Dear Members

Planning Committee

A meeting of the Planning Committee will be held in the Craddock Room, Civic Suite, Civic Centre, Riverside, Stafford on Wednesday, 13 March 2019 at 6.30pm to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

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

A. R. Well

Head of Law and Administration
PLANNING COMMITTEE - 13 MARCH 2019

Chairman Councillor R M Sutherland
Vice-Chairman Councillor A S Harp

A G E N D A

1 Minutes
2 Apologies
3 Declaration of Member's Interests/Lobbying
4 Delegated Applications
Details of Delegated applications as set out in Section 6 of Digest No 253 published on 8 March 2019

<table>
<thead>
<tr>
<th>Page Nos</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning Applications</td>
</tr>
<tr>
<td>Enforcement Matters</td>
</tr>
</tbody>
</table>

MEMBERSHIP

Chairman Councillor R M Sutherland

C A Baron          W J Kemp
G R Collier        D B Price
B M Cross          J K Price
I E Davies         G O Rowlands
M G Dodson         R M Sutherland
A S Harp           C V Trowbridge
E G R Jones        (Substitutes - F Beatty, R J Draper, A P Edgeller, J Hood, S Learoyd)
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 APPENDICES:-

<table>
<thead>
<tr>
<th>Application No.</th>
<th>Property Address</th>
<th>Page Nos</th>
</tr>
</thead>
<tbody>
<tr>
<td>18/29036/FUL</td>
<td>74 Co-operative Street, Stafford  ST16 3DA</td>
<td>5 - 13</td>
</tr>
<tr>
<td></td>
<td>Officer Contact -Richard Wood, Development Lead (Large Scale) - Telephone 01785 619324</td>
<td></td>
</tr>
<tr>
<td>18/29364/FUL</td>
<td>Land Adjacent 104, Longton Road, Barlaston</td>
<td>14 - 24</td>
</tr>
<tr>
<td></td>
<td>This application was called in by Councillor E G R Jones</td>
<td></td>
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<tr>
<td></td>
<td>Officer Contact -Richard Wood, Development Lead (Large Scale) - Telephone 01785 619324</td>
<td></td>
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<tr>
<td>18/29788/FUL</td>
<td>New Burton House, Burton Bank Lane, Stafford</td>
<td>25 - 32</td>
</tr>
<tr>
<td></td>
<td>This application was called in by Councillor A M Loughran</td>
<td></td>
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<tr>
<td></td>
<td>Officer Contact - Richard Wood, Development Lead (Large Scale) - Telephone 01785 619324</td>
<td></td>
</tr>
</tbody>
</table>

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.
Reason for referral to Committee

An employee of the Council has an interest in part of the application site.

Context

The site is an existing vehicle repair garage on the corner of Co-operative Street and Commonside Close. However, the area is characterised by predominantly residential properties and the Northfield Centre which provides care for the elderly lies opposite the site.

Two x two bedroom, semi-detached houses are shown to front and access Cooperative Street and a three bedroom detached house would face and access onto Commonside Close. Red brick and grey concrete roof tile finishes are proposed. Space for parking two cars for each dwelling on individual driveways is shown along with garden areas.

Officer Assessment - Key Considerations

1. The principle of the development

The site lies within the Settlement Boundary of Stafford which is at the top of the Sustainable Settlement Hierarchy as defined in Spatial Principle (SP) 3 of The Plan for Stafford Borough (TPSB). SP 7 of TPSB states that development of a scale and nature appropriate to secure the sustainability of each settlement, where in the case of housing proposals this is consistent with the delivery of the proportions of development intended by SP2, SP3 and SP4, will be supported within the settlement boundaries. SP2 of the Plan requires the provision of 500 dwellings per year throughout the plan period, and SP4 requires 70% of this housing development to be within the settlement boundary of Stafford.

Policy Stafford 1 - Stafford Town of TPSB states that the strategy for the town is to continue to meet its housing requirements by providing a total of 7,000 homes. However,
development should not result in the loss of employment land to non-employment generating uses unless there is overriding evidence to demonstrate that the current use is presently causing and has consistently caused significant nuisance or environmental problems that could not be mitigated.

The Environmental Health Officer has no record of any complaints about the current use. However, the structure on the site is an ageing, corrugated steel clad building which is in a poor condition and its appearance reduces the environmental quality of the area. Cars in assorted stages of dismantling can also often be seen on the site frontage, and the current use attracts a demand for non-residential, on-street parking for which there is a typical shortage in this area of mainly terraced houses. Furthermore, the site appears to have an historic use for car repairing which preceded planning powers, and it is likely that other general industrial uses could occupy the site without the need for planning permission, and cause more noise and disturbance in this predominantly residential area.

Given also that the site is previously developed land, it is considered that its proposed redevelopment would bring social and economic benefits in the form of new housing in a sustainable location, and environmental benefits with the cessation of the use, that would outweigh its value for clearly small scale employment opportunities. No objection is therefore raised in principle.

Policies and Guidance:-

National Planning Policy Framework:
Paragraphs 8, 10, 11, 80, 82, 83, 84.

The Plan for Stafford Borough:
Spatial Principle (SP)1 Presumption In Favour of Sustainable Development
SP2 Stafford Borough House and Employment Requirements
SP3 Stafford Borough Sustainable Settlement Hierarchy
SP4 Stafford Borough Housing Growth Distribution
SP7 Supporting the Location of New Development
Policy SB1 Settlement Boundaries
Policy Stafford 1 Stafford Town

2. Character and appearance

The designs of the new houses would be traditional and would fit in with the existing character of the dwellings along Cooperative Street. A condition on a consent would secure further information on the specific external materials to be used in their construction.

Four trees within the site are also shown to be retained although they are very close to the existing building and are relatively large, mature specimens. Two lie just inside the property boundary to Commonside Close and contribute to the quality of its street scene. However, there are other, smaller trees on the verge to this road, and if the two larger trees need to be removed to enable demolition or construction, these others would serve as replacements as they reach maturity. It should be noted that the Tree Officer does not consider that the four trees on the site have significant amenity value to overcome the
constraints he describes. A condition would also secure a landscaping scheme with more appropriate planting as he suggests.

No objection is thus raised in terms of the visual impact of the proposals on the surroundings.

Policies and Guidance:-

National Planning Policy Framework:
Paragraphs 170, 174, 175,

The Plan for Stafford Borough:
Policy N1 Design

3. Amenity

There would be no existing dwellings facing the proposed houses across Cooperative Street or Commonside Close or behind the proposed house in Commonside Close. The rear elevations of the semi-detached new properties would face the side of the new detached house which has only a first floor bathroom window and two windows to a ground floor lounge. There is therefore no technical breach with Guidance 2 of the Council’s Supplementary Planning Document on residential design relating to privacy. A minimum separation distance of 16m would be achieved and the rear garden boundary enclosures indicated between the properties would provide appropriate screening for the prospective occupiers.

Gardens in excess of 65 sq m would also be achieved along with boundary enclosures indicated for privacy and this would meet Guidance 3 of the Design Supplementary Planning Document. A condition would secure further details of the height and design of the screen enclosures and their construction.

There is thus no objection on residential amenity grounds.

Policies and Guidance:-

National Planning Policy Framework:
Paragraphs 180, 181

The Plan for Stafford Borough:
N1 - Design
Supplementary Planning Document - Design

4. Highways and parking

The parking provision meets the standards of TPSB of two spaces per dwelling. The Highway Authority raises no objection to this or the access arrangements shown subject to conditions to secure the construction of the accesses and to limit the height of the fence to plot 2 to provide suitable visibility from the access to Cooperative Street.
Policies and Guidance:-

National Planning Policy Framework:

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

5. Ground conditions

The Environmental Protection Lead Officer notes the potential for ground contamination from the current use and conditions to secure further investigation and any necessary remediation would be added to any consent granted.

Policies and Guidance

National Planning Policy Framework
Paragraphs 170, 178, 180

6. Cannock Chase Special Area of Conservation (SAC)

The site lies within the 8 km zone of influence of the SAC but less than ten dwellings are proposed. It is accepted that the contributions from housing developments of ten or more dwellings would serve to provide for mitigation for smaller numbers of new dwellings as in this case. Natural England concur with this approach contained in the Council’s Appropriate Assessment under the Habitat Regulations, and thus no further action is required.

Policies and Guidance:-

National Planning Policy Framework:
Paragraphs 170, 175

The Plan for Stafford Borough:
Policy N6 - Cannock Chase Special Area of Conservation

7. Gas infrastructure

The observations of Cadent do not relate to significant gas transport apparatus in planning terms. However, an informative on a consent would flag the issue with the applicant.

Conclusion

The site is in a sustainable location for housing and the social, economic and environmental benefits from such development are considered to outweigh the employment generating potential of this small site. The scheme would be sympathetic to, and enhance the character of the area and acceptable circumstances of residential amenity would be achieved. Sufficient off-street parking space is shown along with acceptable access arrangements subject to conditional safeguards. The requirement to
assess potential ground pollution and, if any is found, to remediate it would also be included in a consent.

Consultations

Highway Authority:
Surgery 25 February 2019 - No objection subject to conditions to secure the construction of the accesses and parking spaces and to limit the height of the proposed fence to plot 2 to allow acceptable visibility.

Environmental Health Officer:
Expiry date for reply - 24 September 2018; No reply received

Environmental Protection Lead Officer
The site has had former potentially contaminating uses. I recommend that a condition be applied requiring a phase 1 desktop land contamination report. Where shown to be necessary by a phase 1 report, a phase 2 intrusive investigation may be required. Remedial works should be recommended where shown to be necessary in the phase 2 report. Remedial works should be followed by a validation report to demonstrate compliance with any remediation recommendations.

Tree Officer:
The trees are a mixture of semi mature self seeded Maple/Sycamore and small ornamental specimens of which a number are being supressed by the larger Maples. The on-site trees are not high quality specimens and their retention as part of this scheme would be challenging. The Maple/Sycamore trees would rapidly outgrow the location if retained and pose significant issues relating to ‘honeydew’ deposits.

There are also two trees located on the boundary with the rear of 73 Co-operative Street which will be too close to plot 3 to make their retention viable and would rapidly outgrow the location if retained. This would lead to direct property encroachment issues.

I have no objection to this proposal but would strongly recommend that all trees are removed and replaced with new tree planting as part of a quality landscaping scheme.

Natural England:
Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions.

Neighbours:
(14 notified) No representations received.
Site Notice  
Expiry date 28 September 2018

Other representations

Cadent:
- There are low or medium pressure gas pipes and associated equipment in the vicinity.
- Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest in the land which restricts activity in proximity to Cadent assets on private land.
- The applicant must ensure that proposed works do not infringe on Cadent’s legal rights
- If buildings or structures are proposed directly above the gas apparatus or if any construction traffic is likely to cross a Cadent pipeline, the applicant should contact Cadent’s Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

Environmental Protection Lead Officer:
The site has had former potentially contaminating uses. I recommend that a condition be applied requiring a phase 1 desktop land contamination report. Where shown to be necessary by a phase 1 report, a phase 2 intrusive investigation may be required. Remedial works should be recommended where shown to be necessary in the phase 2 report. Remedial works should be followed by a validation report to demonstrate compliance with any remediation recommendations.

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. The approved plans are drawings nos PL-100A; -104A; -105A; -106B; and -107B. The development shall be carried out and completed in accordance with the approved plans except as required by other conditions of this consent.

3. No construction shall commence until a phase 1 desk top land contamination report on the ground conditions of the site has been submitted to and approved in writing by the local planning authority. This shall include the results of a phase 2 intrusive investigation and measures for the remediation of any contaminated land, along with a programme for their implementation, where found necessary by the phase 1 report. The programme shall also include a timescale for the submission of a validation report demonstrating compliance with any remediation recommendations following the completion of any remediation works.
4. No above ground construction shall commence until samples of the external materials of the walls and roofs of the proposed dwellings have been submitted to and approved in writing by the local planning authority. Thereafter only the approved materials shall be used unless alternatives have first been approved in writing by the local planning authority.

5. No above ground development shall commence until a landscaping scheme for the site has been submitted to and approved in writing by the local planning authority. Thereafter the approved landscaping scheme shall be implemented within 8 months of the first occupation of the dwellings. Any plant, tree or shrub that dies, become diseased or is removed within five years of the date of planting shall be replaced within the next planting season.

6. Notwithstanding any information in the application, no above ground construction shall commence until a specification for the boundary enclosures of the new house plots has been submitted to and approved in writing by the local planning authority. This shall show a means of enclosure of no less than 1.8m high except for that to plot 2 on the corner of Cooperative Street and Commonside Drive which shall be no higher than 600mm within 1.5m of footway to the highway. Thereafter no dwelling shall be first occupied until the approved means of enclosure have been constructed and they shall be retained.

7. No dwelling shall be occupied until the proposed accesses, driveways and parking spaces shown on the approved plans have been constructed and thereafter they shall be retained.

8. All construction works including demolition and related 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.

9. There shall be no burning on site during demolition and construction.

10. All demolition materials shall be removed from the site.

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

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 harm from ground contaminants (Paragraphs 170, 178 and 180 of The National Planning Policy Framework).

4. To ensure the satisfactory appearance of the development (Policies N1 g and h 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 ensure an adequate level of privacy for prospective occupiers and to secure acceptable visibility for vehicles accessing the highway from plot 2 (Policies N1 and T1 of The Plan for Stafford Borough).

7. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).

8. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).

9. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).

10. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).

11. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).

Informative(s)

1. The Local Planning Authority consider the proposal to be a sustainable form of development and therefore it complies with the provisions of the National Planning Policy Framework.

2. The attention of the applicant is drawn to the observations of Cadent and the Council's Tree Officer 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).
Application                  18/29364/FUL               Case Officer                  Ed Handley
Date Registered            01 November 2018           Target Decision Date        21 December 2018
                             -                                 Extended To
Address                   Land adjacent 104 Longton Road, Barlaston
                          Ward Barlaston
                          Parish Barlaston
Proposal                   Erection of single detached dwelling and garage
Applicant                  Mr & Mrs A Hodgson
Recommendation             Approve, subject to section 106 agreement and conditions

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor E G R Jones (Ward Member for Barlaston) for the following reasons:-

‘Longton Road is a pleasant residential area in Barlaston East characterised in the main by large detached houses. The proposal seeks to introduce a large new house in the garden of 104 Longton Road hard on the boundary with 102 Longton Road. It is difficult to see how this can be done as proposed without damage to established hedges. Further it is difficult to see how the application, if approved, could be built without access to neighbouring property. It is noted that it is proposed to construct a balcony from a rear bedroom which would give a view into the garden area of 102 Longton Road if it was not restricted by condition.’

Context

The site forms roughly the western half of the curtilage of 104 Longton Road within the settlement boundary of Barlaston. The site measures approximately 600sqm with the remaining curtilage to No.104 measuring 850sqm.

This application is for a single dwelling and detached garage. An additional vehicular access onto Longton Road would be formed. Maximum dimensions of the proposed dwelling, including the front and rear projecting gables measure 9.9m (width) x 10.25m (depth) x 7.9m (height). The garage would measure 3.5m (width) x 5.5m (depth) x 3.7m (height).

The application follows 17/26237/OUT, under which outline consent was granted for a single dwelling in October 2017.
Officer Assessment – Key Considerations

1. Principle of development

The site forms part of the established residential curtilage of 104 Longton Road. The National Planning Policy Framework (NPPF) states that residential gardens in built up areas should not be considered to be previously developed land.

Whilst the NPPF (paragraph 117) encourages the use of previously developed land it does not preclude the development of greenfield sites provided such development does not result in harm to the character and setting of an area (paragraph 70). Housing development should be considered in the context of the presumption in favour of sustainable development, whereby development which accords with an up-to-date development plan should be approved without delay.

Proposals involving residential development within private gardens should, therefore, be considered on their individual merits as the release of greenfield land can be a legitimate and sometimes necessary alternative to previously developed land.

The site is in a sustainable location within Barlaston which is within the settlement hierarchy set out in Spatial Principle (SP) 3 of The Plan for Stafford Borough.

Furthermore, there is extant outline consent for a single dwelling on this site – 17/26237/OUT.

As such, the principle of development is considered to be acceptable, subject to other policy criteria being satisfied.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 7, 8, 10, 11, 12, 14, 70 & 117

The Plan for Stafford Borough
Policies: SP3 Stafford Borough sustainable settlement hierarchy; SP4 Stafford Borough housing growth distribution

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

2. Character and appearance

The layout of the site would be almost identical to that approved under 17/26237/OUT; amendments include:
- The front projecting gable would be on the left-hand side of the dwelling rather than being central;
- The rear projecting gable would be offset to the right-hand side of the dwelling rather than being central;
- The access would be adjacent to the eastern boundary of the site, approximately 2.2m further east than previously approved; and
- The parking and turning area would extend the whole width of the site to the front of the proposed dwelling.

The application site comprises the eastern portion of the residential curtilage of 104 Longton Road and the scheme proposes a dwelling set significantly further back into the site than No.104. Although dwellings to the east are generally set out in a linear format, those to the west are much less formally arranged, including No.102 to the west-southwest of the application site, being situated behind No.100. The siting of the dwelling would, therefore, complement the established pattern of development.

The proposed dwelling would have a similar footprint to those in the immediate vicinity and would be of similar height, having two-storeys. Whilst No.104 has a hipped roof, the majority of dwellings in the vicinity have pitched roofs similar to that proposed. The dwelling would be constructed of facing brickwork and have plain clay tiles. The surrounding area is characterised by the use of brick and render; it is, therefore, considered that the general form and design of the dwelling would be appropriate within the context of the area.

The garage would form an outbuilding which would clearly be subservient to the main dwelling given its size and palette of materials. The proposed position, being sited 1.8m in front of the proposed dwelling, is considered to be acceptable given the staggered relationship with No.104 and the less rigid pattern of development in the vicinity.

It is not considered that the proposal would result in any harm to the character and appearance of the surrounding area.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 124, 127, 128 & 130

The Plan for Stafford Borough
Policies: N1 Design; N8 Landscape character
Supplementary Planning Document (SPD) - Design

3. Residential amenity

The proposal would not result in any instance whereby the front and/or rear of existing properties would face directly onto the front or rear of the proposed dwelling; therefore guideline 2 of the Council’s Design SPD (Supplementary Planning Document) is not considered to be relevant.

Furthermore, whilst guideline 6 of the Design SPD refers specifically to extensions and alterations to existing dwellings and is not strictly relevant in this case, it is considered that guideline 6 provides a reasonable approach in assessing potential harm with regard to the amenity of occupiers of existing properties when assessing the impact of proposed dwellings.
There are no principal windows to the side elevations of either 100 or 104 Longton Road. There is one non-principal window at first floor level at No.100 which would be 15m form the proposed dwelling. There are four non-principal windows at No.104 which face onto the application site; direct outlook from these windows would not be impeded.

Direct outlook from rear-facing first floor windows to No.104 would not be impacted, although outlook along a 45° line of sight would be impeded at a distance of approximately 9m. This impact was considered to be minor during consideration of 17/26237.OUT when the application site was under the control of the owner of No.104. Given that layout was approved at that time it is not considered that this impact would justify the refusal of this application.

The proposal would not result in any implications in terms of outlook or privacy with regard to existing windows at No 102.

Outlook along a 45° line of site from the first floor window of the proposed property (bedroom 2) would look over the southeast corner of the garden to 102 Longton Road at a distance of 19m. Given the oblique angle of outlook and distances involved the proposal is not considered to result in any undue harm to the privacy of the occupants of No 102.

The proposed dwelling would have one opening on the east elevation, a door serving the utility room, which would open onto the side elevation of the detached garage. There would be no openings on the west elevation.

Openings on the south and north elevations would benefit from unimpeded outlook across the rear garden and parking area to the front.

There would be a balcony to the master bedroom, from which views would be achieved to the east and west, looking into the gardens of Nos 104 and 102 respectively; it is considered that a condition should be attached to any approval to ensure that privacy screens are provided to the side elevations of this balcony in order to protect the privacy of the occupiers of these adjacent properties. Although this view would not be obtained from a habitable room it is considered that, in the summer, when the occupiers of neighbouring properties are likely to use their gardens more often, the proposed balcony is also likely to be in greater use.

Subject to this condition, it is not considered that the proposal would result in any undue loss of privacy with regard to the occupiers of 100, 102, or 104 Longton Road.

The scheme would result in a dwelling with a rear garden measuring 220sqm and would leave No 104 with a rear garden measuring significantly more; the proposal would, therefore, comply with the standards set out in guideline 3 of the Council’s Design SPD.

The Environmental Health Officer raises no objection to the proposal, subject to a number of conditions. It is considered appropriate to attach conditions relating to hours of works, equipment to be left running outside of these hours, and burning on site; however it is considered that drainage is more appropriately dealt with under separate legislation.
Sufficient space would remain, and be easily accessible, for the storage of refuse and recycling bins within the curtilage of both the existing dwelling (No. 104) and the proposed dwelling.

Policies and Guidance:-

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

4. Access and parking

The proposal would result in a single dwelling with three bedrooms, which under local plan parking standards would require two parking spaces. One parking space would be provided within the garage, whilst two additional parking spaces and manoeuvring space would be provided on the hardstanding to the front of the dwelling.

A new vehicular access would be created onto Longton Road at the north boundary of the site; this would be in a slightly different position to that approved under 17/26237/OUT - 2.2m to the east, immediately adjacent to the eastern boundary.

The highway authority raise no objection to the proposal, subject to conditions to secure the provision of visibility splays; the surfacing of the access drive in a bound and porous/permeable material for a minimum distance of 10m back from the highway boundary; and the provision of the access, parking, servicing, and turning areas.

Given that the application site extends into the curtilage of No 104, the relevant ownership certificate has been submitted and the owner of No 104 has been appropriately notified of the application. However, it is not considered appropriate in this instance to attach a condition to secure the provision of visibility splays as there is no specific agreement in place from the owner of No 104 which would leave open a question of reasonableness should the Council make a decision to enforce against any future owners. The Council’s legal section advise that either the land required for the provision of the visibility splay be transferred before any conditional permission is granted or that a section 106 agreement is secured with the applicant and landowners as parties.

The applicant has provided a draft s106 agreement which would require the provision and retention of the proposed visibility splay with it to be kept free from all obstructions over a height of 600mm in perpetuity. Should this agreement be completed it is considered that the concerns of the Highway Authority would be resolved.

An informative should be attached to any approval to bring the comments of the highway authority to the attention of the applicant.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 105 & 106

The Plan for Stafford Borough
5. Other

There are two trees within the application site (one to the front and one to the rear) and two mature trees immediately adjacent to the site to the west. The Tree Officer raises no objection to the proposal and requests that reference is made to comments made with regard to application 17/26237/OUT. At that time, the two mature trees adjacent to the proposed hardstanding were considered to be of low amenity value and the excavations for a new driveway would be outside of the critical rooting zone and likely to be relatively shallow in extent. The trees should not represent a prohibitive constraint to development.

Furthermore, whilst the twin stemmed tree situated immediately adjacent to the western boundary of the application site is not considered to be an arboricultural asset of significant value it is on third party land and an informative should, therefore, be attached to any approval to recommend that the applicant seeks advice from a qualified arborist with regard to the protection of this tree.

The western boundary comprises a hedge running adjacent to the access to No 102. At its closest point, the proposed dwelling would be 1.0m from the boundary - assumed to be centre of the hedge – whereby under the layout approved the dwelling would have been 1.5m from the boundary at this point. The hedge is clearly not 2.0m in width and has been represented in an indicative manner; it is not considered that the erection of a dwelling within this proximity of the hedge would result in its undue loss. Furthermore, the hedge forms part of the boundary of the residential curtilage of No 104 and, therefore, could be removed without permission.

The reason for this application being called-in to committee includes the process of erecting the proposed dwelling causing damage to the hedge and requiring access to third party land. It is considered that concerns over the hedge are covered above, whilst access to third party land in this manner is not considered to be a material consideration as the proposed dwelling could be erected using an overhand building technique - this would also minimise any harm to the hedge.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 170

The Plan for Stafford Borough
Policies: N4 The natural environment & green infrastructure

6. Conclusion

With regard to the extant outline consent for a single dwelling on this site it is considered that the proposal is acceptable. Concerns relating to visibility on the proposed access and privacy from the proposed balcony could reasonably be overcome through appropriate conditions. It is, therefore, not considered that the scheme would result in any undue harm to the character and appearance of the area; to the amenity of the occupiers of any
adjacent residential property; or to the safety and convenience of users of the highway. Furthermore, it is not considered that the scheme would lead to the loss of, or harm to, any arboricultural asset of significant value.

This application should, therefore, be approved subject to conditions and the associated s106 agreement.

**Consultations**

**Highway Authority:**
No objection, subject to conditions to secure the following:
- Provision of visibility splays as shown on submitted drawings;
- Access drive to be surfaced in a bound and porous/permeable material for a minimum of 10m back form the site boundary; and
- Provision of the access, parking, servicing, and turning areas in accordance with the submitted drawings.

**Tree Officer:**
(Surgery 14 November 2018):
Please refer to comments made during consideration of 17/26237/OUT. The proposal is in close proximity to a twin-stemmed tree; the developer should take advice from a qualified arborist.
(Comments from 17/26327/OUT):
No objection. The proposal would not result in the loss of, or detriment to, any arboricultural asset of significant value.
The two mature broadleaf trees on the driveway adjacent to the proposed new access are of low amenity value and/or not suitable for long term retention due to structural form. Given that the excavations for a new driveway are outside the critical rooting zone, and would only be relatively shallow in extent, I don’t consider that these trees should represent a prohibitive constraint to development.

**Environmental Health Officer:**
No objection, subject to conditions to secure the following:
- Restriction of hours of works and associated deliveries;
- Any equipment which must be left running outside of the allowed hours to be inaudible;
- No burning on site during development; and
- Provision of adequate surface and foul water drainage.

**Barlaston Parish Council:**
No objection in principle, however concerns are raised with regard to the balcony, the building line, and access onto the highway.

**Neighbours (6 consulted):**
Two representation received in objection raising the following points:
- The siting of the dwelling is out of keeping with the character of the local area;
- The dwelling would have an overbearing impact;
- The proposal is not in accordance with the earlier outline approval;
- The proposed dwelling would be cramped in a narrow site;
- Damage to the boundary hedge;
- Loss of privacy from the proposed balcony;
- Screening to the balcony would not resolve privacy concerns;
- Loss of privacy from windows to the front elevation; and
- Inadequate visibility splays.

Site notice expiry date: 13 December 2018

**Relevant Planning History**

17/26237/OUT - Erection of detached dwelling - Approved 5 October 2017

**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:

   - 5429-001 revision B (Site layout plan)
   - 5429-002 revision D (Floor plans and elevations)
   - 5429-003 revision A (Site location plan & site block plan)
   - 5429-003 revision A (Existing topo & visibility splays)

3. No above ground construction works shall commence unless and until details of the finished floor levels of the proposed building(s), including their relationship to the levels of the site and existing adjacent dwellings, have 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.

4. Notwithstanding any description/details of external materials in the application documents, no construction works above ground shall be commenced until precise details or samples of the materials to be used in the construction of the external wall(s) and roof(s) of the building(s) have been submitted to and approved in writing by the Local Planning Authority.

5. Before the development is first brought into use privacy screens shall be installed on the side elevations of the balcony on the rear elevation serving the master bedroom in accordance with details to first be submitted to and approved in writing by the Local Planning Authority. The privacy screens shall thereafter be retained.

6. Details of hard and soft landscaping, including all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall thereafter be provided within 8 months of first occupation of the dwelling.
7. The development shall not be brought into use unless and until the access drive has been surfaced in a bound and porous material for a minimum distance of 10m back from the public highway.

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

9. All construction works, including demolition and associated deliveries to the site shall only take place between the hours of 8.00am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays.

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

11. There shall be no burning on site during development.

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 ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).

5. To ensure an adequate level of privacy for occupants of adjacent residential properties (Policy N1e and Stafford Borough Council Space About Dwellings Guidance)

6. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).

7. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).

8. 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).

9. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1e of The Plan for Stafford Borough).
10. To safeguard the occupiers of nearby residential properties from undue noise. (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).

Informative(s)

1. The Local Planning Authority consider the proposal to be a sustainable form of development and that it complies with the provisions of the National Planning Policy Framework.

2. The applicant's attention is drawn to the comments of the highway authority. All comments can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).

3. It is recommended that the applicant seeks advice from a qualified arborist with regard to the protection of any trees in close proximity of the boundary of the application site during development.
<table>
<thead>
<tr>
<th>Application</th>
<th>18/29788/FUL</th>
<th>Case Officer:</th>
<th>Mark Alford</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Registered</td>
<td>30 August 2018</td>
<td>Target Decision Date</td>
<td>15 March 2019</td>
</tr>
<tr>
<td>Address</td>
<td>New Burton House, Burton Bank Lane, Stafford</td>
<td>Ward</td>
<td>Manor</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Parish</td>
<td>-</td>
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<tr>
<td>Proposal</td>
<td>Demolish buildings; change of use from former care home (Residential Institution Use Class C2) to special needs day school (Use Class D1); associated works.</td>
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<tr>
<td>Applicant</td>
<td>SEN 1 Ltd</td>
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<tr>
<td>Recommendation</td>
<td>Approve with conditions</td>
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**Reason for referral to Committee**

This application has been called in by Councillor A M Loughran (Ward Member for Manor) for the following reason:-

"Concern regarding vehicular access route via Chestnut Drive. Provision for on site parking".

**Context**

The premises are currently vacant. Some existing metal garages and sheds previously used for storage are shown to be demolished. An existing area of tarmac would be used as a play area and other smaller areas would be surfaced as a bark garden and an astro turf play area.

The application forms show that the proposed use would operate between 08.00 and 18.00 Monday to Friday. 32 parking spaces exist on the site. Up to 29 full time and 8 part time staff would be employed.

The applicant’s agent has submitted the following in support of the proposals:

“(The applicant’s teach) over 100 children in North Staffordshire with special educational needs by providing therapeutic learning environments in … two existing special schools (Hopedale School in Cheddleton nr Leek, Staffordshire and Bluebell School in Kidsgrove, Staffordshire) which have been rated outstanding in their most recent Ofsted inspections. The schools specifically provide education to children with autistic spectrum condition, speech, language and communication difficulties, and learning difficulties with associated challenging behaviour."
The intention is to open Heather Field School at New Burton House as a similar special school, offering quality education to children in Stafford and the surrounding areas. (There is) a strong relationship with the Staffordshire Education Commissioning Team who are supportive of this proposal and have confirmed that a school of the type proposed would be warmly welcomed as many children travel outside Stafford (some travelling considerable distances) to access suitable education. The provision of this school would have a significant beneficial impact on the quality of life of children based in and around Stafford, but it would also reduce transport costs to the Local Authority…

The site is accessed from Burton Bank Lane with the main entrance to the site located in the south east corner of the application site. There is a second access in the north east corner of the site (to) Chestnut Drive. It is proposed that the minibuses and taxis bringing pupils to the site will come in through the Chestnut Drive access and out of the Burton Bank Lane access. This will provide an effective in/out system on site…

The proposed site will solely utilise community transport in the form of taxi’s and minibuses to transport pupils to and from the school, therefore single occupancy vehicle trips will not be associated with pupils. It should therefore be noted that the pick-up / drop-off trips associated with the pupils are transient trips, and that only the staff will be parking on site throughout the day…

This proposed arrangement is in response to comments received at a public consultation event and does not require works to either the public highway or private access road…

The number of pupils in attendance at the school is proposed to incrementally increase over the next 6 years, starting with just 3 pupils (and) rising to a predicted maximum of 64 pupils by 2024.”

“The food to be prepared within the kitchen is limited to soups, salads, jacket potatoes, wraps and sandwiches. There will be no fried food prepared. The ventilation is an extractor fan, similar to that found in a domestic kitchen. ”

**Officer Assessment - Key Considerations**

1. **The principle of the development**

   The site lies within the Settlement Boundary of Stafford which is at the top of the Sustainable Settlement Hierarchy as defined in Spatial Principle (SP) 3 of The Plan for Stafford Borough (TPSB). SP 7 of TPSB states that development of a scale and nature appropriate to secure the sustainability of each settlement, as in this case, will be supported within the settlement boundaries.

   Policy Stafford 1 - Stafford Town of TPSB states that, to reflect the role of the county town at the head of the Sustainable Settlement Hierarchy, the strategy for the town will seek to enhance its role by increasing both the range and quality of services and facilities, as proposed in this case.
The site is also previously developed land and its re-use is supported by paragraphs 117, 118 and 121 of the National Planning Policy Framework. No objection is thus raised to the change of use.

Policies and Guidance:-

National Planning Policy Framework:
Paragraphs 8, 10, 11, 92, 117, 118, 121.

The Plan for Stafford Borough:
Spatial Principle 1  Presumption In Favour of Sustainable Development
Spatial Principle 7  Supporting the Location of New Development
Policy Stafford 1 Stafford Town
Policy SB1  Settlement Boundaries

2. Amenity

Most of the conditions suggested by the Environmental Health Officer relate to small elements of demolition and construction proposed and would be added to a consent. The presence of asbestos would be covered under separate legislation. There is existing external illumination on the site and a condition would restrict the construction of any new external lighting without a further planning permission. A condition would also limit hot food preparation to those items advised by the applicant. Given these safeguards, it is not considered that the proposals would significantly affect the amenities of adjacent residential occupiers.

Policies and Guidance:-

National Planning Policy Framework:
Paragraphs 180, 181

The Plan for Stafford Borough:
N1 - Design

3. Highways and parking

The submitted transport note concludes that the previous and proposed uses of the site appear to be very similar in overall trip generation impact. It shows that of the 114 daily two-way trips associated with the school, only 74 daily two-way trips would be attributed to staff car journeys due to the various travel options used by the school. Therefore, when the proposed worst case 2024 daily two-way car trips of 74 is compared with the 87 daily two-way car trips for the previous use of the site, the resulting net trip difference is minimal.

Additionally, it shows that although daily two-way staff trips have been used to formulate this assessment, a proportion of the staff will be employed on a part-time basis, and therefore not all staff would make trips to the site on any one day or during peak hours. Furthermore, given the good location of the site with accessibility to sustainable travel modes, it presents the opportunity for staff to utilise alternative travel methods to cars.
The note concludes that the proposed development would therefore have a negligible impact in terms of trip generation and an imperceptible impact on the local highway network. It also acknowledges that staff and visitor’s vehicles would only use the main Burton Bank Lane access and that pupil’s would be transported by minibuses or taxi. Only these latter vehicles would enter the site via the Chestnut Drive access but they would all leave via the Burton Bank Lane access. In addition, the proposed level of car parking adheres to the requirement within Stafford Borough Council’s adopted parking standards.

The parking standards of TPSB require 1 space per full time staff member plus 1 space per 30 pupils for visitors which would result in an ultimate demand for 31 parking spaces and 32 exist on the site. The Highway Authority has accepted the findings of the transport note and the parking provision figures in raising no objection subject to a condition to secure the laying out and retention of the vehicle and parking space.

A further condition would limit the use to that specifically described in the application so that sufficient parking space would remain on site.

Policies and Guidance:-

National Planning Policy Framework:

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

Conclusion

The site is in a sustainable location for the proposal and it would re-use previously developed land. Residential amenity would not be significantly affected. Sufficient off-street parking space is also shown along with safe access arrangements.

Consultations

Highway Authority:
- No objection subject to a condition to secure the provision and retention of the access, parking, servicing and turning areas on the site.
- Note to Planning Officer: It is proposed that the taxis and mini buses bringing the children to the school will only enter the site from Chestnut Drive but will leave the site from Burton Bank Lane. All vehicles for staff and visitors will only use the main Burton Bank Lane for entry and exit. This should remove any concerns of residents regarding vehicles accessing onto Chestnut Drive.

Environmental Health Officer:
- Conditions are recommended in order to safeguard any nearby residential occupiers from undue disturbance during development as follows:
- Restrict hours of demolition and construction; no burning on site during construction; any construction equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of occupied residential dwellings.
- Lighting to areas such as car parks, pathways, land, buildings, internal communal areas and stairways should be of a design and positioned not to cause a light nuisance to any neighbouring properties. Glare from any lighting must be kept to a minimum.
- A site survey should be undertaken to determine the presence of any asbestos products and a licensed contractor should carry out the removal and disposal of asbestos.
- A demolition statement and survey is required for any buildings with asbestos content.
- As there are residential properties in close proximity and the current extraction system will not remove cooking odours and grease, I recommend that a condition is applied to restrict the menu on offer to non fried foods as stated by the applicant.

**Neighbours:**
(16 notified) Two replies/representations received from two addresses, one objecting and one not objecting. The material issues are summarised below:-
- No issue with the proposed use in principle.
- Concern at increased use of access by traffic to Chestnut Drive which is currently closed off but will now cause highway danger and disturbance.
- No objection is raised based on the use of the Chestnut Drive access as proposed for entry to the site only, as vehicles leaving via this access would have limited visibility.

Site Notice
Expiry date 25 January 2019

Advert
Expiry date 30 January 2019

**Other representations**

**Crime Prevention Design Advisor:**
Use Police approved Secure By Design features and fittings.

**Relevant planning history**

86/18838/CRC - Circular 18/84 consultation on proposals for community unit for the mentally handicapped - 16 July 1986; the Council welcomed the development; subsequently built.

96/33310/FUL - New single storey building to accommodate base staff and alterations to form 5 person bungalow - approved 26 June 1996 and built.

**Site and adjoining land**

99/37930/FUL - Access to New Burton House from Chestnut Drive and resiting of house plots 18-20 approved under permission 98/35731/FUL - approved 2 November 1999 and built - unilateral undertaking secured the closure of another access to the site with limited visibility.

**Adjoining land (includes Chestnut Drive)**

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 drawings nos. M18.116.D.001; .002; .003 and the existing and proposed floor plans.

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 as amended and those of the Town and Country Planning (General Permitted Development)(England)Order 2015 or as it may be amended, the premises shall only be used for the purposes described in the application. They shall not be used for any other purposes including any other uses within Use Class D1 of the Town and Country Planning (Use Classes) Order 1987 as amended.

4. No hot food shall be cooked or prepared on the site except for soups, jacket potatoes, wraps and sandwiches.

5. No new or additional means of external illumination shall be constructed or erected on the site or attached to the buildings without the prior written permission of the local planning authority.

6. All construction works including demolition and related deliveries shall only take place between the hours of from 8.00 am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays.

7. There shall be no burning on site during demolition and construction.

8. Any equipment which must be left running outside the allowed working hours of demolition and construction shall be inaudible at the boundary of occupied residential dwellings.

9. The development shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans. The parking shown on the approved plan shall remain for the parking of vehicles for the life of the development.

10. Only taxis and mini buses bringing children to the school shall enter the site from Chestnut Drive and no vehicles shall exit the site via the Chestnut Drive access.
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 parking space remains on the site (Policies T1 and T2 of The Plan for Stafford Borough).

4. To safeguard the area from fumes, smoke and smells (Policy N1e of The Plan for Stafford Borough).

5. To safeguard the amenities of the area (Policy N1e 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 area from fumes, smoke and smells (Policy N1e of The Plan for Stafford Borough).

8. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).

9. In the interests of the safety and convenience of users of the highway. (Policy T1c 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).

Informative(s)

1. The Local Planning Authority consider the proposal to be a sustainable form of development and therefore it complies with the provisions of the National Planning Policy Framework
Enforcement Matters

*Report of Head of Development*

**Purpose of Report**

To consider the following reports.

<table>
<thead>
<tr>
<th></th>
<th>Page Nos</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) The Lakeside Tavern, Meaford Road, Stone</td>
<td>34 - 36</td>
</tr>
<tr>
<td>(b) Stables, Wheatlow Brooks Road, Milwich, Stafford</td>
<td>37 - 39</td>
</tr>
</tbody>
</table>

**Previous Consideration**

Nil

**Background Papers**

File available in the Development Management Section

**Officer Contact**

John Holmes, Development Manager Tel 01785 619302
USE/00226/EN18 - Land adjacent to the former Lakeside Tavern, Meaford Road

Report of Head of Development and the Head of Law and Administration

Purpose of Report

To update Planning Committee, following the resolution on 30 January 2019 to take appropriate enforcement action, on the subsequent introduction of further debris to the land, and to seek an amendment to the wording of the resolution to enable effective enforcement action to be taken.

1 Detail

1.1 On 30/01/2019 Planning Committee resolved;

‘That appropriate action be authorised to include all steps including the instigation of court proceedings and any work required to secure the removal of the unauthorised hard-core’.

1.2 On the 21/02/2019 further information was received that identified further tipping of demolition material and associated debris that had been introduced to the land, over and above what had previously been reported.

1.3 In light of this additional material it is considered appropriate to amend the initial report to include this additional material deposited on the land without the benefit of the planning permission.

1.4 The original report to committee is appended at the end of this report for reference.

2 Policies

2.1 The Plan for Stafford Borough - E1 - Local Economy, E2 - Sustainable Rural Development, N8 - Landscape Character.

2.2 National Planning Policy Framework - Section 13 - paragraphs 133 - 142 Protecting the Green Belt, Paragraph 207 - enforcement.
3 Conclusion

3.1 The hard-core sub-base has been introduced to the land without the benefit of planning permission and is therefore unauthorised. The additional demolition material and debris has been introduced to the land without the benefit of planning permission and therefore remains unauthorised. No planning application has been submitted for the retention of the works.

3.2 It is considered that the unauthorised works of introducing hard-core and demolition debris to the land is harmful to the openness of the North Staffordshire Greenbelt and contrary to policies E1, E2 and N8 of the Plan for Stafford Borough and paragraphs 143 - 146 of the National Planning Policy Framework.

3.3 The original recommendation stated that “That appropriate action be authorised to include all steps including the instigation of court proceedings and any work required to secure the removal of the unauthorised hard-core”. However, given the introduction of further unauthorised debris, then is considered appropriate to update the recommendation to reflect this prior to the serving of an enforcement notice.

4 Recommendation

4.1 That appropriate action be authorised to include all steps including the instigation of court proceedings and any work required to secure the removal of the unauthorised hard-core and any unauthorised debris resulting from tipping and return the land to its original condition.

Background Papers

USE/00226/EN18 - Unauthorised Change of Use of Land - pending consideration

Contact Officer

Mrs Eiryl McCook - Development Lead - Direct No 01785 619732
USE/00226/EN18
Land adjacent to the former Lakeside Tavern
Meaford Road
USE/00258/EN17 - Stables, Wheatlow Brooks Rd, Garshall Green, Milwich

Report of Head Development and Head of Law and Administration

Purpose of Report

To consider the construction of a barn and the siting of a mobile home for residential use.

1 Detail

1.1 A report was received by Planning Enforcement regarding the siting of a mobile home on land adjacent to a stable which was constructed under planning permission 93/29090/FUL.

1.2 At an initial site visit it was established that the mobile home was being occupied by a family for residential purposes. The owner advised the enforcement officer that the land was to be used for rearing cattle and that a dwelling was required for agricultural purposes. The site measures approximately 0.24Ha in area.

1.3 A letter was sent advising that planning permission was required for the siting of the mobile home on agricultural land.

1.4 No response was forthcoming regarding the submission of a planning application, therefore a further site visit was undertaken at which visit not only was the mobile home still in situ but a barn had been constructed for alleged agricultural purposes.

1.5 A further letter was sent advising that planning permission was also required for the construction of the barn as well as for the siting of the mobile home.

1.6 The owners instructed a planning agent to submit a planning application on their behalf and the agent contacted the enforcement officer advising they were taking the case on.

1.7 Contact has been ongoing with the Agent and the enforcement officer. However an email received on 21 February 2019 from the Agent advises that they are no longer acting for the owner as they have failed to make contact with them and believe that they may have vacated the site.
1.8 A further site visit undertaken on the 26 February confirms that the mobile home and barn are still on the land.

2 Policies

2.1 The Plan for Stafford Borough - Policy Spatial Principle 7 - Supporting the Location of New Development; Policy N1 - Design, Policy C1 Dwelling Type and Sizes; Policy C5 - Residential Proposals outside the Settlement Boundary; Policy E2 - Sustainable Rural Development.

2.2 National Planning Policy Framework- Paragraph 170 - conserving the natural environment, 58 - Enforcement.

3 Conclusion

3.1 The mobile home is being used for residential use without any justification regarding its need; consent is also required for change of use of the land and unlikely to receive consent. The provision of a mobile home on the site is considered new residential development outside of any settlement boundary and as such is contrary to policy C5 of the Plan for Stafford Borough. As such, the mobile home should be removed.

3.2 The erection of an agricultural building would require planning permission as the development is on an agricultural unit of less than 5ha (0.24ha). No justification has been submitted regarding the building being reasonably necessary for the purposes of agriculture within the unit. The building is outside a settlement boundary and as such the proposal would be assessed against policy E2 of the Plan for Stafford Borough. The building is not considered to be sustainable rural development and as such is contrary to policy E2 and should be removed.

4 Recommendation

4.1 That appropriate action be authorised to include all steps including the instigation of court proceedings and any work required to secure the removal of the mobile home and the barn.

Background Papers and History

93/29090/FUL - To Construct a Brick & Tiled Stable, Block & Hay & Tack Rooms - Approved, 06/07/93

USE/00258/EN17 - Unauthorised Mobile home and Barn - Pending Consideration

Contact Officer

Mrs Eiryl McCook- Development Lead - Direct No 01785 619732