is already in agricultural use and as such generates vehicle movements.

Supporting information states that the proposal will have safe and adequate means of access, egress and internal circulation / turning arrangements for all modes of transport relevant to the proposal and in particular milk tankers and feed delivery wagons. The large goods vehicles will require a hard standing for a matter of a few minutes each time they visit, and otherwise there will be very few vehicles visiting regularly. Tractors can be parked among the existing buildings across the lane. Kempsage Lane is a very lightly-trafficked with only one other property relying on it for access. There will be infrequent visits to deliver feed and more frequent (alternate days) visits to collect milk. The lane is wide enough to accommodate a milk tanker. Once it is on the main road, the milk tanker will be visiting other farms in the area, and so there may be no change in the number of large goods vehicles in the locality. There may be a slight increase in the number of private cars visiting the farm, though nothing of significance.

The Highway Authority (HA) have no objections to the application commenting that there is good access, from the proposed development on to Kempsage Lane with good visibility. Kempsage Lane and the surrounding highway network are lightly-trafficked and the proposed development will have no significant effect on the network, with only infrequent visits to deliver feed and more visits to collect milk generated as additional traffic.

The HA have requested a condition to secure a Construction Environmental Management Plan (CEMP) to cover the construction period, in order to control the impacts of the development during construction.

Neighbour comments in context of the increased heavy traffic movement impacts and the poor condition of the lane etc are noted, however, the Highway Authority have not raised any concerns in this respect.

Policies and Guidance:-

National Planning Policy Framework - Section 9: Promoting sustainable transport.

The Plan for Stafford Borough (TPSB)

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

Eccleshall Neighbourhood Plan

5. Ecology/Trees

SP6iii states that development should not conflict with the environmental protection and nature conservation policies of TPSB. It is not considered that there would be any unacceptable impact on ecology or biodiversity in the direct vicinity of the site that cannot be mitigated for the reasons set out below.

Natural England (NE) have been consulted on as this site falls within a Natural England SSSI Impact Risk Zone. Following the submission of additional information during the course of the application, NE have no objection, subject to appropriate mitigation being secured.

NE advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures. However, it is considered that these matters, which relate to codes of practice, are best dealt with via an informative.

The applicants have confirmed via additional information dated 15 January 2021 that they intend to comply with the Government's Clean Air Strategy 2019 (paragraph 7.4.2) in regard to fitting a cover to the slurry lagoon by 2027 at the latest and that they will ensure this is implemented in line with Natural England's and Environmental Agency's rules and guidelines, the NVZ Regulations and Defra's Code of Good Agricultural Practice. The NE have confirmed that they have no further comments to make on the application as a result.

As previously noted, any existing trees and hedgerows are to be retained. In addition the Biodiversity Officer has not raised any issues.

Neighbour comments relating to the impacts of the proposal on biodiversity etc are noted however, the statutory consultees, and Natural England in particular, do not raise any objections to the proposal and as such these matters are considered acceptable.

Policies and Guidance:-

National Planning Policy Framework
Paragraph 170, 175, 176, 177.

The Plan for Stafford Borough (TPSB)
SP6 Achieving Rural Sustainability, N4 The Natural Environment and Green
Infrastructure, N5 Sites of European, National and Local Nature Conservation Importance
Eccleshall Neighbourhood Plan

6. Drainage/pollution

The Environment Agency (EA) has been consulted and has no objections to the proposal in context of any pollution impacts of the proposal. The EA advise that the proposed development must fully comply with the terms of The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010 and as amended 2013. The EA have confirmed that their responses are advisories for the applicant rather than points to address.

The EA further comment that they are aware that the applicant has had prior conversations with EA's pollution prevention advisor. The EA wish to clarify that the possible requirement for an Environmental Permit (possible exemption – waste activity) is in relation to the possibility of construction materials being brought on site as a separate matter, rather than the function of the slurry lagoon.

The Local Lead Authority Flood Development Team have responded on a non-statutory basis on this occasion in response to neighbour comments regarding potential culverts and drainage issues. The Flood Team comment that an initial search of the Flood Team's data does not show any drainage/culvert on the land. As this is private land, the Flood Team are unlikely to hold details of private drainage arrangements. It is possible that the pipe is a field drain, which could link into a historic watercourse/ditch/culvert. If the neighbour is sure about the location of the drain, the landowner could try to locate it, and alter the proposed layout to avoid the area. Notwithstanding, the Flood Team have requested an informative to address this issue.

Neighbour comments in respect of land drainage and general pollution as a result of the proposal are noted however, in the absence of any objection from the Environment Agency and the County Flood Team, these matters are considered acceptable.

National Planning Policy Framework
Paragraph 170, 175, 176, 177, 178

The Plan for Stafford Borough - SP6 Achieving Rural Sustainability, N2 Climate Change,
N4 The Natural Environment and Green Infrastructure, N5 Sites of European, National
and Local Nature Conservation Importance
Eccleshall Neighbourhood Plan

Neighbour comments

To summarise:

Neighbour comments over impacts to human health and quality of life from odours, flies, noxious substances etc. are noted and have been addressed in the relevant parts of the

report, as have neighbour comments and concerns about the safety of the farming operations, and in particular the lagoon, to include impacts on water courses, wildlife and local biodiversity, problems with land drainage and concerns over any existing drains/culverts, character and appearance and highways matters.

In addition, loss of views from the listed buildings specified within the neighbour comments, is not a planning matter. The listed buildings in any case appear to be at a substantial distance from the site.

From the details contained within the submission and in the absence of any objections from the relevant statutory consultees, there is nothing to suggest that the proposed farming enterprise is not acceptable, subject to appropriate conditions. The applicants have further indicated that proper procedures and best practice will be followed, where subject to separate legislation.

Concluding comments and the planning balance.

The proposed slurry lagoon is considered to be acceptable and appropriately designed for its proposed agricultural use.

Subject to appropriate conditions, the proposal would meet the economic, social and environmental objectives of local plan policies and national guidance to achieve rural sustainability whilst minimising the impact on residential amenity.

It is further considered that the benefits of the development in terms of support for the rural economy outweigh any visual or amenity impact that would arise due to its siting.

Consultations

Natural England

Summary of Natural England's advice

Further comments on additional information:

No objection - subject to appropriate mitigation being secured

We consider that without appropriate mitigation the application would:

- damage or destroy the interest features for which Loynton Moss Site of Special Scientific Interest and Cop Mere SSSI/Midlands Meres and Mosses Phase 2 RAMSAR have been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Following the code of practice <https://www.gov.uk/government/publications/code-of-good-agricultural-practice-for-reducing-ammonia-emissions>

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out in the remainder of NE's comments.

Original response (summarised):

Insufficient information provided. There is insufficient information to enable Natural England to provide a substantive response to this consultation. NE ask that the applicant provides the information required as requested in their comments.

Environment Agency:

We have reviewed the information submitted and have no objections to the proposed development.

Advice to Applicant

The proposed development must fully comply with the terms of The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010 and as amended 2013. The applicant should refer to the guidance on storing silage, slurry and agricultural fuel oil available on the gov.uk website:

<https://www.gov.uk/guidance/storing-silage-slurry-and-agricultural-fuel-oil>. This guidance includes the following with regard to slurry stores; -Slurry tanks, reception pits, pipes and channels must be impermeable and meet the anti-corrosion standards set in British Standard 5502-50:1993 A2:2010. They should last for at least 20 years with maintenance. -The base and walls of your slurry tank and any reception pit must withstand the wall loadings set in the standard.

-You are responsible for making sure your storage capacities and maintenance comply with the Nitrate Vulnerable Zone (NVZ) rules

-Health and Safety fencing around slurry lagoons

You must inform the Environment Agency, verbally (Tel: 03708 506 506) or in writing, of new, reconstructed or enlarged slurry store, silage clamp or fuel store at least 14 days before starting any construction work. The notification must include the type of structure, the proposed design and construction. The applicant is responsible for the certification of any new structure either personally or through a construction consultant.

There is guidance on the construction of earth bank lagoons as proposed. Specifically, there are Factsheets relating specifically to earth lined lagoons:

1. Factsheet relating specifically to earth lined lagoons
2. Factsheet explaining how to test the soil for suitability for use in construction of an earth lined lagoon. You may need a liner otherwise.

Any construction materials brought on site may require an Environmental Permit from us under the Environmental Permitting (England and Wales) Regulations 2016. Any pollution prevention measures in relation to the proposed activity will be enforced via this permit.

The applicant should be aware that there is no guarantee that a permit will be granted. We therefore ask the applicant / developer to contact the Environment Agency on 03708506506 for a pre-application discussion.

Further information regarding the need, and applying, for an Environmental Permit can be found on our website: <https://www.gov.uk/topic/environmental-management/environmental-permits>.

SCC Flood Risk Management Team:

Thank you for your email. Individually, we think these are all non-statutory consultations, and we are not responding to non-stat consultations at the moment. However, on this occasion we have logged this under the one reference: 20/32899/FUL Excavations and formation of embankments to create slurry lagoon, and considered placement of the other related structures on the site under the other references as a non-statutory consultation.

An initial search of our data does not show the said drainage/culvert. As this is private land, we are unlikely to hold details of private drainage arrangements. It is possible that the pipe is a field drain, which could link into a historic watercourse/ditch/culvert. If the neighbour is sure about the location of the drain, the landowner could try to locate it, and alter the proposed layout to avoid the area.

INFORMATIVE

We have been made aware that there is a possibility of a culvert within the boundary of the site, and the presence of a watercourse on historic maps suggests that this could be probable. As such, we would recommend consulting the Environment Agency and asking the developer to be aware of regulations and environmental requirements relating to creating a slurry lagoon, and be aware of any consequences if not constructed correctly in the right place. Furthermore, we would recommend that the applicant or agent seeks to locate the position and condition of any pipe/culvert and provide an appropriate remedy that does not increase the flood risk to any third party or to future users of the site.

Tree Officer: Surgery

No response received.

Biodiversity Officer: Summarised:

Buildings 1 – 4 do not look suitable for bats at all, so no concerns there.

Buildings 5,6,7 do have potential but do not appear to be part of this application

Highway Authority:

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

There is good access, from the proposed development on to Kempsage Lane with good visibility. Kempsage Lane and the surrounding highway network are lightly-trafficked and the proposed development will have no significant effect on the network, with only infrequent visits to deliver feed and more visits to collect milk generated as additional traffic.

Conditions

Prior to the commencement of any construction, including demolition, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The approved management plan shall include details

relating to construction access, hours of construction, routing of HGV's, delivery times and the location of the contractors compounds, cabins, material storage areas and contractors parking and a scheme for the management and suppression of dust and mud from construction activities including the provision of a vehicle wheel wash. It shall also include a method of demolition and restoration of the site. All site operations shall then be undertaken strictly in accordance with the approved CEMP for the duration of the construction programme.

Reasons

In the interest of Highway Safety

Environmental Health/Pollution Control Officer:

Further comments:

The application has addressed concerns regarding operational noise and odours.

General comments are given below:

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.

There should be no burning on site during development

All demolition materials shall be removed from site and properly disposed of.

Facilities shall be provided at the site and used when necessary for damping down to prevent excessive dust.

High intensity site lighting during works should be directed away from nearby residences.

Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of adjacent occupied residential dwellings

High intensity lighting associated with the development such as floodlights should be directed away from nearby residences and be angled towards the ground.

Original response:

There are no comments

Parish Council:

No objections

Neighbours (19 consulted) :

20 representations received, comments summarised as: Objections and supporting comments as follows:

Concerns over impacts from intensive farming;

Will be visible from elevated listed buildings;

Community wellbeing and health impacts from toxic fumes and smells;

Impacts on wildlife;

Impacts on members of the public with underlying lung conditions;
 Suggests a need for an Odour, Gas and Fly Management Plan;
 Concerns over prevailing winds carrying flies and potential sources of disease and noxious gases towards curtilages of local residents and towards walkers, ramblers, horse riders etc.
 Concerns over ecological siting of slurry lagoon in respect of drainage/leaking into local pristine watercourses and local wetlands;
 Suggests slurry management is not adequately covered;
 Suggest open slurry lagoon should be covered from the outset;
 Suggests a safer location for silage clamp and slurry lagoon away from an existing culvert/drain across the site, to avoid environmental damage;
 General comments on farming pressures and mitigations such as tree plantings;
 Queries impacts on Source Protection Zone and if NVZ protocols will be followed;
 Poorly surfaced highways access to site and the bridleway beyond; increased Concerns about impacts of additional traffic and animal movements on existing lane;
 Concerns about existing/historic draining issues/waterlogged fields which may lead to more pollution/be infected by the proposals;
 Surprised not to have been informed about the proposal;
 Concerns that four separate applications have been submitted when they are all interdependent on each other;
 Large existing farm buildings should be re-purposed;
 Concerns that the storage of slurry and effluence will be affected by extreme weather (climate change);
 Concerns about safety of slurry lagoons and impacts on quality of life of residents;
 Concerns that silage will be transported to the site from other (rented) land.
 Concerns no mention of carbon offset;
 Can local electricity network support the proposal?;
 Query economic viability of a large new enterprise;
 Advises of leaflets warning of the proposal put up anonymously in the area;
 Farming is part of the rural fabric but the proposal would come at an environmental cost and an unacceptable risk;
 Suggests: A Whole Farm Plan for the future;
 A safer, more appropriate location for clamp and lagoon;
 An emergency spillage containment plan;
 New hedges and tree screening;
 An excess slurry disposal plan that accords with NVZ protocols;
 Upgrading of Kempsage Lane for heavy lorries.

The proposal is needed in the current climate and farmers should be encouraged to succeed and feed the nation;
 Proposal is acceptable in the area;
 Neighbour lives next to a farm and has not encountered any issues;
 The proposals are well thought out and will be a real asset;
 Young farmers should be encouraged to carry on this profession as the industry is sadly lacking in youth/the next generations;
 Farming community is needed more than ever due to leaving the EU;
 There has to be an expectation of agriculture and agricultural vehicles when living in a rural community;
 Supports the proposed functioning dairy farm;

Proposal will not be out of character for the area;
 Proposal appears to be in line with Industry guidelines for Cow Comfort standards;
 Concerns about slurry lagoons, to include flies and smells, are largely unwarranted;
 The lagoon will have to be fenced for safety reasons and can easily be hidden within the landscape to a large extent by an earth wall and hedging;
 The information within the submissions seems to show that correct procedures appear to have been followed;

Site notice:
 Expiry date: 26.10.2020

Relevant Planning History

02/42648/FUL Erection Of Farm House. Withdrawn.
 02/42649/FUL Fodder Store. Approved.
 02/42650/FUL Implement Shed. Approved.
 02/42651/FUL Extension to Grain Store. Approved.
 02/42652/FUL Cattle Housing Phase One. Approved.
 02/42653/FUL Cattle Housing Phase Two. Approved.
 02/42654/FUL Cattle Housing Phase Three and Workshop. Approved.
 08/09656/FUL Replacement agricultural building for implement and general storage. Approved.
 16/25267/PAR | Notification for prior approval for a proposed change of use of agricultural building to a dwellinghouse (Class C3) and for associated operational development. Refused.

Recommendation

Approve, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. This permission relates to the submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence :-

DCRP2020.3.2-02 Rev D Site plan (proposed)
 DCRP2020.3.2-03 Rev C Location Plan
 Drwg. No. 2637-20 Rev C Proposed Lagoon
 Drwg. No. 2637-30 Proposed Timber Fence and Gates

3. Prior to the commencement of any development, including demolition, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The approved management plan shall include details relating to construction access, hours of construction, routing of HGV's, delivery times and the location of the contractors compounds, cabins, material storage areas and contractors parking and a scheme for the

management and suppression of dust and mud from construction activities including the provision of a vehicle wheel wash. It shall also include a method of demolition and restoration of the site. All site operations shall then be undertaken strictly in accordance with the approved CEMP for the duration of the construction programme.

4. Unless otherwise agreed within a Construction Environmental Management Plan (CEMP) approved under Condition 3 above, all construction works, including demolition, together with associated deliveries to the site shall only take place between the hours of:

8:00 am and 18:00 pm Monday to Friday inclusive;
8:00 am and 14:00 pm on Saturdays;
Not at all Sundays, Bank Holidays and other public holidays.
5. There should be no burning on site during development and all demolition materials shall be removed from site and properly disposed of.
6. Any high intensity site lighting during works should be directed away from nearby residences.
7. Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of adjacent occupied residential dwellings
8. Any high intensity lighting associated with the proposed development such as floodlights shall be directed away from nearby residences and be angled towards the ground.

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

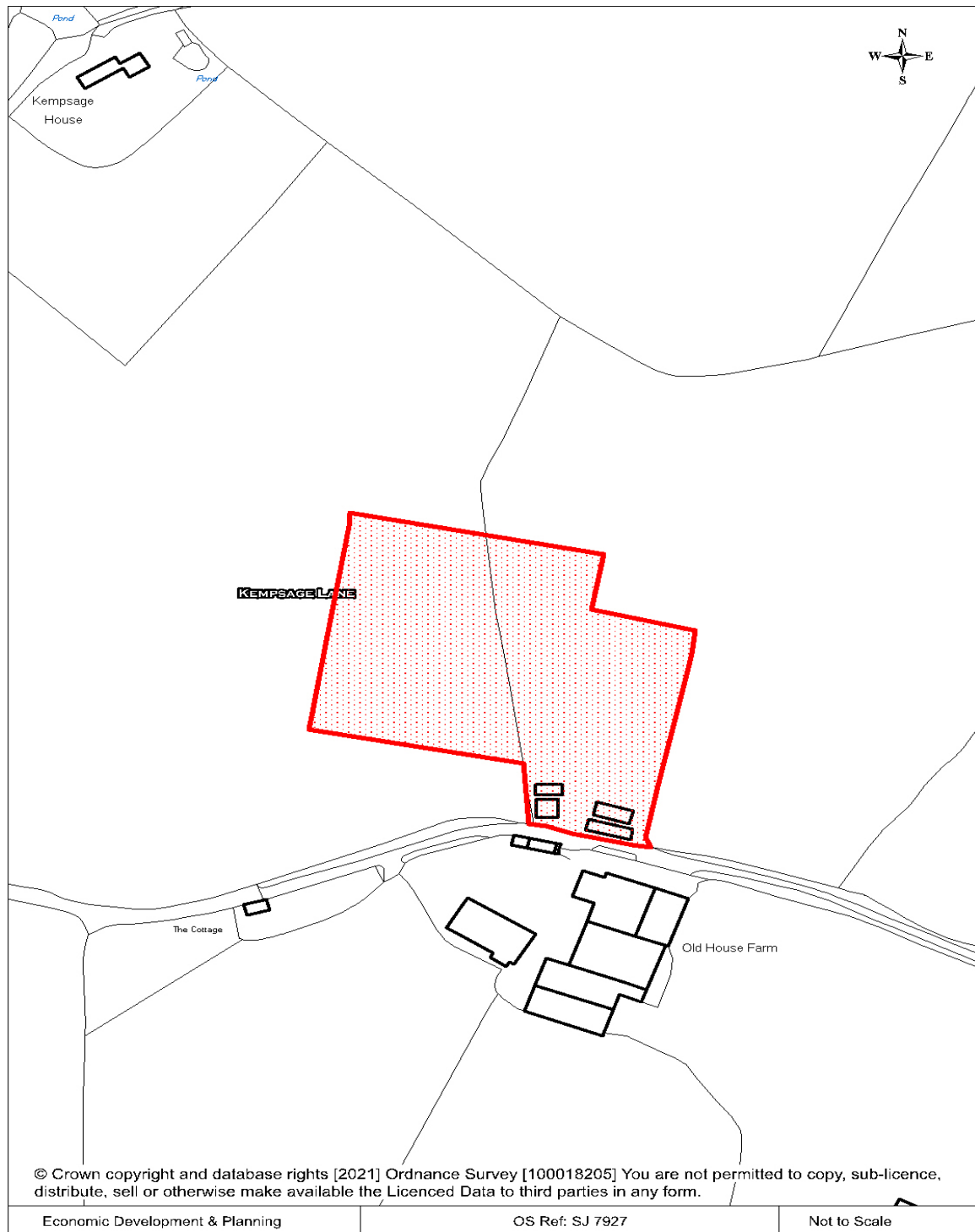
1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.
3. In the interests of the safety and convenience of users of the highway and to safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policies N1e and T1c of The Plan for Stafford Borough).
4. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1e of The Plan for Stafford Borough).
5. To safeguard the occupiers of nearby residential properties from undue fumes and general disturbance and to safeguard the amenities of the area. (Policy N1e of The Plan for Stafford Borough).
6. To safeguard the occupiers of nearby residential properties from undue disturbance during the construction period. (Policy N1e of The Plan for Stafford Borough).

7. To safeguard the occupiers of nearby residential properties from undue disturbance in this rural location and to safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).
8. To safeguard the occupiers of nearby residential properties from undue disturbance in this rural location and to safeguard the amenities of the area(Policy N1e of The Plan for Stafford Borough).

Informative(s)

- 1 In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2010, as amended, and the National Planning Policy Framework 2019, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 That the applicants attention be drawn to the comments of the SCC Flood Risk Management Team, the Environment Agency and Natural England, available for view on public access in respect of this application and as summarised in the case officer's report.

20/32899/FUL
Land North Of Old House Farm
Kempsage Lane
Garmelow



Application: 20/33570/HOU
Case Officer: Hannah Cross
Date Registered: 10 February 2021
Target Decision Date: 7 April 2021
Extended To:
Address: 2 Green Park, Fulford, Stoke On Trent ST11 9RT
Ward: Fulford
Parish: Fulford
Proposal: Proposed two storey side extension, single storey rear extension, front porch, internal alterations and dropped kerb
Applicant: Mr Avis
Recommendation: Approve subject to conditions

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor P Roycroft (Ward Member for Fulford) for the following reason:-

‘The mass of the additional buildings would have detrimental impact on the streetscene in this cul-de-sac in a Conservation Area.’

Application Site

2 Green Park is a modern, detached two storey residential dwelling with a pitched roof situated outside of any designated residential settlement and within Fulford Conservation Area. The dwelling is situated on the corner plot of the cul-de-sac ‘Green Park’ off Baulk Lane. Green Park consists of 8 detached properties (3 detached bungalows and 5 detached two storey dwellings) of medium to large footprints, which whilst included in the Conservation Area are buildings of modern construction with no special architectural or historic merit.

The proposed development

In brief, planning permission is sought for the erection of a two-storey side extension, a single storey rear extension, front porch and extension of dropped kerb. The scheme previously proposed a car port and new access which have since been removed from the scheme following objections from the Tree Officer and Conservation Officer to the proposed car port. The scheme was amended further to include an extension to the

existing dropped kerb upon request of the Highway Authority. The approximate maximum measurements of the proposed extensions are set out below:

Two storey side extension: set back 1.8m from the existing front elevation measuring 2.8m (width) x 6.2m (length) with a maximum height set approximately 300mm lower than the ridge of the main dwelling with eaves at the same height as the main dwelling, with a further 1.0m long single storey element to the front with a mono pitch roof, which is set back by approximately 0.8m from the existing front elevation.

Single storey rear extension: 8.2m (width) x 4.8m (length) with a monopitch roof to a maximum height of 3.8m

Front porch: 2.3m (width) x 1.85m (length) with a maximum height of 3.5m

The detached single storey garage in the rear garden is to be demolished to allow for the works.

Officer Assessment – Key Considerations

1. Principle of Development

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).

Given that the property is located outside any designated settlement, it is subject to the criteria set out in Policy C5 of TPSB for residential developments outside of a settlement. Policy C5 requires that cumulative extensions to such dwellings should result in no more than a 70% increase in floor area over and above the original floor area of the property unless it is considered that the design and appearance of the proposed extension is proportionate to the type and character of the existing dwelling and surrounding area.

The site is located outside of any designated settlement within the village of Fulford. The original floor area of the dwelling is in the region of 94sqm. The proposed extensions would add an additional floor area of some 71sqm equating to approximately 76% over the original floor area of the dwelling.

Given that the proposed extensions exceed the 70% figure stipulated in Policy C5, the design and appearance of the proposed extensions should be proportionate to the type and character of the existing dwelling and surrounding area, as assessed in section 2 of this report.

Policies and Guidance:-

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

The Plan for Stafford Borough (TPSB) 2011-2031 – Policies SP1 Presumption in Favour of Sustainable Development, SP3 Sustainable Settlement Hierarchy, SP7 Supporting the

Location of New Development, C5 Residential Developments outside the Settlement Hierarchy

2. Character, Appearance and Heritage

Policy N1 of 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. In addition, taking account of the designation of the site within Fulford Conservation Area, in accordance with Paragraph 195 of the National Planning Policy Framework (NPPF), Local Authorities should identify and assess any heritage asset which may be affected by the proposal and in accordance with Paragraph 201 of the NPPF should refuse consent for any proposal which would cause substantial harm to a heritage asset. Where a development will lead to less than substantial harm to the significance of a heritage asset, the harm should be weighed against the public benefits of the proposal in accordance with Paragraph 202 of the NPPF. Policy N9 also requires that the historic environment be taken into consideration and for any harm to heritage assets to be resisted.

The proposed two storey extension takes a width of approximately half that of the existing dwelling house, and a length to meet the existing rear wall of the dwelling. The extension takes a pitched form with the ridge height set down from the main dwelling creating a form of subordination. The front porch and single storey extensions taking account of their pitched form, limited height and overall massing are considered proportionate to the scale of the main dwelling. The extensions comprise facing bricks and roof tiles to match the existing dwelling. In all it is considered the extensions are of an appropriate design, appearance and form in the context of the main dwelling. Furthermore, it is considered the extensions are proportionate to the type and character of the existing dwelling house.

In terms of the surrounding area, it is noted there is some degree of visual separation between dwellings along 'Green Park' and their respective boundaries with other dwellings on the cul-de-sac, with space available either side of dwellings, and where these spaces have been filled this is by single storey development such as garages. The proposed two storey extension will extend to the boundary with no.4 Green Park. The Conservation Officer has been consulted on the application and has raised an objection to the proposed two storey extension as it would result in the building abutting the boundary with 4 Green Park resulting in an 'uncharacteristic' development.

Section 8.13 of The Council's Design SPD states that:

'Side extensions can result in unacceptably prominent features on the streetscene. This is particularly the case with two storey extensions, which leave little or no space between adjacent buildings. Such extensions will not be permitted if they result in creating a harmful terracing effect. To avoid a "terracing" effect between neighbouring dwellings in areas of mainly detached or semi-detached housing, two storey extensions should be subordinate to the main building.'

In this case the two-storey side extension would extend to the boundary with the neighbouring site no.4 Green Park, and thus would reduce the distance between this neighbouring dwelling. There remains approximately 1.3m between these two buildings. In addition, no.4 Green Park sits on an elevated land level and takes an elevated position in comparison to the dwelling at no.2 Green Park. The dwelling at no.2 Green Park is also positioned on a build-line forward of no.4 and as such the extension will not disrupt a uniform build line in this instance. The two-storey extension is set down from the main ridge of the dwelling creating a form of subordination in relation to the main building. Therefore whilst the Conservation Officer's comments are noted, and it is not considered ideal that the extension abuts the boundary with no. 4 Green Park, it is considered on balance that in this case a 'harmful terracing effect' would not result from the proposal.

It is considered the single storey extensions and front porch, taking account of their scale and design would not be harmful to the appearance of the surrounding area. In addition it is not considered the resultant dwelling would be disproportionately larger than others in the surrounding area.

Paragraph 207 of The NPPF states that not all elements of Conservation Area (or World Heritage Site) will necessarily contribute to its significance. As previously referenced, whilst included in the Conservation Area, the properties on Green Park are of modern construction and are not considered to be of any special architectural or historic merit. Furthermore the buildings are not referenced within the Fulford Conservation Area Appraisal as having any significance or positive contribution to the Conservation Area. Taking account of this and the design considerations discussed above, it is not considered the proposal will result in any material harm to the historic significance of the Fulford Conservation Area (the heritage asset), and while the proposal would result in the narrowing of the gap between 2 and 4 Green Park this is less than substantial harm to the Fulford Conservation Area.

In all, it is considered the proposal would be proportionate to the type and character of the main dwelling and surrounding area and would not result in any material harm to the appearance of the street scene or the character or significance of the Fulford Conservation Area. It is therefore considered the proposal is in accordance with the relevant TPSB policies (including Policy C5) in this regard.

Policies and Guidance:-

Planning Listed Building and Conservation Areas Act

National Design Guide (NDG)

National Planning Policy Framework (NPPF) – Section 12. Achieving well-designed places.

Section , Section 16. Conservation and enhancing the historic environment

The Plan for Stafford Borough (TPSB) 2011-2031 – Policies N1 Design, N8 Landscape Character, N9 Historic Environment

Fulford Conservation Area Appraisal

Supplementary Planning Document (SPD) – Design

3. 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.

There is a side facing door with obscure glazed panels on ground floor to their neighbouring property no.4 Green Park which serves the kitchen/dining room. Whilst this door would face the extension at approximately 1.3m, this is not considered to be a principal outlook for the room (which are located to the front and rear elevations of the property). The single storey rear extension does not breach any 45-degree sightline from the bi-fold doors to the rear of no.4 Green Park serving this kitchen/dining area. Furthermore it is not considered light and outlook to this room will be detrimentally affected.

The two storey proposed extension would not breach 45 degree sightlines from the ground floor and first floor front facing principal windows at no.4 Green Park and are not otherwise considered to reduce light or outlook from these windows.

It is noted that there is a first floor bedroom window proposed to the rear of the proposed extension. However this is a standard sized window, which would allow for only restricted views over the neighbouring garden. Whilst located closer to the boundary with the neighbouring dwelling no. 4, it is noted that existing rear outlooks on first floor level already overlook this neighbouring garden and furthermore it is not considered the additional window will substantially reduce levels of privacy to neighbouring occupiers taking account of the existing situation.

Policies and Guidance:-

National Design Guide (NDG)

National Planning Policy Framework (NPPF) – Paragraph 130

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

Supplementary Planning Document (SPD) - Design

4. Parking Provision

An amended scheme was submitted showing use of the existing access and an additional parking space to the existing driveway, to provide the 3 spaces required for a 4 bedroom property as required by the car parking standards set out in Appendix B of TPSB. The Highway Authority advised that an extension of the dropped kerb and removal of some of the hedgerow will be required to improve access to this new parking space. Further amendments to plans have been received to show this. The Highway Authority have raised no objections to the revised plans. It is recommended however that a condition be attached to any permission granted to ensure parking areas are implemented in accordance with the approved plans.

Policies and Guidance:-

National Design Guide (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. Trees

There is a large protected tree within the rear garden of the site. The Council's Tree Officer has been consulted on the application and originally raised an objection to the car port proposed. The car port has since been removed from plans and the Tree Officer has since commented that no objection is raised to the amended scheme.

Policies and Guidance:-

National Planning Policy Framework (NPPF) – Section 15 Conserving and enhancing the natural environment

The Plan for Stafford Borough (TPSB) 2011-2031 – Policy N4 The Natural Environment and Green Infrastructure, Policy N8 Landscape and Character

6. Concluding comments and planning balance

The proposal is not considered to significantly harm the character and appearance of the host dwelling or the wider streetscene or Fulford Conservation Area. On balance, it is considered that the proposal would result in less than substantial harm to the Fulford Conservation Area.

The proposal avoids negatively impacting visual amenity or neighbour amenity, and there is adequate parking provision on site. Considering the above it is considered the proposal complies with the relevant policies of The Plan for Stafford Borough alongside national guidance and it is recommended that planning permission be granted, subject to conditions.

Consultations

Conservation Officer (to original scheme):

“The two-storey side extension although taking the necessary steps to be in-keeping with the character of the host dwelling would result in the dwelling abutting the boundary with neighbouring property 4 Green Park. This is uncharacteristic of development on this cul-de-sac which generally benefits from good separation between dwellings and plot boundaries. Where these have been filled this is by single storey development such as garages as opposed to two storey extensions – this approach maintains a degree of separation. On this basis there is a conservation objection to the two-storey side extension element of the proposed development.”

Conservation Officer (to revised scheme) : Following the conservation comments made 30 March 2021, the application has subsequently been amended, and whilst the removal of the hipped roof car port from the scheme is welcome a key point of the conservation objection has still not been addressed; that being the two-storey nature of the proposed side extension. I reiterate my previous comments:

The conservation objection to the proposed development is maintained.

Highway Authority (to revised scheme including extension of dropped kerb) : The Plans are acceptable

Highway Authority: (to revised scheme) I would suggest that the dropped kerb needs to be extended. Also the hedge needs to be removed further to provide a pedestrian visibility splay.

Surgery: 24.05.2021

Highway Authority: (To original scheme) I would have no objections in principle to the new access, however, there needs to be shown there is parking for at least 3 vehicles (parking plan required). The access we need to show what visibility splays can be provided and splays for pedestrians provided.(I think some of the hedge will need to be removed/altered) I would be looking for something in the range of 2.4m X 25m splays. The old access (dropped kerbs) would need to be removed.

Surgery : 25.03.2021

Parish Council (To original scheme) : Objection received raising the following material considerations:

- Adverse impact on neighbouring properties, in particular no. 4 Green Park
- The proposal will significantly change the views for adjacent neighbouring properties through to Green Belt areas
- No clear subordination between the properties on the plans shown
- Footprint will be over the root bed of an established tree

Parish Council (To amended scheme) : Parish Council wishes to reiterate its earlier comments regarding the application's resubmission.

Neighbours (11 consulted):

9 representations (all objections) received to original scheme- material considerations summarised below :

- Design not in-keeping with properties in the area and the Fulford Conservation Area
- 2 Green Park sits close to the heart of the old part of the village
- Increase in overlooking to neighbouring properties
- Proximity of extension to boundary with no.4 Green Park
- Size of property will be out of character with the rest of properties in the cul-de-sac
- Concerns surrounding damage to the protected tree in the rear garden
- Dangerous proximity of new access to road junction with Baulk Lane
- Loss of outlook for residents on Green Park
- Loss of daylight and privacy to no. 4 Green Park

Neighbours (11 consulted): Responses to amended scheme

5 representations objections received

- Objections held regarding size of the extensions and proximity to boundary with no.4 Green Park
- Objections held regarding harm to surrounding Conservation Area
- Concern surrounding the impact of extensions on protected tree
- Objections held regarding loss of privacy to no. 4 Green Park due to new first floor window

Tree Officer: The proposed car port will be located within the nominal Root Protection Area of the large, mature, high amenity Ash tree on site. The tree is covered by a Tree Preservation Order and fully merits its statutory protections.

The car port would almost certainly result in direct damage to structural roots, intermediate to long term atrophy of the fibrous root system due to significant reduction in access to rainwater and gaseous exchange, long term pressure from regular pruning requests, and as a consequence of these factors the decline and premature loss of the tree.

Tree Officer (to amended scheme):

As the risk to the tree has now been mitigated through an alteration to the proposed development I no longer have any objection to the application.

Site Notice:

Expiry date: 01.04.2021

Newsletter Advert:

Expiry date: 24.03.2021

Relevant Planning History

None

Recommendation

Approve, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. This permission relates to the originally submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-

Drawing No 3180-SA-XX-XX-DR-A-0101

Drawing No 3180-SA-XX-XX-DR-A-0102 Revision P.0.6

Drawing No 3180-SA-XX-XX-DR-A-0103 Revision P.0.1

Drawing No 3180-SA-XX-XX-DR-A-0201 Revision P.0.1

Drawing No 3180-SA-XX-XX-DR-A-0202 Revision P.0.3

Drawing No 3180-SA-XX-XX-DR-A-0401

Drawing No 3180-SA-XX-XX-DR-A-0402

Drawing No 3180-SA-XX-XX-DR-A-0403

3. The proposed parking areas shown on drawing reference 3180-SA-XX-XX-DR-A-0102 Revision P.0.6 shall be implemented prior to the development being brought into use.

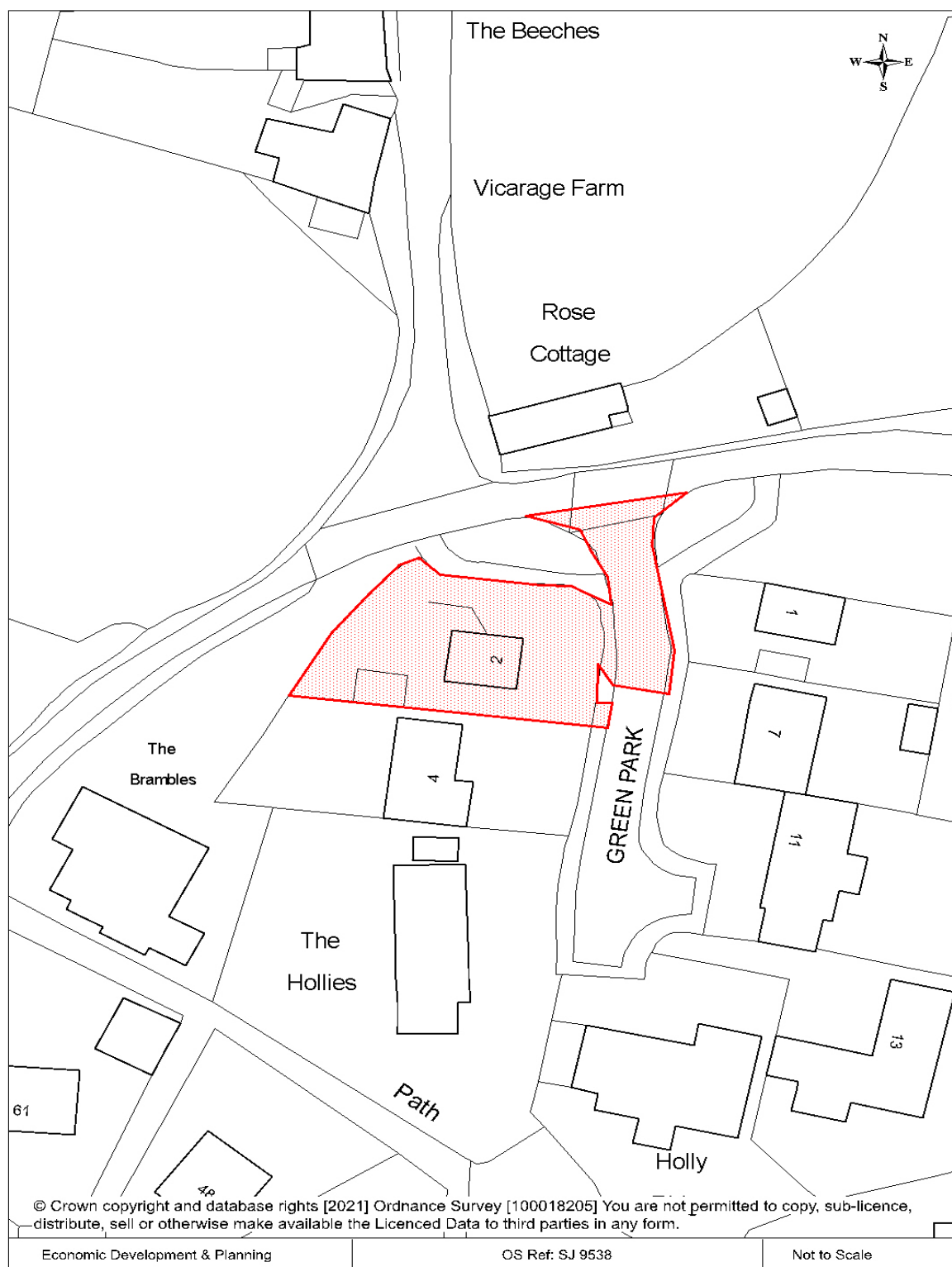
The reasons for the Council's decision to approve the development subject to the above conditions are:

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.
3. To ensure sufficient on-site parking provision in accordance with Appendix B of The Plan For Stafford Borough.

Informative(s)

- 1 In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2010, as amended, and the National Planning Policy Framework 2019, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 The applicant's attention is drawn to the comments of the Highway Authority and is advised to follow the below link regarding the relevant Highways licenses for the proposed dropped kerb:
<https://www.staffordshire.gov.uk/Highways/licences/Vehicle-access/VehicleAccessCrossings.aspx> .

20/33570/HOU
2 Green Park
Fulford
Stoke On Trent



Application: 21/34119/FUL
Case Officer: Jessica Allsopp
Date Registered: 29 March 2021
Target Decision Date: 24 May 2021
Extended To:
Address: Stafford Institute Billiards And Snooker Club, 10 Victoria Road, Stafford ST16 2AF
Ward: Doxey and Castletown
Parish: Stafford MB
Proposal: Erection of a solar carport in the car park
Applicant: G Birch
Recommendation: Refusal

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor A N Pearce (Ward Member for Doxey and Castletown) for the following reason:-

"I wish to call in this application on the grounds of increased public amenity in terms of the project involving sustainable energy supplies which I believe policies N2 and N3 of the local plan set out support for"

Context

The Application Site

The application site forms the car park to front of the Stafford Institute Billiards and Snooker Club at 10 Victoria Road. The site lies on the edge of the Stafford Conservation Area and is located within the town centre of Stafford.

Proposed Development

The proposal is for an open cantilevered car port with a 10-degree sloping mono pitched roof to provide five electrical vehicle charging points. The charging points would be powered by black solar panels on the roof of the structure.

The structure would be located at the front of car park and would cover five existing spaces. Whilst the car park is for the private use of the property the charging points would be for public use for which there would be fee.

The car port would have dimensions of 12m length x 5.1m deep and a height of 3.47m rising to 4.37m to the highest point of the mono pitched roof. The structure would have timber cladded columns, fascias and soffit with a corrugated roof under the solar panels.

Planning policy framework

Section 38(6) of the Planning and Compulsory Purchase Act 2004 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

1. Principle of Development

Spatial Principal 1 advocates the presumption in favour of sustainable development as set out in the National Planning Policy Framework (NPPF). Policy N3 (Low Carbon Sources and Renewable Energy) of TPSB also provides support for renewable energy resources and initiatives for a low carbon economy and which in turn has a wider bearing on Policy N2 as this deals with climate change.

More specifically Paragraph 112 (e) of the NPPF encourages charging ports of ultra-low emission vehicles in safe, accessible and convenient locations.

Taking into the account the sustainable location of the application site and support which is given to initiatives for a low carbon economy the principle of development is considered to be acceptable, but subject to other material considerations being satisfied and in particular the visual impact of the car port on the character and appearance of the locality and the setting of the Stafford Conservation Area.

Policies and Guidance:-

National Planning Policy Framework (NPPF)

Paragraphs 8, 11, 112

The Plan for Stafford Borough 2011-2031 (TPSB)

Spatial Principle 3 (Sustainable Settlement Hierarchy), Spatial Principle 7 (Supporting the Location of New Development), N2 (Climate Change), N3 (Low Carbon Sources and Renewable Energy)

2. Character and Appearance / Heritage Conservation

The site is adjacent to the Stafford Conservation Area and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the decision-taking process special attention is paid to the desirability of preserving or enhancing the character and appearance of such areas. This includes views into, within, and out of conservation areas.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is also referenced at Paragraph: 001 Reference ID: 18a-001-20190723 of the Planning Practice Guidance and its provision is broadly repeated within policy N9 (Historic Environment) of the TPSB, in that development proposals will be expected to sustain and, where appropriate enhance the significance of heritage assets and their setting. Paragraph 199 of the National Planning Policy Framework also makes it clear that great weight should be given to the conservation of designated heritage assets.

The application site is prominently located at the junction of Victoria Road and South Street.

The site is within a sensitive location being adjacent to the Stafford Conservation Area to the north and south within which is Victoria Park on the opposite side of Victoria Road. The grade II listed Cenotaph is also located to the south.

Looking south along Victoria Road from the bridge the site has an open frontage with buildings set back from the road. This sense of openness is also reinforced by the park on the other side of Victoria Road.

Notwithstanding the modern appearance of the flat roofed building at 10 Victoria Road and the adjacent five storey Victoria Park House the structure would be sited nearly to the back of the pavement which would result in it appearing as a visually prominent feature within this part of the Victoria Road streetscene.

The presence of the structure would be also exacerbated by its scale and the overall design would introduce a new built form which in the context of its surroundings would have an alien appearance and particularly as solar panels are not normally found in these locations and at such a low level.

Whilst the Conservation Officer initially raised no concerns an objection is now raised following a more detailed assessment of the proposal. During the course of the application the proposal has been amended with the addition of timber cladding to soften the appearance of the structure which the Conservation Officer acknowledges.

The solar panels would face towards Victoria Park to which the Conservation Officer raises concern over the potential for the panels to appear as a reflective beacon given their low position and particularly during autumn and winter months due to the reduced screening provided by boundary trees when they are out of leaf.

Whilst this concern is acknowledged the potential harm from any reflection from the panels is considered to be limited given the low 10 degree pitch of the roof. It is also acknowledged that the War Memorials Trust do not consider the proposal to significantly impact on the memorial or its setting.

However, notwithstanding the issue of reflection, the proposal is considered result in less than substantial harm to the setting of the conservation area by virtue of the location, inappropriate design and large scale of the structure for which, on balance, the public benefit of this low carbon initiative is not considered to outweigh such harm.

Policies and Guidance:-

National Planning Policy Framework (NPPF)

Section 12 - Achieving well-designed places

Section 16 - Conserving and enhancing the historic environment

The Plan for Stafford Borough 2011-2031 (TPSB)

N1 (Design), N9 (Historic Environment)

Supplementary Planning Document (SPD) – Design

3. Amenity

The nearest dwellings to the application site are 8 apartments at Sotherby House which lie approximately 30m away from the proposed development. On this basis it is not considered that any harm would result to the residential amenity of the occupiers of these dwellings from the proposal.

Policies and Guidance:-

National Planning Policy Framework (NPPF)

Paragraph 130

The Plan for Stafford Borough 2011-2031 (TPSB)

N1 (Design)

Supplementary Planning Document – Design (SPD)

4. Parking

The proposal does not reduce parking onsite or adversely impact highway safety. The Highway Authority raise no objection to the proposal.

Policies and Guidance:-

National Planning Policy Framework (NPPF)

Section 9 - Promoting sustainable transport

The Plan for Stafford Borough 2011-2031 (TPSB)

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

5. Flood Risk

The application site falls within Flood Zone 2. There would be no change to the existing concrete surface and the floor levels would remain unchanged. On this basis the proposal is considered to comply with the standing advice of the Environment Agency for minor developments.

6. Conclusion and planning balance

Whilst national guidance and development plan policy provide general support for low carbon initiatives the prominent location, large scale and inappropriate design of the proposal in the context of the Victoria Road streetscene and the setting of the adjacent conservation area is considered to harm the visual amenities of the locality and to result in less than substantial harm to the character and appearance of the

conservation area for which, on balance, the public benefit of this low carbon initiative is not considered to outweigh such harm.

Consultations

Highway Authority:

30.09.2021

I note there is a change in the materials for the construction of the solar carport, my response still stands of no objection on Highway Grounds as per my Form X dated 17th June 2021.

17.7.2021

There are no objections on Highway grounds to this proposal. (Full comments can be seen on the council's website, <https://www.staffordbc.gov.uk/planning-public-access>)

Conservation Officer:

30.09.2021

Whilst the substituting the galvanised finish for a timber clad finish has aided in softening the appearance of the structure the main conservation concern of the large PV array reflecting into the Victoria Park and the conservation area has not been addressed.

As advised in my comments dated 15 July 2021 (not indexed on the Council's Planning Public Access webpage until 01 September 2021) the applicant should research more discreet options for the solar charging ports such as those by 'Ecotricity' as an example which comprise a car charging point/post with a small solar panel on top.

Another option to explore (also suggested in my previous comments) is to relocate the car charging points/posts along the principle-built elevation of 10 Victoria Road and install solar panels on the buildings flat roof. These panels would be positioned high enough that they would unlikely be visible from the conservation area and Victoria Park and would be set far enough back so as not to impact on the immediate setting of the listed war memorial.

There is still no evidence submitted with the application to suggest that the applicant has explored more discreet options and, on this basis, no clear and convincing justification (as required under paragraph 200 of the NPPF 2021) has been provided for the large car port structure proposed fronting on to Victoria Road; subsequently the conservation objection still stands.

The proposed development would be contrary to Policies N1, N8 and N9 of the Plan for Stafford Borough, and would cause less than substantial harm without clear and convincing justification and so is contrary to paragraphs 200 and 202 of the NPPF 2021. The proposal also fails to satisfy Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which place particular emphasis on the desirability of preserving listed buildings or their setting and conserving and enhancing the character and appearance of conservation areas.

Notwithstanding the above, should amendments be forthcoming which address the concerns highlighted in these formal conservation comments the case officer should re-consult conservation for further comment.

Note to case officer:

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 I have identified that 'less than substantial harm' will be caused by the proposed development I do consider this to be at the mid-scale of 'less than substantial harm' in the realms of what could be described as moderate harm.

15.07.2021

10 Victoria Road is a flat roof buff brick building of mid-20th century construction. Whilst the building itself has no historic or architectural significance it's site boundary and car park abut the Stafford Conservation Area boundary and Victoria Park (a 19th century Victorian public park) to the south and east and it is adjacent to the grade II listed Staffordshire County War Memorial to the south-west. The site is therefore considered to be within the setting of these heritage assets.

'Setting' is broadly defined in National Planning Policy Frameworks (NPPF) glossary as: 'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'

Planning Practice Guidance on the Historic Environment, paragraph 13 addresses 'setting' and states: 'All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. The setting of a heritage asset and the asset's curtilage may not have the same extent.'

The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.'

The importance of considering the surroundings of an application site and not only the site itself was recently highlighted in the case of *James Hall v Bradford MDC* [2019] EWHC 2899 (Admin) dated 1 November 2019 where the court quashed a planning permission on the basis that the Council had failed to consider the impact of development on the setting of a heritage asset. The site was adjacent to, but not

within a conservation area. The court found that the development would affect the setting of a heritage asset.

The current application seeks the erection of an open carport type structure; it would have a mono pitched roof with solar photovoltaic panels facing the war memorial and Victoria Park (both are within the conservation area). The structure would comprise of a galvanised steel frame and a metal sheet roof; its purpose would be a covered parking area for the charging of 5 electrical vehicles through solar power – 4 would be for public use and 1 for private use.

The initial conservation response was given at conservation surgery on 7th July 2021 without visiting the site and relying upon the case officer site photographs and documents submitted with the application. In this response no objection was raised subject to conditions in relation to the structures colour finish.

Following concerns raised by the Development Lead, this prompted a site visit on the 14 July 2021 by myself to assess the impact of the proposed development on wider views from within the conservation area, Victoria Park and the grade II listed war memorial as well as more detailed inspection of the submitted drawings. Based on this more detailed inspection of the site and documents I wish to provide the following revised conservation comments:

Whilst the structure is unlikely to be visible from Victoria Park during spring/summer months where the trees that bound Victoria Road are in leaf, during the autumn/winter months these trees will lose their leaves and provide no screening of the proposed structure. The application site being in a raised position above the park would be prominently visible in views from the grade II listed Mottram Shelter within Victoria Park, and the unusually low position of the solar panels would appear as a reflective beacon facing into the park and the conservation area.

Its impact on the setting of the listed war memorial would be more immediate at a distance of 21m. The new car port structure would be read together in views of the war memorial looking both north-east and south-west along Victoria Road. Its prominent position fronting Victoria Road will make it a dominating feature detracting away from the character and appearance of the Stafford Conservation Area and the setting of the listed war memorial.

By virtue of its position, design, scale and the low level of the solar panels the proposed development would cause less than substantial harm under paragraphs 194 and 196 of the National Planning Policy Framework 2019. Whilst a case of renewable energy and the addition of more electrical car charging points is a public benefit, it is not considered to outweigh the harm to the character and setting of the grade II listed war memorial and the Stafford Conservation Area in this instance.

On researching online, there are far more discreet and sensitively designed options available for solar powered car charging points which would not involve a large lean-to structure to support the solar panels. The 'Ecotricity Top Up Zone' solar powered car charging points are an example of what is achievable and available in the UK; it comprises a car charging point/post with a small solar panel on top.

Another option to explore would be to have car charging points/posts along the principal elevation of 10 Victoria Road and install solar panels on the buildings flat roof. These panels would be positioned high enough that they would unlikely be visible from the conservation area and Victoria Park and would be set far enough back so as not to impact on the immediate setting of the listed war memorial.

There is no evidence submitted with the application to suggest that the applicant has explored more discreet options and, on this basis, no clear and convincing justification (as required under paragraph 194 of the NPPF) has been provided for the large car port structure proposed fronting on to Victoria Road.

Subsequently there is a conservation objection to the proposed development which would be contrary to Policies N1, N8 and N9 of the Plan for Stafford Borough, and paragraphs 194 and 196 of the NPPF. The proposal also fails to satisfy Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which place particular emphasis on the desirability of preserving listed buildings or their setting and conserving and enhancing the character and appearance of conservation areas.

Notwithstanding the above, should amendments be forthcoming which address the concerns highlighted in these formal conservation comments the case officer should re-consult conservation for further comment.

07.07.2021

No conservation objection in principle subject to condition for colour of the corrugated roof and steel pillars to be in either black or dark green. (See condition on next page).

War Memorials Trust:

Having had the opportunity to discuss the case with the wider Conservation Team including the Trust Director, War Memorials Trust have determined that the proposed development does not significantly impact memorial nor its setting. As such, in response to the request for comment the Trust hereby communicate a position of neutrality on the matter

Neighbours:

(17 consulted): 3 responses supporting the application.

Site Notice:

Expiry date: 17.06.2021

Relevant Planning History

- 79/08731/FUL - tv lounge and ladies toilets to rear of building – Permit – 19.09.1979
- 87/20987/FUL - site portacabin – Permit – 16.12.1987
- 94/31050/FUL - installation of a roller shutter door to the front entrance – Permit – 17.08.1994
- 99/38235/FUL - to extend car park along the side of premises parallel with south street frontage – Permit – 23.02.2000

Recommendation

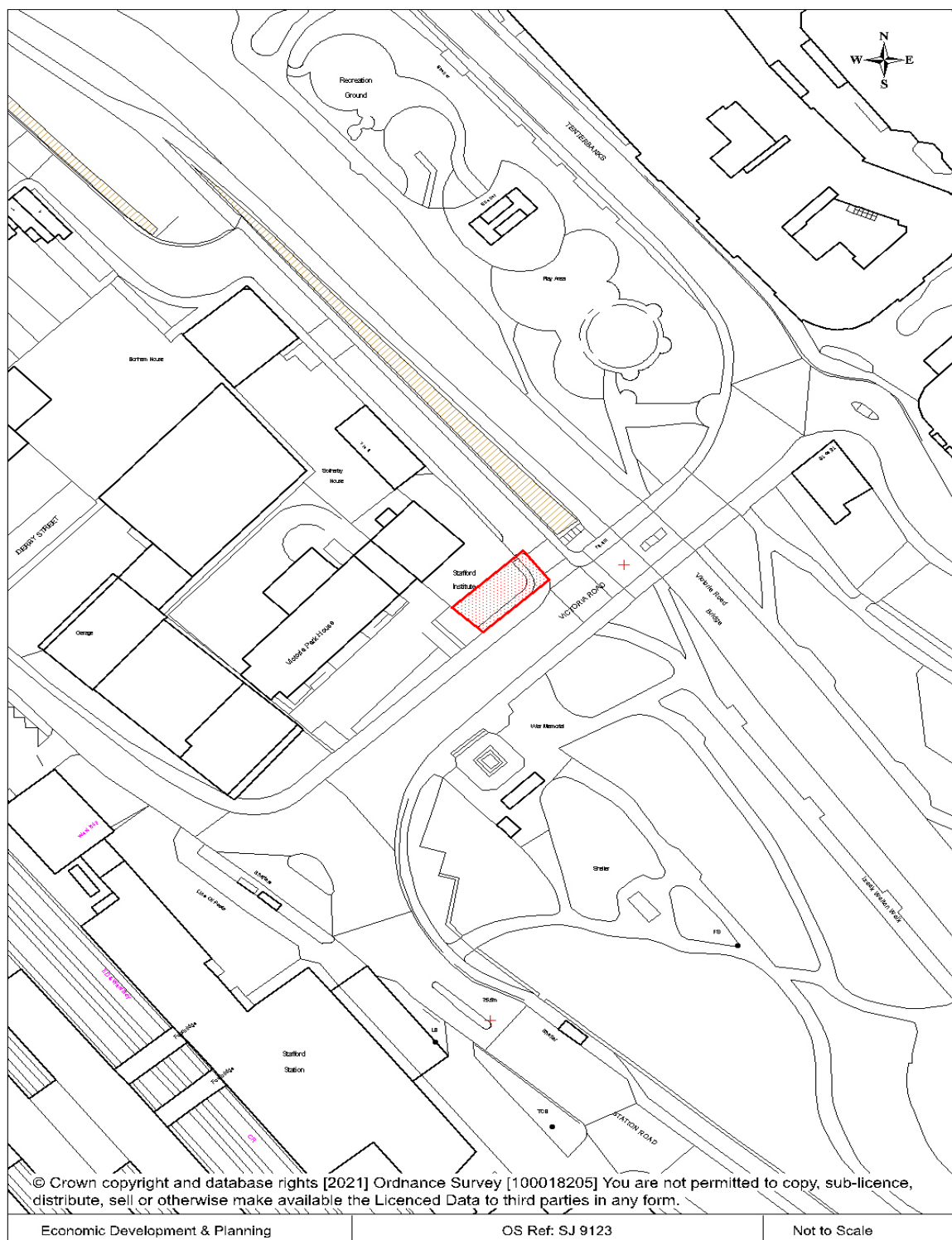
Refuse due to the following reasons:

1. The proposal by reason of its prominent location, large scale and inappropriate design in the context of the Victoria Road streetscene and the adjacent conservation area is considered to harm the visual amenities of the locality and to result in less than substantial harm on the setting of the Stafford Conservation Area for which, on balance, the public benefit of this low carbon initiative is not considered to outweigh such harm. The proposal is therefore contrary to Paragraphs 199, 200 and 202 of the National Planning Policy Framework and Policies N1 and N9 of the Plan for Stafford Borough.

Informative(s)

- 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.

21/34119/FUL
Stafford Institute Billiards And Snooker Club
10 Victoria Road
Stafford



Application:	20/33051/FUL
Case Officer:	Della Templeton
Date Registered:	23 September 2020
Target Decision Date:	18 November 2020
Extended To:	29 October 2021
Address:	Bank Farm, Back Lane, Croxton, Stafford ST21 6PE
Ward:	Eccleshall
Parish:	Eccleshall
Proposal:	Proposed conversion of two barns with glazed link to form one dwelling including new septic tank and ground source heating systems, with new access and parking off B5206
Applicant:	Mr J Pert
Recommendation:	Approve, subject to conditions

REASON FOR REFERRAL TO COMMITTEE

“The applicant is Councillor J M Pert and there has been an objection to the application”

Context

The Application Site

The application site comprises a yard area and former agricultural buildings lying to the south of the host dwelling at Bank Farm. It is bounded by a neighbouring dwelling, West View, to the south, a grass paddock to the east and other residential properties on the opposite side of Back Lane to the west.

There are two traditional, brick and tile agricultural buildings on the site comprising a single storey barn in the south-west corner with its gable towards Back Lane and a two storey height threshing barn to the east of this. The single storey building has a recently constructed mono-pitch garage adjoining its northern side. The buildings are separated by a gravel/unsurfaced yard area currently used for parking. Grassed areas to the south and east are also included within the application site boundary.

The Proposed Development

It is proposed to alter the buildings and add a glazed link between them to create a single, three bed dwelling. The single storey barn would provide a large open plan kitchen with an opening leading to a dining area within the garage. Four small rooflights would be created in the barn and the garage would be provided with a new flat roof including a large, rectangular rooflight in the centre. Other existing openings would be utilised as doors/windows including a new door within an existing opening in the south-east corner of the barn leading into a glazed link with a flat roof connecting it to the two storey barn.

The link would be glazed to both sides and would feature matched double doors on each side providing a link through from a grassed garden area to the south into the courtyard area between the two existing buildings. At the eastern end of the link would be double doors leading into the two storey element.

The ground floor of the two storey barn would comprise an open plan living area, study utility and WC. Stairs from the living area would lead to a galleried first floor landing giving access to a master suite with dressing room and bathroom, plus two further bedrooms and family bathroom. Existing openings would be utilised where possible but a total of five new windows and two rooflights would be included to facilitate the conversion by allowing light and outlook to first floor rooms. The existing threshing doors in the east elevation would be refurbished and retained in the open position to reveal a full height glazed opening.

A total of five car parking spaces (three within the courtyard and a further two to the north of the two storey barn) would be provided to serve the proposed conversion and the existing dwelling. Turning for both properties would be provided within the courtyard and the two would share the existing access from Back Lane.

Designations

SSSI Impact Risk Zone – Natural England confirmed no objection.

National Air Traffic Services – Consultation is only required on wind turbine/windfarm developments.

Officer Assessment – Key Considerations

Principle of the Proposed Development

Paragraph 80 of the NPPF (2021) seeks to resist the development of isolated homes in the countryside subject to a number of exceptions, including where the development would re-use redundant or disused buildings and enhance its immediate setting.

The Eccleshall Neighbourhood Plan seeks to direct housing development towards the settlement boundary but acknowledges a degree of support for small scale development in Croxton.

Although the application site is within the small hamlet of Croxton, this is not one of the Key Service Villages (KSV) identified in Spatial Principle SP3 of The Plan for Stafford Borough (TPSB) and so is classed as open countryside with regards to planning policy. Whilst new development is generally directed towards the settlement hierarchy, apart from an extension to link two existing buildings, this scheme does not involve any new build development and the appropriate re-use of redundant rural buildings is supported through Policy SP6 of TPSB. Furthermore, new residential development in such a location is supported by SP7 where it complies with the objectives of SP6 and Policies E2 and C5 of TPSB. Policy C5 is concerned with residential proposals including new development, replacement dwellings or extension and alterations to existing buildings and policy E2 expands on the appropriate re-use of rural buildings requiring that:

- (a) Priority is given to economic uses before residential uses and it is demonstrated that every attempt has been made to secure a suitable commercial re-use;
- (b) In the case of alterations and replacements of residential properties, it accords with Policy C5. (PD rights may be removed);
- (c) It is complementary to and does not prejudice any viable agricultural operations on a farm and other viable uses;
- (d) The building is structurally sound and is capable of conversion without the need for extension or significant alteration or rebuilding;
- (e) The form, bulk and general design of the building is in keeping with its surroundings;
- (f) The building is well related to an existing settlement and has access to local services and/or is close to a regular public transport service to settlements identified in SP3 or those outside the Borough;
- (g) It will not harm the historic fabric or character of any traditional building or historic farmstead;
- (h) The building is large enough without the need for new buildings, extension or significant alteration;
- (i) The development would not harm any protected species or habitats on site and provide habitat mitigation and enhancement.

The proposal therefore, could be considered to be acceptable in principle, if it complies with the provisions of Policy E2 and there are no other material considerations indicating otherwise.

Looking specifically at these criteria in turn:

- a. No evidence has been provided of any attempts to secure a commercial use for the site or to market the site for such a use thus criterion (a) does not appear to have been met. The applicant's agent does not consider that commercial/economic use would be suitable or viable due to the site's existing private use as a residential property and land, and the proposed shared access, as well as the rural location and small size of the site (1 acre). It was noted by the case officer when visiting the property that the site is relatively constrained, having the host dwelling, Bank Farmhouse to the north, residential neighbours Rock Cottage and West View to the west and south respectively, and an agricultural paddock to the east. Furthermore, there is

very little space available for on-site parking, and access to the site can only be gained via a narrow, unlit lane through the village which would not be suitable for commercial traffic. It is difficult to envisage what commercial/economic use could be accommodated in such a space. It is also noted that, although originally built for agricultural use, the buildings and yard area have more recently been used for more domestic than agricultural purposes including for car parking and storage associated with Bank Farmhouse. Under the circumstances, a residential use is considered to be appropriate.

- b. Although used for domestic storage, the buildings are not residential properties.
- c. The site is within a settlement and although land to the immediate east is in agricultural use, no agricultural activities would remain on the site and the applicant's agent confirms that the site has not been used for commercial agricultural purposes for twenty five years. It is noted that the subject buildings are of traditional brick and tile construction with narrow roof spans which are not ideal for modern agricultural practice. It is therefore concluded that the buildings are no longer useful as part of any agricultural unit and their re-use for an alternative purpose, including residential, is unlikely to prejudice any viable agricultural operations. There is therefore, no conflict with criterion (c).
- d. Criterion (d) requires buildings to be structurally sound and capable of conversion without the need for extension, or significant alteration or rebuilding. The application is accompanied by a structural report based on an inspection carried out in December 2019. The structural report highlights significant defects in the roof of the threshing barn, suggesting that it is doubtful that this has any significant reserve of strength with potential for further movements most notably under increased load such as a build up of snow. Pre-emptive strengthening works are strongly recommended to maintain the stability of this section of roof. The rafters throughout the barn are undersized and in need of replacement as are the long span purlins in the central bay but the purlins and support trusses in the outer bays are adequate and suitable to be retained. It is further noted that some strengthening works may be required to support ceilings and insulation to roof slopes but it is noted that any repairs or strengthening of the roof timbers could be carried out without prejudicing the stability of the building structure or altering its outward appearance. There is some cracking and an outward lean of the high level brickwork in the centre of the yard elevation of the large barn as a result of the distortions of the roof meaning that a small section of wall will have to be taken down and rebuilt. Notwithstanding the issues identified, the report concludes that the building structures are capable of conversion to residential use without the need for extensive demolition and rebuilding. The extension would be a practical and aesthetic addition to link the two buildings so as to create a single dwelling. It would not affect the structural integrity of the buildings and the buildings could physically/structurally be converted without it.

- e. The application relates to traditional brick and tile buildings which sit comfortably within the rural landscape and are considered to have a positive impact on their surroundings. Their retention is therefore to be encouraged. The proposed development would retain this character and the converted structure would not appear discordant within its landscape setting thus complying with criterion (e)
- f. The buildings are within the small settlement of Croxton to which they are considered to be well-related. Croxton is not a KSV and the closest sustainable settlement is Eccleshall which is some 5km to the south-east. The site could not therefore be seen to be in a particularly sustainable location and future occupiers would have to rely heavily on private means of transport to access employment, entertainment, education, and many other services. However, the village does provide limited services/facilities, including a small shop and post office at the Croxton service Station on the B5206 and a church meaning that residents would not always have to use their car for essential grocery items. Thus, although the building is not sufficiently related to any 'sustainable' settlement to comply with criterion (f) of Policy E2, it is accepted that many rural buildings are not particularly sustainable and it is generally considered to be more sustainable to find a new use rather than leaving them empty, particularly where the building has some aesthetic value as in this case. It would therefore not be appropriate to refuse the application on these grounds if other criteria are met.
- g. The buildings to which the application relates are not listed nor are they within a conservation area, but they are traditional buildings forming part of a former small farmstead. The historic character of the threshing barn is still evident from the full height threshing door to the east elevation and pitching eye in the south gable. No evidence remains of any threshing opening to the west however and a number of (possibly later) door/window openings are present. The proposed conversion would see the retention of the large threshing door openings which is welcomed and although new openings are proposed, those to the east elevation would be small and reminiscent of the pitching openings often found in threshing barns. Details of joinery should be secured by condition. As set out above it is not considered that the proposals would be harmful to the remaining historic fabric or character, thus, subject to conditions, it is not considered that the proposals would conflict with criterion (g).
- h. It is considered that the threshing barn would be large enough to be converted on its own but that the smaller barn would require significant alteration and extension to facilitate conversion to a separate dwelling and there would not be sufficient space within the site to accommodate sufficient parking and amenity space for two new units as well as the existing farmhouse. Indeed a previous consent (05/04184/FUL) to convert the buildings to create two dwellings involved a substantial extension to the smaller barn, joining it to the threshing barn as well as creation of a new access to serve the existing dwelling and an expansion of domestic curtilage land into the paddock to the east of the threshing barn. This consent was not implemented and has now lapsed and due to changes in policy and legislation, an extension of the size

previously approved would not now be supported and neither would the extended curtilage. In order to better utilise the existing structures and retain the character of the site as a small farmyard group, the applicant has devised a scheme whereby the two barns would be linked by a fully glazed structure allowing the two buildings to function as a single dwelling whilst still maintaining an impression of separation and retaining historic character. The scheme cannot be seen to comply with criterion (h) as an extension is proposed, but the current scheme is considered to be more favourable than leaving the small barn to deteriorate or demolishing it to create garden space. This is considered, on balance, to be an acceptable compromise.

- i. The application was accompanied by a Bat Activity Survey which found evidence of roosting bats within the buildings. The Council's Biodiversity Officer has raised no objection provided the mitigation recommendations in the report are carried out as stated and suitable conditions are recommended. It is therefore concluded that, subject to appropriate conditions as recommended, the development would not harm any protected species or habitats on the site.

National Planning Policy Framework (2021)
Paragraphs: 78, 79, 80

The Plan for Stafford Borough

Policies: SP1 Presumption in Favour of Sustainable Development, SP3 Sustainable Settlement Hierarchy, SP7 Supporting the Location of New Development, SP6 Achieving Rural Sustainability, E2 Sustainable Rural Development, C5 Residential Proposals outside the Settlement Hierarchy

The Plan for Stafford Borough: Part 2
Policies: SB1 Settlement Boundaries

Eccleshall Neighbourhood Plan

Policy 1 Housing Development – supports housing within the Eccleshall Settlement Boundary

Character, Appearance and Amenity

The site lies within a small village surrounded by open countryside where the overriding character is rural/agricultural and the buildings were constructed and previously used for agricultural purposes. As set out above, the proposed works are considered to be sympathetic to the historic form and function of the buildings and would thus preserve the character and appearance of the site.

The Council's Environmental and Health Services Department was consulted on this application. The Environmental Health Officer (EHO) has no objection subject to conditions to safeguard nearby residential occupiers from undue disturbance during development. Conditions, relating to hours of works, burning on site, noise from any equipment and high intensity site lighting are considered to be reasonable and proportionate to the development proposed. An informative note is also considered

to be appropriate in relation to refuse/recycling bin storage and collection in accordance with policy C4 (h) of TPSB.

Due to the nature and scale of the proposals, conditions requiring damping down and removal of demolition materials are not considered to be proportionate or necessary.

The EHO has also requested a stage 1 desktop contaminated land report which can be secured by condition.

The neighbours' concerns at glare from headlights is no longer relevant since the new access has now been omitted from the scheme.

In terms of privacy and outlook, it is noted that the new dwelling would occupy three sides of the existing yard area with the existing farmhouse on the northern side and the yard would be a shared space, overlooked by both dwellings resulting in a degree of intervisibility between facing windows. This type of intimate relationship between neighbouring properties is not unusual in agricultural conversion scheme and is, to a degree, unavoidable if the intrinsic character of building groups is to be maintained and, on that basis, it is considered that the relationship between windows overlooking the shared yard is acceptable. The proposed scheme includes windows in both gable ends of the threshing barn which would be within 10m (south) and 5m (north) of neighbours' private garden areas. In the case of ground floor windows, this is not considered to be an issue as boundary treatments would prevent any overlooking. However there is a single first floor window proposed to each gable and these could impact on neighbours' privacy. In the southern gable, an existing circular pitching eye would face the garden of West View at approximately 9.3m distance. This would be a secondary window to the master bedroom and could therefore be obscure glazed to preserve privacy without affecting the amenity of future residents of the converted barn. There would also be a first floor window in the northern gable which would serve as the only light and outlook to a second bedroom and this would be around 5m from the private rear garden of the farmhouse. Whilst this would not generally be an acceptable situation, on the basis that both the existing and proposed dwellings are in the ownership of the applicant, any future purchaser of either unit would be aware of the situation when taking the decision to buy.

Both the existing farmhouse and proposed conversion would have sufficient private amenity space (well in excess of 65 square metres which is the SPD recommendation for dwellings with 3 or more bedrooms) and, subject to appropriate boundary treatments and restrictions on curtilage buildings etc, the defined gardens would not significantly erode the visual character of the surrounding countryside.

Policies and Guidance:-

National Planning Policy Framework (2021)
Paragraph 130/Section 12. Achieving well-designed places

The Plan for Stafford Borough
Policies N1 Design, N8 Landscape Character, N9 Historic Environment
Supplementary Planning Document (SPD) – Design

Access and Parking

A total of five car parking spaces are proposed which would meet the Council's suggested standards requiring 2 spaces for the three bedroom barn conversion and 3 for the existing four bedroom farmhouse, as set out in Appendix B of TPSB and the proposal is therefore compliant with the Council's car parking requirements.

The development would utilise the existing farmhouse access from the highway to which the Highways Authority has no objection notwithstanding that this would be an intensification of the original use of the access. The Highways Authority has requested conditions to secure suitable visibility splays, parking, turning and servicing areas and that gates be a minimum of 5m rear of the carriageway edge and open inwards. Subject to appropriate conditions as recommended, the proposals are therefore considered to be acceptable on highways safety and car parking grounds.

Policies and Guidance:-

National Planning Policy Framework (2019)
Paragraphs 103, 104/Section 9. Promoting sustainable transport

The Plan for Stafford Borough
Policies T1 Transport, T2 Parking and Manoeuvring Facilities, Appendix B – Car Parking Standards

Conclusion and Planning Balance

The proposed scheme is considered to be a viable and sustainable re-use of the buildings. The buildings are considered to be of substantial construction and capable of conversion without any significant alterations and although a modest extensions is proposed this is not considered to erode the character of the site or its surroundings. The proposal has demonstrated sufficient amenity standards and car parking and subject to measures outlined in the bat and bird survey report would not adversely affect biodiversity. The proposal complies with aforementioned policies of TPSB and with national guidance set out within the NPPF and, subject to planning conditions the proposal is, overall, considered to be acceptable.

Consultations

Highway Authority:

This application has been amended and the existing access onto the highway is now being used, although this will be an intensification of the original use of the access. There are no objections on Highway grounds to the proposed development subject to the following conditions being included on any approval:

The development hereby permitted shall not be commenced until details of the visibility splays have been submitted to and approved in writing by the Local Planning Authority.. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level and be

provided in accordance with the approved plan prior to the development brought into use.

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

Any gates shall be located a minimum of 5m rear of the carriageway boundary and shall open away from the highway.

Environmental Health:

The application should be supported by a stage 1 desktop contaminated land report because of the former agricultural uses of the barns, in particular the potential for infilled land, fuel/chemical storage and wastes storage.

General conditions:

Adequate access for the collection of domestic waste and recycling should be provided.

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.

There should be no burning on site during development

All demolition materials shall be removed from site and properly disposed of.

Facilities shall be provided at the site and used when necessary for damping down to prevent excessive dust.

High intensity site lighting during works should be directed away from nearby residences.

Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of adjacent occupied residential dwellings

Parish Council:

Eccleshall Parish Council objects to this application in line with National Planning Policy Framework relating to restrictions on extensions to barn conversions.

Natural England:

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

Biodiversity Officer:

Absolute Ecology undertook an Activity Survey for bats during July 2020. The surveys found evidence of roosting bats within the buildings.

Four species of bat were found to have day roosts in the buildings

The recommendations made in the bat report should be carried out as stated and will include:

- ☐ Timing of works should be between October and March
- ☐ Raised or vented ridge tiles should be installed as specified
- ☐ Bat boxes to be installed in appropriate locations under the gables of the buildings, as specified.
- ☐ Bitumastic hessian to be used as roof felt not modern membrane.
- ☐ 1x Schwegler 3FS colony bat box to be installed in an appropriate location on nearby mature tree prior to works commencing

- External lighting designed to avoid light spill on bat boxes and commuting areas

Nesting birds

All wild birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981. This means that roofing and renovation works 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,

2x Schwegler 1B bird boxes should be installed in suitable locations around the site.

Neighbours (3 consulted):

One response received which is broadly supportive of the conversion scheme but raises concern at potential glare from the headlights of cars using the new access from the B5206.

Site Notice: 12.10.2020

Expiry date: 02.11.2020

Relevant Planning History

05/04184/FUL - Conversion and extension of existing buildings to form two dwellings and new drive to existing dwelling – Approved 27.04.2005.

Recommendation

Approve, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. This permission relates to the originally submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-
 - 1823-PL1-001 Revision B - Site Location Plan
 - 1823-PL1-002 - Existing Site Layout
 - 1823-PL1-003 - Existing Plans and Elevations
 - 1823-PL1-005 Revision A - Proposed Plans and Elevations
 - 1823-PL1-007 Revision B - Proposed Site Layout
3. This permission relates to the renovation, refurbishment and conversion of the existing buildings to form one dwelling and does not grant or imply consent for rebuilding or replacement wholly or in part except in accordance with details submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development.

4. Before any above ground construction works are commenced, full details of the following shall be submitted to and approved in writing by the Local Planning Authority:
 - a) rainwater goods, including their materials and design;
 - b) colour, design and materials of exterior fenestration, doors and door frames, including cross-sectional profiles; and
 - c) full details/plans showing the subdivision of garden amenity areas and any proposed boundary treatments within the site or on the site boundary.
 The development shall be implemented in complete accordance with the approved details and thereafter retained as such for the lifetime of the development.
5. Before any above ground construction works are commenced or any part of the buildings is used for residential purposes, a Stage 1 Desktop Contaminated Land Report, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with any recommendations or remediation highlighted within the report before the scheme is first occupied.
6. Before any above ground construction works are commenced or any part of the buildings is used for residential purposes, details of visibility splays shall be submitted to and approved in writing by the Local Planning Authority. The visibility splays shall be provided prior to first occupation of the new barn conversion dwelling and shall thereafter be retained, free of all obstructions over a height of 600mm above the adjacent carriageway level for the lifetime of the development.
7. Before the dwelling hereby approved is first occupied the parking, turning and servicing areas indicated on approved plan reference 1823-PL1-007 Revision B shall be provided and shall thereafter be retained as such for the life of the development.
8. Any gates shall be located a minimum of 5m rear of the carriageway boundary and shall open away from the highway.
9. The development hereby approved shall be carried out having full regard to all recommendations made within Section 5 of the Activity Survey for Bats, Dated August 2020, produced by Absolute Ecology. This shall include:
 - Timing of works should be between October and March;
 - Raised or vented ridge tiles should be installed as specified;
 - Bat boxes to be installed in appropriate locations under the gables of the buildings, as specified;
 - Bitumastic hessian to be used as roof felt not modern membrane;
 - 1x Schwegler 3FS colony bat box to be installed in an appropriate location on nearby mature tree prior to works commencing; and
 - External lighting designed to avoid light spill on bat boxes and commuting areas.

Additional biodiversity net gain shall be provided in the form of a minimum of 2x Schwegler 1B bird boxes to be installed in suitable locations around the site

10. All works, including demolition, site works and construction together with any deliveries to the site during the construction phase shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, 8.00am and 200pm on Saturdays and not at all on Sundays, Bank Holidays or other Public Holidays.
11. There shall be no burning on site during development
12. Any high intensity site lighting required during works shall be directed away from nearby residences.
13. Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of any occupied residential dwelling.
14. The upper floor window located in the southern gable elevation of the dwelling hereby approved shall be obscure glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.
15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) or any other subsequent equivalent Orders, no new or additional windows or doors shall be created in the dwelling hereby approved without the prior written approval of the Local Planning Authority.
16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) or any other subsequent equivalent Orders, no development contained within the classes listed below shall be carried out without the prior written consent of the Local Planning Authority:
 - Schedule 2, Part 1, Class
 - A - enlargement, improvement or other alteration
 - B - additions etc to the roof
 - C - any other alterations to the roof
 - D - porches
 - E - buildings etc incidental to the enjoyment of the dwellinghouse
 - F - hard surfaces incidental to the enjoyment of the dwellinghouse
 - G - chimney, flues etc
 - H - microwave antenna
 - Schedule 2, Part 2, Class
 - A - gates, fences, walls etc
 - C - painting of exterior
 - Schedule 2, Part 14, Class
 - A - installation or alteration etc of solar equipment
 - B - installation or alteration etc of stand-alone solar equipment
 - E - installation or alteration etc of flue for biomass heating system

- F - installation or alteration etc of flue for combined heat and power
- G - installation or alteration etc of air source heat pumps
- H - installation or alteration etc of wind turbine
- I - installation or alteration etc of stand-alone wind turbine.

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

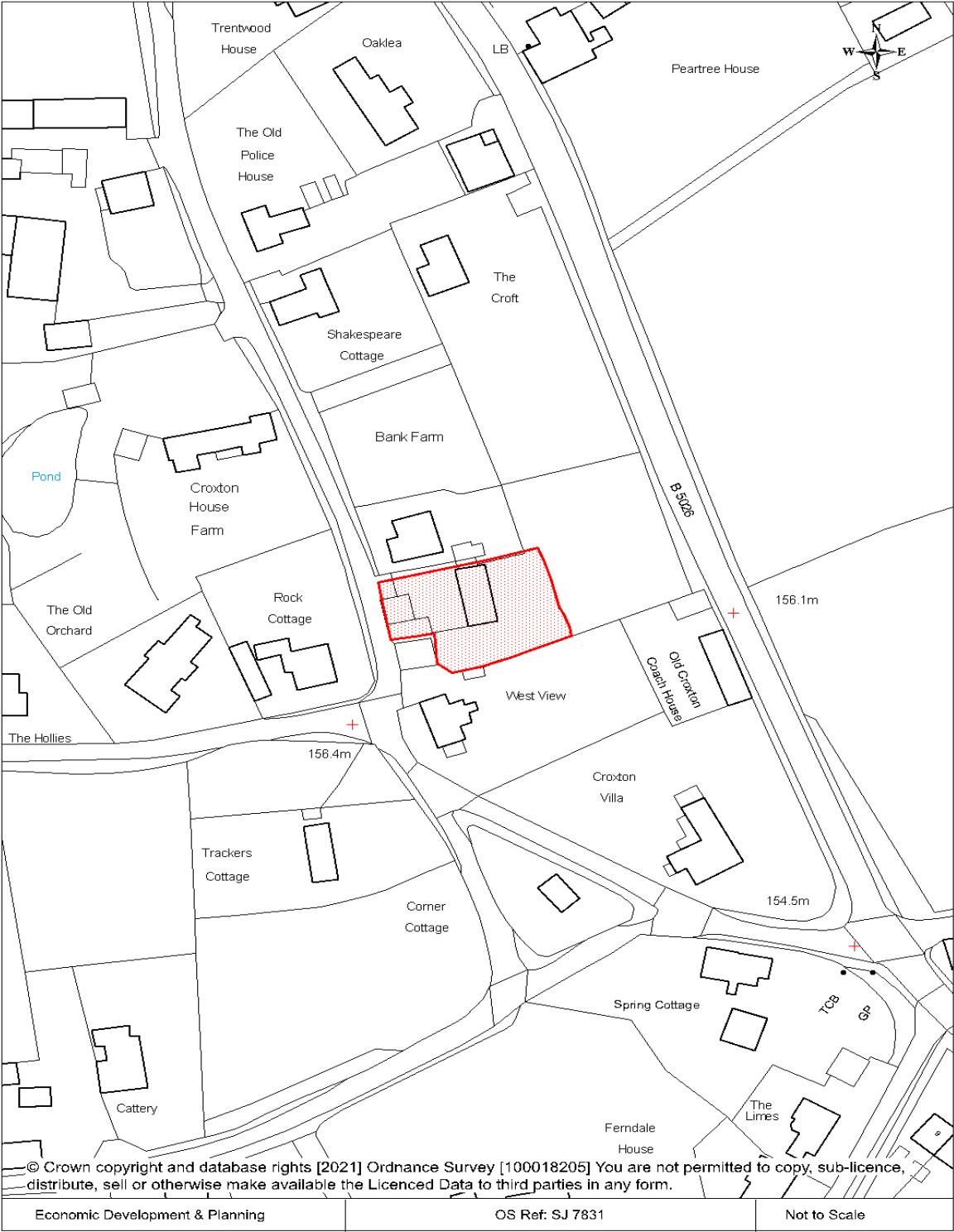
1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.
3. To safeguard against the need for significant rebuilding of these redundant rural buildings during their conversion, which would be contrary to Policy E2 (d) and (h) of the Plan for Stafford Borough.
4. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
5. In the interests of public health and safety.
6. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
7. To ensure the provision of adequate off-street facilities in the interests of the convenience and safety of users of the highway. (Policy T2d of The Plan for Stafford Borough).
8. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
9. In order to ensure that the development does not have a detrimental impact on protected species or matters of biodiversity importance and that appropriate enhancement is provided in accordance with paragraphs 174 and 179 of the National Planning Policy Framework (2021) and Policy N4 of The Plan for Stafford Borough.
10. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1e of The Plan for Stafford Borough).
11. To safeguard occupiers of nearby residential properties from nuisance caused by fumes, smoke and smells (Policy N1e of The Plan for Stafford Borough).
12. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).
13. To safeguard the occupiers of nearby residential properties from undue noise. (Policy N1e of The Plan for Stafford Borough).

14. To ensure an adequate level of privacy for occupiers of adjacent residential properties (Policy N1e and Stafford Borough Council Space About Dwellings Guidance)
15. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
16. Unrestricted alterations and extensions to converted buildings, the erection of incidental buildings, enclosures or provision of other overly domestic features would be detrimental to the character and appearance of the existing buildings and would be contrary to Policy E2 (d) and (h) of the Plan for Stafford Borough.

Informative(s)

- 1 In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2010, as amended, and the National Planning Policy Framework 2021, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 The applicant/developer is advised that adequate access for the collection of domestic waste and recycling must be provided and retained for the lifetime of the development
- 3 The Applicant is advised that under Part 1 of the Wildlife and Countryside Act 1981 disturbance to nesting birds, their nests and eggs is a criminal offence. The nesting season is normally taken as being from 1st March - 30th September. The developer should take appropriate steps to ensure nesting birds, their nests and eggs are not disturbed and are protected until such time as they have left the nest.

20/33051/FUL
Bank Farm
Back Lane
Croxtton



 PLANNING COMMITTEE - 27 OCTOBER 2021

Ward Interest - Nil

Planning Appeals

Report of Head of Development

Purpose of Report

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

Notified Appeals

Application Reference	Location	Proposal
21/33855/FUL Delegated Refusal	Adjacent To Stallington Grange Farm	Demolition of existing redundant outbuildings and erection of new dwelling.
20/32391/FUL Committee Refusal	203 Prospect Road	Change of use from grass land to residential to form domestic garden area. Side and rear two storey extension, single storey kitchen extension, new boundary fence with gates and driveway
20/32679/FUL Committee Refusal	6 Mill Farm Barns	Retrospective application for the retention of existing fence and the erection of fence adjacent to Redhill Road

Previous Consideration

Nil

Background Papers

File available in the Development Management Section

Officer Contact

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