

Dear Members

Planning Committee

A meeting of the Planning Committee will be held on **Wednesday, 9 June 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 - 9 JUNE 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 - 27

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 - 9 JUNE 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
20/33493/COU	Land Adjacent to Nick Hughes Barbering White Lodge, 2 Deanshill Close, Stafford	4 - 14
The application was called in by Councillor C V Trowbridge		
Officer Contact - Richard Wood, Development Lead Telephone 01785 619324		
19/31487/COU	Land at Hixon Airfield Industrial Estate, Stafford	15 - 27
The application is a Large Scale Major Development which is exempt from the scheme of delegation and has been called in by Councillor B McKeown		
Officer Contact - Richard Wood, Development Lead Telephone 01785 619324		

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: 20/33493/COU

Case Officer: Samantha Borgars

Date Registered: 9 February 2021

Target Decision Date: 6 April 2021
Extended To: 11 June 2021

Address: Land Adjacent to Nick Hughes Barbering, White Lodge, 2 Deanshill Close, Stafford ST16 1BW

Ward: Rowley

Parish: -

Proposal: Relocation of existing barber shop business facilitated by a change of use of land from residential garden to A1 hair dressing to include erection of log cabin and fence fronting Newport Road. Existing barber shop building to revert back to uses incidental to the enjoyment of the dwellinghouse White Lodge.

Applicant: Nick Hughes Barbering and John E Hughes

Recommendation: Approve, subject to conditions

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor C V Trowbridge (Ward Member for Rowley) for the following reason(s):-

‘Over intensification of land of 2 businesses on a residential plot. Leaving no/very little garden’

Context

Planning permission was granted for change of use of an annex attached to the detached domestic garage of White Lodge into "mixed use" premises of A1/A2 to be used as a barber shop under permission reference 15/22884/COU in November 2015. The application included two on site car parking spaces, and the planning permission was implemented.

The current application seeks the relocation of the existing barbers' business (not for an additional premises as suggested in the Ward Councillor's call-in reason) from the existing building to a new timber cabin building constructed approximately 15m south-east of the existing. The justification submitted by the applicant for this is so that they are able to comply

with Covid-19 regulations that require well ventilated spaces for waiting areas and the ability for clients to socially distance.

The existing barbers' shop would then revert back to its former use as a building ancillary to the main dwellinghouse White Lodge as required by planning condition 3 of planning permission 15/22884/COU. Consent is also sought for the erection of a timber fence fronting Newport Road. Both the cabin structure and the fence are already in-situ on site.

Officer Assessment – Key Considerations

1. Principle of Development

The site is within Stafford, located in a primarily residential area, however there is a range of commercial uses close to the site. These include the accountants at Newport House directly opposite the application site, a golf course to the north of Deanshill Close and a medical centre and public house further to the east along Newport Road.

Policy E1 of the Plan for Stafford Borough support sustainable economic growth, through the creation of jobs and prosperity to meet the development needs of business. Paragraph 81 of the National Planning Policy Framework 2019 (NPPF) requires Local Planning Authorities to respond rapidly to changes in economic circumstances, whilst facilitating flexible working practices.

Policy E1(i) is particularly relevant to the current application as it identifies that the council should be supportive of homeworking practices in appropriate locations where this does not have an adverse impact on the surrounding area and residential amenity.

The application relates to the relocation of an existing barbering business, owned and operated by the applicant, from one building to another in the south-eastern side garden of the applicants dwelling. Therefore, subject to adequate residential amenity and other considerations addressed later in this report the general principle of the development is acceptable.

Furthermore, the principle of a barber shop on this site has also already been established by the grant of planning permission reference 15/22884/COU, subsequently the relocation of the existing business to the new log cabin building is also acceptable in principle.

Policies and Guidance:-

National Planning Policy Framework (NPPF) – Paragraphs 8, 11 and 81

The Plan for Stafford Borough (TPSB) 2011-2031 – Policies SP3 Sustainable Settlement Hierarchy, SP7 Supporting the Location of New Development, E1 Local Economy

2. Character and Appearance

The log cabin as observed on site and in the submitted drawings is a pod like structure constructed out of timber and clad in horizontal timber boarding. It is constructed on stilts and has an open air verandah area as well as a log burner flue. The cabin, including verandah measures 7.5m (Length) x 2.6m (Width) x 2.6m (Height) and has a gross external floor area of 19.5m².

The cabin is located in the south-eastern side garden of the dwelling White Lodge approximately 15m south-east of the existing barbers' premises and under a canopy of mature trees which are subject to a Tree Preservation Order (discussed further in section 5 of this report).

The cabin is prominently visible in both the Deanshill Close street scene and the Newport Road street scene by virtue of the open nature of the side garden. A laurel hedge is present on the southern boundary with Deanshill Close and a new contemporary style timber fence and pedestrian gate has been erected to the boundary with Newport Road and the corner of Newport Road and Deanshill Close, and is set back from the pavement by 0.6m within the existing stone dwarf boundary wall.

The fence measures between 1m and 1.55m in height depending on the land level (measurements are taken from the ground level of the site, not the pavement). The fence in part screens the cabin from the views of adjacent residential properties on Newport Road, but its 'hit and miss' slats allow for some visual permeability so as not to appear as a solid and imposing structure close to the pavement.

The design of the cabin, although not conventional for a barber shop premises, is of a modest size and is sensitive to its backdrop of mature trees. Over time the timber cladding will weather and silver and be less prominent in the street scene. The design, scale and massing of the cabin structure is therefore considered acceptable.

The fence is not considered to be of an excessive height and its design has been carefully considered in order to provide both some level of screening to adjacent residential properties and its set back and permeability so as not to appear as a dominating structure in the street scene. The fence is therefore considered acceptable in terms of its design, scale and massing.

Policies and Guidance:-

National Design Guidance (NDG)

National Planning Policy Framework (NPPF) – Section 12. Achieving well-designed places
The Plan for Stafford Borough (TPSB) 2011-2031 – Policies N1 Design, N8 Landscape Character

Supplementary Planning Document (SPD) – Design

3. Residential Amenity

The structure of the building would have a limited impact as a buffer to any noise. However, the limited levels of use proposed (a single barber) should have no more impact than an incidental residential use.

Separate use of the cabin building, if sold or let independently would have the greatest impact on White Lodge and the residential dwellings directly adjacent to the site to the south-east on Newport Road.

In addition, separation of the unit and the dedicated existing on-site car parking provision could result in the loss or restriction of access to the existing domestic garage of White Lodge.

The cabin is considered to be a sufficient distance from nearby residential properties to avoid undue harm. The Environmental Health Officer has raised no objection to the application. They have suggested two conditions relating to construction hours and deliveries during the construction phase of the development; although the development is almost complete there are still some building operational works that would need to be carried out should consent be granted as such these conditions shall be included.

It is considered necessary, due to the primarily residential location of the development, that the opening hours of the business be restricted to those specified in the submitted application forms; 15:00 to 20:00 Monday to Friday and 10:00 to 14:00 on Saturdays.

The ward councillor has raised concerns about over development of the site and loss of private residential garden for the dwellinghouse White Lodge.

White Lodge benefits from two gardens, one to the south-east (the subject of this application) and one to the north-west; It has an area of 210m² which is in excess of the standards identified for a 3 bed dwelling in Guideline 3 of the Council's Design Supplementary Planning Document (SPD) which suggests a minimum of 65m² of private amenity space for a 3 bed house. The north-west garden will remain unchanged and does not form part of the current application.

Policies and Guidance:-

National Design Guidance (NDG)

National Planning Policy Framework (NPPF) – Paragraph 127

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

Supplementary Planning Document (SPD) - Design

4. Parking, Access and Visibility

In the original submission an addition 3 on site car parking spaces and new vehicular access on to Deanshill Close was proposed. However, following concerns raised by the Council's Tree Officer as to the impact of any additional car parking on the Root Protection Areas of the TPO Trees on the site the proposed parking provision has since been withdrawn from the application.

The application now proposes to retain the existing two on site car parking spaces just north-west of the domestic garage to White Lodge, which are currently already used in connection with the business approved under permission 15/22884/COU.

In addition, whilst not a planning consideration as outside of the red edge, the applicant states they have reached an agreement with the accountants at Newport House (opposite) to use two of their car parking bays as additional car parking where necessary.

White Lodge has 3 bedrooms and the car parking standards set out in Appendix B of the Plan for Stafford Borough Part 1 require a minimum of two on site car parking spaces for a dwelling with up to three bedrooms. Separate car parking provision for the dwelling White Lodge is available with one space in the existing garage and 2 spaces on a driveway at the north-western end of the main dwelling, totalling three residential parking spaces, in excess of the required standards.

The use of the cabin as a barber shop with a gross external floor area of 19.5m², the parking standards require one on site car parking space per 20m², the application specifies that the two existing onsite spaces already dedicated to the business would be retained. Therefore, the parking demonstrated is in excess of the required standards.

The Highway Authority has raised no objection to the proposed car parking arrangements and considers them to be in excess of the required standards.

The Highway Authority raised concerns surrounding the new fence fronting Newport Road potentially impeding visibility at the junction for vehicles leaving Deanshill Close and requested the applicant submit a visibility splay with at least a 2.4m set back from the boundary with the carriageway of Newport Road. Following this feedback, the applicant provided a visibility splay which demonstrated that due to the set back position of the fence the splay was not impeded and was clear of obstruction.

The Highway Authority has been reconsulted on the submitted visibility splay and considers that the new fence would not impede the visibility of vehicles leaving Deanshill Close and so have withdrawn their previous objection.

Policies and Guidance:-

National Design Guidance (NDG)

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

5. Trees

The application site is located within the root protection area of several mature trees that are subject to a Tree Preservation Order (TPO No. 53 of 1976). No Tree Report or Survey was originally submitted with the application. The Tree officer provided initial comments objecting to the proposed new car parking area (subsequently withdrawn) and the manner of construction of the cabin structure and its potential impact on the roots of the TPO trees.

Following these comments, the applicant commissioned an Arboricultural Report by Arboricultural Consultants Braemer Arboricultural Limited dated 03 May 2021.

The report assessed how the cabin had been constructed and any potential impact this may have on the roots of the TPO trees. Briefly the report summarised that the cabin has been constructed on stilts bedded in concrete at a depth of 6 inches below ground level to avoid compaction of the soil and roots. These findings have been disputed in some comments provided by local residents, but no evidence has been forthcoming to disprove the findings of the Arboricultural Report.

The Tree Officer has reviewed the submitted report and has now withdrawn his objection to the cabin structure. The Tree officer maintains his objection to the three new parking spaces within the root protection area; however this has subsequently been omitted from the proposals and so is no longer relevant.

Policies and Guidance:-

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

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

6. Conclusion and planning balance

The principle of a barber shop on the site has already been established as acceptable with the grant of planning permission reference 15/22884/COU, therefore the relocation of the existing barber business to the new cabin is acceptable in principle, and based on the hours of operation submitted and low intensity of the use it is unlikely to result in undue harm to the amenity of nearby residential properties.

It is acknowledged that representations from neighbours object on grounds including: on-street car parking concerns and impact on local resident car parking, and inadequate visibility at junction due to new fence, however car parking is demonstrated as sufficient and exceeds the required parking standards set out in Part 1 of The Plan for Stafford Borough, and in addition the new fence would not result in any obstruction to the visibility of vehicles leaving Deanshill Close, therefore resulting in no increased likelihood of highway danger.

Neighbour objections also include comments about the inappropriate design, siting and scale of the new building and the inappropriate design and height of the new fence, however the new cabin structure and fence are considered acceptable in terms of their design, scale and massing.

The issue of the impact of the development on the Root Protection Area of trees covered by a Tree Preservation Order has been resolved through the arboricultural report and removal from the application of the proposal to create a new access and car parking area off Deanshill Close. This has removed the Tree Officer's objection to the application, and any outstanding reason to recommend refusal of the application.

It is recommended that the application be approved.

Consultations

Highway Authority:

Comments received 18 May 2021 following submission of visibility splay:

"I agree that the fence if erected as shown on the attached plan will provide adequate visibility splays. I also agree the parking provided by is in excess of the Borough Councils parking standards."

Comments received 15 April 2020:

"This application should be refused for the following reasons:-

The developer has not provided enough information, to determine the application.

The traffic generated by the proposed development would be likely to result in an increase in highway danger owing to the proposed access which affords restricted visibility for both pedestrians and drivers of vehicles at the access. Visibility splays are required

The proposed fence would be likely to result in an increase in highway danger as it may afford restricted visibility for both pedestrians and drivers of vehicles at the Deanshill Close and Newport Road junction. Visibility splays for pedestrians and vehicles leaving Deanshill Road are required.

Note to Planning Officer

It is understood that the existing building (shop) is to remain but will revert back to a use incidental to the enjoyment of the dwellinghouse White Lodge (not commercial) – this should be conditioned should consent be granted.

If the application was to be approved then the following information needs to be noted the dropped crossing to the site shall be constructed in accordance with the submitted drawing. Please note that prior to the access being constructed you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk) <http://www.staffordshire.gov.uk/transport/staffshighways/licences/>"

Tree Officer:

"My previous objections regarding the wooden structure were based on a, now seemingly erroneous, assertion by Mr Hughes that the 'stilts' referred to had been placed on concrete pads sunken into the ground.

Mr Hughes emailed me subsequently to assure me that this had in fact been an error in his description of the works and that no such concrete pads had been put in place.

However I had by this point already stated that a qualified arboriculturist should attend site to assess the actual construction works that had been carried out, and then recommend any mitigation measures thought necessary to counter any damage done. I thought it prudent to allow this process to be completed, which has now occurred.

The submitted tree report appears to confirm Mr Hughes account and makes no recommendations for mitigating works.

I have no further objection to the wooden structure already on site, and I no longer feel this is an enforcement issue.

However my objection to the proposed parking bays remains on the same grounds as previously stated."

Environmental Health Officer:

"The following conditions are recommended in order to safeguard nearby residential occupiers from undue disturbance during development:

1. All works, including site works and construction shall only take place between the hours of 8.00 am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays.
2. Deliveries to the site shall only take place between the hours of 8.00am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays. Delivery vehicles shall not park on the access highways to the site.

In addition to the above:

- Any lighting to car parks or the business must not cause disturbance to nearby residents.
- The wood burning stove would need to be installed by a HETAS engineer - the stove may require further approval from Building control.

Advisory: If the business intends to serve drinks to customers, they must ensure that there is a potable water supply, and they must register as a food business at the following: <https://register.food.gov.uk/new/stafford>"

Neighbours (73 consulted on amended plans):

65 responses (55 representations received in support, 1 neutral and 8 in objection from 5 objectors):

Material planning concerns summarised below:

- On-street car parking concerns and impact on local resident car parking;
- Concerns of inadequate visibility at junction by virtue of new fence;
- Impact of development on Root Protection Area of TPO trees;
- Inappropriate design, siting and scale of new building;
- Inappropriate design and height of new fence;
- The impact of two business premises on one site;
- Lack of garden for main dwellinghouse;
- Visual impact on the area;
- Residential amenity impacts by virtue of alterations to opening hours;
- Light pollution;

Site Notice: Expiry date: 09 April 2021

Relevant Planning History

- COND2/00184/EN20 – Enforcement Enquiry – Contravention of Planning Condition – Hairdressers – Pending Consideration
- 20/31829/TWT- TPO No. 53 of 1976: T9 and T10, Thuja spp. (Western Red Cedar) – Remove - Granted
- 16/24901/TWT - Works to trees - TPO 53 of 1976 - Granted
- 15/22884/COU - Change of use from attached garden annex into "mixed use" premises of A1/A2 – Permitted

- 15/21769/TWT - T1, T2- Lawson cypress - remove dead wood and crown raise to 2m maximum above ground level. T4, T8, T13 - Corsican pine - Remove dead wood. T11 - Yew - Crown raise to 2m maximum above ground level. T3, T12, T16 - Lawson cypress
- Fell and replace – Granted

Recommendation

Approve subject to the following conditions:

1. This permission relates to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence: -

Location Plan Scale 1:1250
 Drawing No. BALD8030-19 T8P Rev C (Site/Block Plan with Visibility Splay)
 Proposed Layout of Barber Shop Scale 1:50
 Proposed Fence to Barber Shop Rev A Scale 1:50
 Braemar Tree Report and Arboricultural Impact Assessment Ref: BALDS007-21 dated 03 March 2021
2. This consent relates only to the use of the land and the cabin structure (as identified in red on the location plan) for the applicants own businesses, as a barber in relation to the applicants business, as identified in the application only. No other individual shall be employed at the premises or shall operate a business from the premises without the prior written consent of the local planning authority. Visitors and clients to the cabin building shall be restricted to customers attending for haircuts and barber services only. In the event that the cabin is no longer required for the approved commercial purposes or the applicant cease to reside at the main dwelling (White Lodge) it shall be restored to ancillary residential use only.
3. Prior to the development first coming in to use, the existing building (current use class A1/A2) attached to the detached garage of the dwelling known as 'White Lodge' shall be reverted back to uses ancillary to the main dwellinghouse and shall not thereafter be used for any other use(s) without the express consent of the local planning authority.
4. The parking areas shown in the approved plans shall be provided and made available during the opening hours specified in condition 6 of this permission for customer use only and shall be retained for the lifetime of the development.
5. The existing garage attached serving White Lodge shall not be used for business purposes and shall be kept available for parking of vehicle(s) ancillary to the residential use of the main dwelling (White Lodge).
6. The premises shall only be open to customers between the hours of 15:00 and 20:00 Monday to Friday; 10:00 to 14:00 Saturdays and not at all on Sundays or bank holidays.

7. All works, including site works, construction and site deliveries 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.

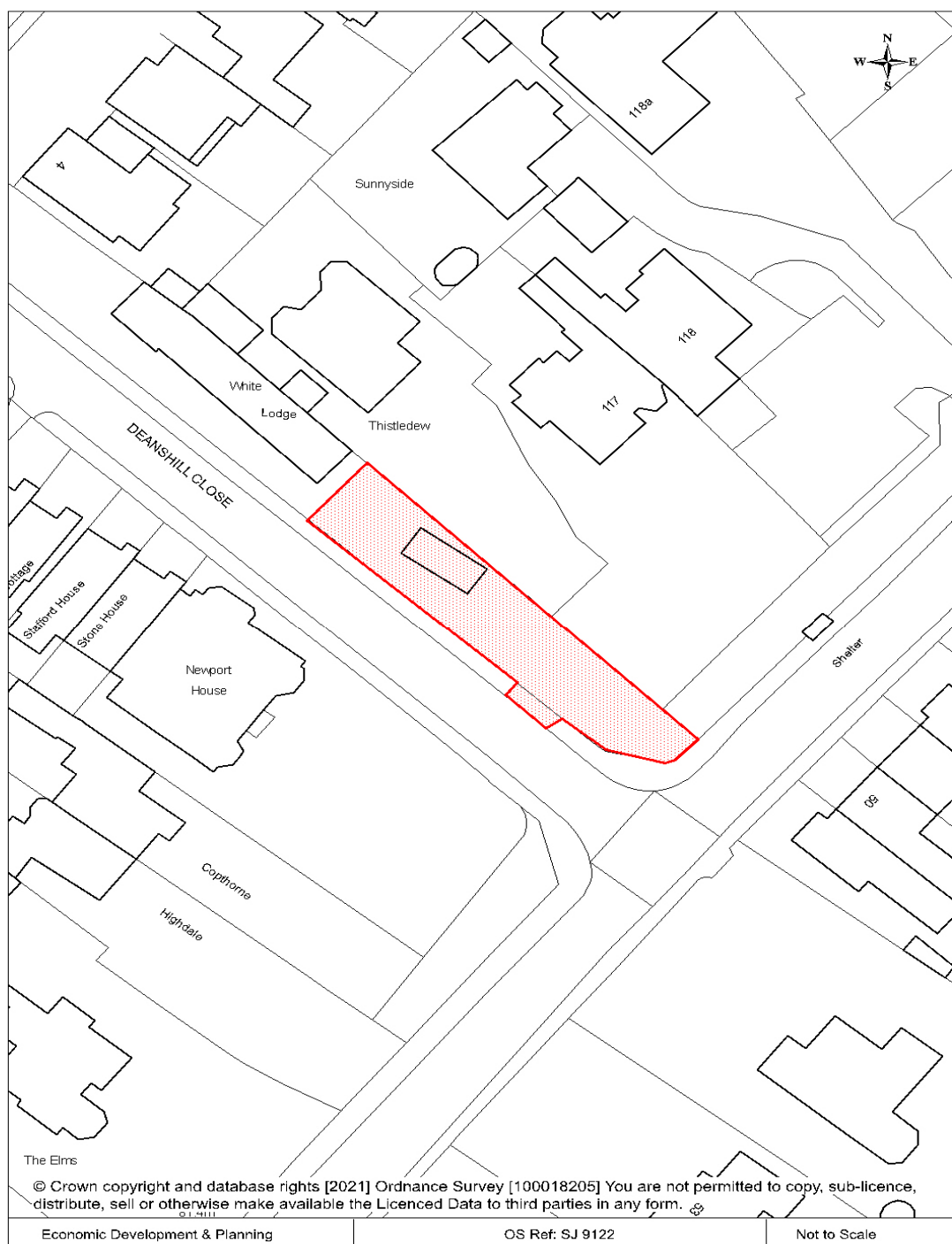
The reasons for the Council's decision to approve the development subject to the above conditions are:

1. To define the permission.
2. In order to define the permission and ensure that the development does not result in harm to residential amenity and to ensure that adequate off-street parking facilities are available to serve the development in the interests of highway safety. (Policies N1e and T2 of The Plan for Stafford Borough)
3. In order to define the permission and ensure that the development does not result in harm to residential amenity and to ensure that adequate off-street parking facilities are available to serve the development in the interests of highway safety. (Policies N1e and T2 of The Plan for Stafford Borough)
4. 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).
5. 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).
6. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).
7. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1e of The Plan for Stafford Borough).

Informative(s)

- 1 In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2010, as amended, and the National Planning Policy Framework 2019, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 If the business intends to serve drinks to customers, they must ensure that there is a potable water supply, and they must register as a food business at the following: <https://register.food.gov.uk/new/stafford>

20/33493/COU
Land Adjacent To Nick Hughes Barbering White Lodge
2 Deanshill Close
Stafford



Application:	19/31487/COU
Case Officer:	Mark Alford
Date Registered:	21 November 2019
Target Decision Date:	20 February 2020
Extended To:	-
Address:	Land at former airfield, Hixon
Ward:	Haywood and Hixon
Parish:	Hixon
Proposal:	Change of use of concrete runway for storage of vehicles and associated perimeter fencing and landscape improvements
Applicant:	Jonathan Lloyd Developments
Recommendation:	Approve subject to conditions.

Reason for referral to Committee

This application is for a large-scale major development which is exempt from the scheme of delegation, and has been called-in by Councillor B McKeown (Ward Member for Haywood and Hixon) for the following reason:

"Site is outside industrial area as defined in Hixon Neighbourhood Plan and plan for Stafford".

Context

1. The Application Site (the Site) extends to some 3.17 hectares in area, consisting of hardstanding (i.e. part of the concrete runways) and grassed areas associated with the former airfield. The storage area itself is located on the concrete runway and is approximately 300 metres in length by 45 metres in depth, totalling some 1.35 hectares in area.
2. To the east of the Site is the north-eastern boundary of a vehicle storage area granted planning permission in July 2017 (application reference 16/25315/COU). To the south of the Site beyond a grassed area are industrial and commercial buildings associated with the designated Hixon Airfield Industrial Estate. The nearest dwellings are on Stowe Lane at a distance of some 280 and 320 metres from the eastern boundary of the Site. Other residential properties are located some 500 metres to the north-east of the Site in Stowe-by-Chartley.

3. Temporary planning permission for a period to 30 September 2020 was previously granted on the Site in August 2016 under application reference 16/24279/FUL for the storage of aggregates associated with roadworks (incorporating fencing).
4. Planning permission is sought for the change of use of the concrete runway area to accommodate the storage of commercial vehicles (vans, lorries, coaches, trailers etc.). Whilst the Application does not propose any additional buildings on the Site, the scheme does include perimeter fencing akin to that approved under application reference 16/25315/COU. The submitted plans show that trees and shrubs would be planted on the north and south sides of the former runway, and there would be larger areas of tree and shrub planting and sections of earth mounding (i.e. a bund) up to 1.5m high that would also be planted, at the eastern end. Provision is included for keeping the public footpath route at the eastern end unobstructed including a relocated pedestrian gate. No lighting is proposed.
5. Access to the storage area is via the industrial estate to New Road, as per the earlier application.
6. The Site is outside any defined settlement boundary or developmental limits of any designated industrial estate as shown on the Inset Plans to The Plan for Stafford Borough 2011-2031 and the Hixon Neighbourhood Plan. The Site in policy terms is within the open countryside. The Site does constitute previously developed land (i.e. a brownfield site) as set out in the Glossary to the National Planning Policy Framework.

OFFICER ASSESSMENT

Planning policy framework and material considerations

7. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan consists of parts 1 and 2 of The Plan for Stafford Borough 2011-2031 (the PSB) adopted in 2014 and 2017 respectively, and the Hixon Neighbourhood Plan made on 22 November 2016 (the HNP).
8. Other material considerations include, albeit not limited, to the National Planning Policy Framework (the Framework) and associated Planning Practice Guidance (the Guidance), together with the National Design Guide (the Guide). At the local level, other material considerations include the Supplementary Planning Document on Design (2018) (the SPD).

Main issues

9. The main issues in determining this application are firstly; the principle of the proposed development; secondly, effect of the proposed development upon the character and appearance of the area; and thirdly, impact upon residential amenity.

The principle of the proposed development

10. The PSB contains overarching policies and principles, all of which are set under the umbrella of the purpose of the planning system being to contribute to the achievement of sustainable development as set within Strategic Principle 1 (SP1) and section 2 of the Framework.
11. Spatial Principle 6 (SP6) the PSB gives support to rural sustainability through protecting and enhancing the environmental assets and character of the Borough whilst sustaining the social and economic fabric of its communities that can be achieved by the appropriate re-use of redundant buildings. Whereas; SP7 supports in principle development in the open countryside where, in part, where it is considered with the objectives of policy E2 of the PSB, and does not harm the environmental quality of the area that is reflected within policies N1 and N8 of the PSB.
12. Whilst, neither SP6 nor SP7 reference the re-use previously development land; it is considered that a similar principle of sustainability underlies these two repurposing elements.
13. Both the PSB and the HNP are silent on policies relating to storage uses. However, policy E2 indicates support in principle for such uses in areas outside defined settlement boundaries, and in turn defined industrial estates, by noting that *All development in these areas should, where appropriate and feasible...make use of...previously developed land before proposing new buildings of development of Greenfield land.*
14. At the national level, the Framework supports economic development and the re-use of previously developed land. The Framework at section 6 (*Building a strong, competitive economy*) under the heading of Supporting a prosperous rural economy at paragraph 84 notes that...*The use of previously developed land, and sites that area physically well-related to existing settlements, should be encouraged where suitable opportunities exist.* By extension, this position is also pertinent to sites for proposals that are well related to existing industrial sites.
15. It is therefore considered that the principle of the development accords with the overarching policies and principles of the PSB and the Framework, subject to the impact of the proposed development upon the character and appearance of the area and residential amenity

National Planning Policy Framework -Paragraphs 8, 11, 12, 104, Annex 2: Glossary.

The Plan for Stafford Borough

SP1 Presumption in Favour of Sustainable development

SP6 Achieving Rural Sustainability

SP7 Supporting the Location of New Development

E2 Sustainable Rural Development

Hixon Neighbourhood Plan

Impact upon the character and appearance of the area

16. The character of the immediate area to the north, east, and west of the Site is flat, open land set down to arable use around the former airfield infrastructure. Whereas; the Site is adjacent a vehicle storage and auction site; with the Industrial Estate as a backdrop is to the south of the Site.
17. As noted above the landscape is flat and quite featureless as a result of the construction of the airfield, and it is acknowledged that it has a low visual amenity value. However, the placement of vehicles on the Site will have an impact upon the character and appearance of the area, and visually will impact been seen from the rear of the nearest residential properties, which are those fronting Stowe Lane, some 260m from the Site.
18. Other residential properties are located much further away (over 500m) to the north-east in Stowe-by-Chartley village and would have only very distant views of the development. Users of the public footpath would have close views of the development where its route passes through the site. This route continues into the built-up industrial estate to the south, and to the north, views from the public right of way of the site would in time be softened by the mature planting.
19. The site would be substantially screened from other sensitive locations to the south and south east by the industrial estate itself, and to the north by the tree-lined former railway trackbed running south west/north east which serves to enclose the old airfield and contain views of it in and out.
20. However, allowing for the bunding and associated planting, together with the adjoining vehicle storage and auction site, it is considered that the proposed development would not have a significant adverse impact on the character and appearance of the area. Therefore, the proposal complies with policies SP1, N1, N8, and SP7 of the PSB, the HNP, together with national guidance.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 127, 128, 130, 170, 172.

The Plan for Stafford Borough
SP1 Presumption in Favour of Sustainable Development
N1 Design
N8 Landscape Character

Impact upon residential amenity

21. As cited above, the nearest dwellings are in Stowe Lane to the east of the site and about 260m distant. The Environmental Health Officer has made no comments on the application and it is considered that there would be no worsening of any incidence of noise in the area when the close proximity of the existing uses in the industrial estate are taken into account.
22. It would therefore be unlikely that residential amenity in these terms would be harmed and the proposed development complies with policies N1 and N8 of the PSB, together with paragraphs 170 and 180 of the Framework.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs 170, 180.

The Plan for Stafford Borough
SP1 Presumption in Favour of Sustainable Development
N1 Design

Other Issues

Adequacy of access, highway safety, and parking provision

23. Vehicular access is shown to utilise existing arrangements and the Highway Authority does not consider that there would be excessive traffic generation to prejudice the current state of highway safety.
24. No parking space is shown for the four employees expected. However, the PSB has no specific standard for the storage of commercial vehicles and it is considered that it would be likely that there would be available area on the site for employee car parking given the relatively large space needed to be kept clear for manoeuvring the stored commercial transport. The Highway Authority does not raise any concern for the absence of such parking space.
25. No objection is raised on highway safety or parking grounds and the proposal accords with policies T1, and T2 of the PSB, together with national guidance.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs 108,109

The Plan for Stafford Borough
T1 Transport
T2 Parking and Manoeuvring Facilities

Surface water drainage

26. The main site is within the Environment Agency's Flood Zone 1, the zone of least flood risk. The submitted drainage strategy concludes that, no comments. Whereas, the Local Lead Flood Authority does not wish to comment as the existing impermeable areas would not be increased.
27. It is therefore considered that the proposed development accords with policies SP1 and N2 of the PSB and national advice within the Framework.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 148, 155, 163, 164.

The Plan for Stafford Borough
SP1 Presumption in Favour of Sustainable Development
N2 Climate Change

Biodiversity

28. The site is assessed to be hydrologically connected to the Pasturefields Salt Marsh Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) via surface and groundwater sources.
29. The Council's Appropriate Assessment under the Habitat Regulations includes the need to secure specific details of surface drainage and Natural England concurs with this conclusion, requiring that they should be secured by a planning condition on a consent.

Policies and Guidance:-

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

The Plan for Stafford Borough
SP1 Presumption in Favour of Sustainable Development
N4 The Natural Environment and Green Infrastructure
N5 Sites of European, National and Local Nature Conservation Importance

Public rights of way

30. Public footpath Hixon 22 passes from the north through the eastern end of the main site, clear of the defined vehicle storage compound, and divides to continue into the industrial area south eastwards as well as to the south west as public footpath Hixon 18 along the access road. The landscaping scheme makes provision for the route with a gap shown in the proposed mounding and a relocated pedestrian gate shown in the boundary fencing.

31. It is therefore unlikely that the public rights of way would be obstructed but the advice of the Public Rights of Way Officer and The Ramblers would be covered in an informative attached to a consent.

The planning balance and conclusion

32. Whilst the proposed development will cause some harm to the character and appearance of the area, and impact upon aspects of amenity, allowing for the scale of the proposed development, landscaping and neighbouring uses, it is considered on balance that the proposed development accords with the quoted policies of the development plan and national guidance.

Consultations

Highway Authority:

- No objection.
- It is considered that this development will not generate a significant number of additional vehicles and therefore will not have a major effect on the highway.

Natural England:

26 August 2020:

- We note that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended) in relation to the Pasturefields salt marsh Special Area of Conservation.
- We are a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.
- Your authority has concluded that the adverse effects arising from the proposal could be avoided subject to the proposed avoidance measures being secured by the appropriately worded conditions
 - Having considered the assessment Natural England advises that we concur with the assessment conclusions.
- Appropriate planning conditions are attached to any planning permission to secure these measures.

1 May 2020:

- On the basis of the information provided, in order to assist your authority in screening for the likelihood of significant effects of air pollution, it is our advice that the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment.
- Full consideration of the potential water supply and water dependency pathways between the development site and Pasturefields Salt Marsh SSSI and SAC is needed to ensure that any potential impacts are addressed.

Environment Agency:

- Having reviewed the information submitted, we have assessed the scheme as having low environmental risk.
- No comments.

Local Lead Flood Authority:

- The proposed development will only be acceptable if a detailed surface water drainage scheme is secured by a condition on a planning permission.

Health and Safety Executive:

- Do not advise against granting permission on safety grounds

Environmental Health Officer:

- The development may adversely impact nearby residences; conditions requiring the following are recommended:

Staffordshire County Council Rights of Way Officer:

- The application recognises the existence of Public Footpath Nos 19 and 22 Hixon Parish and also Public Footpath No 32(a) Stowe By Chartley Parish all of which run through the application site.
- It appears that the proposals for the site will directly impact on all the public rights of way footpaths.
- The attention of the applicant should be drawn to the existence of the paths and to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public paths.
- A Diversion Order needs to be secured for the paths if they are to be obstructed.
- The applicants must seek the local highway authority's permission before installing any structure such as gates on the public right of way.
- It is important that users are still able to exercise their public rights safely and that the paths are reinstated if any damage to the surface occurs as a result of the planning permission being granted for the site.

The Ramblers:

- As long as the footpath is kept open and free from obstructions during the construction of the compound, no comments.

Parish Council (Hixon):

6 January 2020:

- The scheme will greatly increase the volume of traffic along New Road both in terms of cars driven by the people employed at the new employment sites and the delivery lorries and vans visiting these sites.

- The traffic at the A51/New Road junction at peak times, particularly in the evening when traffic is leaving Hixon, is extremely bad with queues going back over the rail bridge into Hixon - i.e. a queue of in excess of half a mile on frequent occasions.
- Any approval should have a condition to improve the junction of the A51/New Road junction with traffic lights or an alternative suitable solution agreed with Highways.

19 December 2019:

- The site is outside the industrial development area as defined in the Hixon Neighbourhood Plan.
- This application is a replica of planning application 16/24410 which was recommended for refusal for the following reasons:
 - a) Excessive, prominent, unsightly, incongruous and intrusive
 - b) Harm to visual amenity
 - c) It would not assist rural sustainability
 - d) It would not protect environmental character
 - e) It would not be in accordance with environmental protection policies
 - f) It would not be sustainable development
 - g) It would not support Policies SP6(i) and SP7 (ii) and (iii), would conflict with Policies E2(d) and (g) in the Stafford Plan as well as paragraph 17 of the National Planning Policy Framework.
- It will have minimal benefit to the local community.
- It will not satisfy the employment aspirations of local young people.
- This application will not provide the quality or quantity of employment opportunities that would out-weigh the visual and environmental impact in the community;
- If permitted, it will blight the landscape for years to come and will detract from the rural character of Hixon and Stowe-by-Chartley
- There is the serious threat of ground pollution caused by leaking fuel, oil and hydraulic fluids from the scrap vehicles
- There does not appear to be a drainage strategy supplied with the application documents that should include pollution control measures
- Harm to heritage value of former World War II airfield

Neighbours:

33 notified; 10 replies/representations received from 10 addresses. 1 in support providing the road surfaces in the area are improved. 9 object. The material issues are summarised below:

- Visual intrusion
- Excessive traffic
- Encroachment onto green space
- Ground pollution
- Harm to wildlife
- Conflict with Hixon Neighbourhood Plan
- Noise

Site Notices:

Expiry dates 27 December 2019

Adverts:
Expiry dates 1 January 2020

Relevant Planning History

Part of current site

16/24279/FUL - Continued use of former runway for storage of aggregates for roadworks – expired 30 September 2020.

Other former airfield land

20/32514/FUL - Temporary change of use of land to develop a temporary compound to facilitate off-site ground investigation works – To be determined.

18/29781/COU - Temporary change of use of former runway to develop a temporary compound to facilitate off-site ground investigation works to cease before August 2020 - approved 22 May 2019; not implemented.

16/25315/COU – Change of use of former airfield runway for storage of commercial vehicles and up to six commercial vehicle auctions per year; office/sales/facilities building; landscaping works – approved 27 July 2017; implemented.

16/24410/FUL – (Substantially the same site to above) Change of use of former airfield runway for storage of commercial vehicles and up to six commercial vehicle auctions per year, plus construction of building to provide office/sales area and toilet facilities and associated landscaping and perimeter fencing – application withdrawn from consideration; no decision made.

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. The approved plans are drawing nos. 4163-01B; 4163-02F; 4163-03D and 4163-04.
4. No development shall begin until a detailed surface water drainage design has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The design shall be in accordance with the overall strategy and key design parameters set out in the Drainage Strategy report (Waterco File Ref: 12287-Drainage Strategy-02, dated 11-12-20), and the design shall demonstrate:

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

- SuDS design to provide adequate water quality treatment in accordance with the Simple Index Approach and SuDS treatment design criteria (The SuDS Manual, CIRIA C753, 2015).

- Demonstration of a viable point of discharge.

- Limiting the discharge rate for all events to 66.9l/s and providing the attenuation storage necessary to limit flows to 66.9l/s for all events up to and including the 100-year plus 20% climate change event.

- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.

- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system. Site layout and levels should provide safe exceedance routes and adequate access for maintenance.

- Provision of an acceptable management and maintenance plan for surface water drainage to ensure continued performance of the system for the lifetime of the development. This should include a schedule of required maintenance activities and frequencies, and contact details for the organisation responsible for carrying out these duties.

Thereafter, the use shall not commence unless and until the approved surface water drainage scheme has been constructed and completed.

5. The landscaped planting scheme shown on the approved drawings shall be carried out and completed within eight months of the first use hereby permitted of the site. Any plants or trees which die, become diseased or are removed within five years of planting shall be replaced in the current or subsequent planting season.
6. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 as amended, this permission only relates to the open storage of vehicles. It does not grant or imply consent for any other Use Class B8 (storage or distribution) use, nor for the auction or sale of the stored vehicles.
7. No external tannoy or public address systems shall be installed or used without the prior written permission of the Local Planning Authority.
8. The storage of vehicles hereby permitted shall only be carried out within the fence enclosed area shown on the approved plans. It shall not be carried out anywhere else on the site.

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 the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
4. To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development (Policy N2 of The Plan for Stafford Borough)
5. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
6. To define the permission.
7. To safeguard the area from undue noise. (Policy N1e of The Plan for Stafford Borough).
8. To define the permission.

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 attention of the applicant is drawn to the observations of the Public Rights of Way, The Ramblers and the Lead Local Flood Authority on this application. All comments received can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).

19/31487/COU
Land At Hixon Airfield Industrial Estate
Stafford

