Dear Members

Planning Committee

A meeting of the Planning Committee will be held in the Oak Room, County Buildings, Martin Street, Stafford on Tuesday, 2 April 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 - 2 APRIL 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 will be set out in Section 6 of Digest No. 254 due to be published on 5 April 2019

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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 P Cooke, 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>Planning Application</th>
<th>Description</th>
<th>Page Nos</th>
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</thead>
<tbody>
<tr>
<td>18/29161/REM</td>
<td>Land Between Beaconside and B5066, Sandon Road, Hopton, Stafford</td>
<td>5 - 24</td>
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<td></td>
<td>This application was called in by Councillor F Beatty.</td>
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<td></td>
<td>Officer Contact - Richard Wood, Development Lead (Large Scale) - Telephone 01785 619342</td>
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<tr>
<td>18/29660/FUL</td>
<td>Land Adjacent Wheelwrights Cottage, Puddle Hill, Hixon</td>
<td>25 - 33</td>
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<td>This application was called in by Councillor A J Perkins.</td>
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<td>Officer Contact - Richard Wood, Development Lead (Large Scale) - Telephone 01785 619342</td>
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<tr>
<td>18/29754/FUL</td>
<td>Land at Stafford Road, Eccleshall, Stafford</td>
<td>34 - 47</td>
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<tr>
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<td>This application was called in by Councillor P W Jones.</td>
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<td></td>
<td>Officer Contact - Richard Wood, Development Lead (Large Scale) - Telephone 01785 619342</td>
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<tr>
<td>19/30069/FUL</td>
<td>Ground Floor, Stafford Borough Council, Civic Offices, Riverside</td>
<td>48 - 52</td>
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<td>This applicant is Stafford Borough Council.</td>
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<td></td>
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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.
<table>
<thead>
<tr>
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<th>Case Officer</th>
<th>Sian Wright</th>
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<tr>
<td>Date Registered</td>
<td>3 September 2018</td>
<td>Target Decision Date</td>
<td>3 December 2018</td>
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<td>Extended To</td>
<td>21 February 2019</td>
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<td>Address</td>
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<td>St Philips</td>
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<td></td>
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<tr>
<td>Recommendation</td>
<td>Approve, subject to conditions</td>
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</table>

**Context**

This application was considered by Planning Committee on 20th February 2019 who resolved to defer the application to allow for redesign of the site to a higher quality.

A meeting was subsequently held between officers and the applicant and their agents which has resulted in a number of amendments being made as follows:

- Inclusion of additional brick work colour choices.
- Inclusion of additional roof tile colour choices.
- Repositioning of Affordable housing units within the site.

The materials schedule now comprises dwellings constructed in one of two brick types or feature cream render, and one of two types of roof tile, which will provide more variety and interest. As previously, the plans also include details of:

- Corbel and verge detail
- Solider brick course
- Brick sill brick banding

As a result of the repositioning of some of the affordable housing, the 36 affordable houses proposed, of which 25 will be social rented properties and 11 shared ownership are located in three clusters rather than two with 16 dwellings located to the south western boundary close to Beaconside, 14 to the north-west of the site, which includes dwellings...
facing on to Beaconside, the attenuation basin and the MOD site, accessed from two different roads and the remaining 6 dwellings located more central within the site.

The applicant has also submitted a letter stating that, ‘St Philips are a newly established home builder and are keen to create their own product identity rather than emulate the design appearance of other mass builders. In producing a range of developable house types St Philips has elected to maintain clean minimalist stylisation of the built form but compliments this traditional detailing in the brick form. These details have been highlighted on the character evolution document provided and include clipped eaves with guttering on traditional rise & fall brackets. Brickwork corbeling and dental coursing along with brick cills and solider headers. These details coupled with quality facing bricks and raked rather than flush pointed joints ensures the dwellings speak for themselves without the need for over exaggerated fenestration of prefabricated bolt-on fixtures’.

The applicant goes on to say that ‘St Philips feel the above incorporated into the original design goes a long way to addressing any substantive concerns of members and wish to reiterate the following design elements of the scheme:

- The proposal delivers 120 dwellings as approved by Outline consent.
- SBC spacing standards and garden distances are achieved.
- P.O.S. and play areas are achieved in accordance with the Outline consent.
- The proposal does not form part of the North Stafford Strategic Development Location.
- It does provide a Character Area and sense of place within its own curtilage.
- The proposal provides internal and external pedestrian links where appropriate.
- There is no requirement on the development to make provision for potential highway adjustments other than the roundabout at Beaconside/Sandon Road.
- An acoustic condition will be accepted to ensure dwellings and their amenity areas comply with WHO criteria.
- Affordable dwellings are provided in accordance with the Outline consent.
- Affordable dwellings are grouped and located to achieve comprehensive layout and meet the requirements of Registered Providers.

In light of the above St Philips believe they have undertaken amendments necessary to achieve a favourable decision from members and are therefore will not be proposing further alteration so would ask the application be determined at committee on 2nd April 2019’.

**Officer Assessment**

Whilst the house types remain the same and are in the same positions as considered by Committee on 20th February 2019, a greater range of building materials has been introduced to the architectural expression, which will provide greater diversity and architectural interest in respect to the house-types and street scenes. The scheme now includes two different brick types (Ibstock Leicester Wethered Red and Ibstock New
Cavendish Stock) and two roof tiles (Russell Grampain in Slate Grey and Peat Brown), in addition to some fully rendered properties.

In addition the location of some of the affordable housing has been amended by changing the tenure type of some properties, which results in smaller size clusters and a more even spread of affordable housing in the development.

The amendments have improved the quality of the scheme which is considered to be acceptable in terms of layout and design having regard to the Design SPD.

**Recommendation**

Approve, subject to the following conditions:

1. 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 or the conditions attached to outline consent 14/20816/OUT, in which case the condition shall take precedence:-
   - House Type Brochure dated 14.03.2019
   - A810_03E Planning Layout
   - A810_16G Materials Plan
   - A810_17E Massing Plan
   - A810_18E Occupancy Plan
   - A810_19E Enclosures Plan
   - A810_20E Affordable Housing Plan
   - A810_21D Street Scenes
   - A810_29D POS Area Plan
   - A810_30D Parking Plan
   - A810_31D Refuse Plan
   - A810_39 Site Location Plan
   - A810_42C Garden Area Plan
   - A810_43C External Surface Plan
   - A810_47B Structural Tree Plan
   - A810_46A LEAP Design 1 & 2
   - LDS436-01
   - LDS436-02
   - LDS436-03
   - Perspective A
   - Perspective B
   - Axonometric

2. A Tree Protection Plan including all trees, shrubs and hedges which are to be retained in accordance with the approved plans; and which is compliant with BS5837:2012 ‘Trees in relation to design, demolition and construction - Recommendations’; shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any demolition, ground works and construction activity, including the delivery to site of any materials or equipment.
3. All measures within the approved Tree Protection Plan shall be implemented and maintained throughout development until completion of all construction related activity, unless otherwise first approved in writing with the Local Planning Authority.

4. The development shall be carried out in accordance with the approved landscaping schedules. Any plants or trees that are removed or die or become seriously damaged or diseased within a period of 5 years from the date of planting shall be replaced with others of similar size and species in the next planting season, unless the local planning authority gives written consent to any variation.

5. Notwithstanding the information shown on drawing 046 Rev A (Leap Design 1 & 2), and prior to any above ground construction works, details of the equipment proposed for the play area, together with costings, shall be submitted to and approved in writing by the Local Planning Authority.

6. The development shall be implemented in accordance with the materials shown on Drawing no: A180-16 rev G unless alternative materials are otherwise first approved in writing by the Local Planning Authority:

7. Before the development commences details shall be submitted to and approved in writing by the Local Planning Authority indicating all road construction, street lighting, drainage including longitudinal sections and a satisfactory means of draining the roads to an acceptable outfall which shall thereafter be constructed in accordance with the approved drawings.

8. The access, parking, servicing and turning areas shown on drawing A810_30D shall be provided before the associated dwelling is first occupied and shall thereafter be retained.

9. The development shall not be brought into use until the visibility splays on the internal roads shown on the approved plan have been provided. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

10. No above ground construction works shall commence unless and until a further noise assessment to BS:8233 showing predicted internal and external noise levels for each of the proposed dwellings, together with mitigation measures to achieve World Health Organisation standards, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved mitigation measures and which shall be provided prior to the first occupation of any affected dwellings.

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

1. To define the permission.
2. To safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important in the appearance of the development. (Policy N4 of the Plan for Stafford Borough).

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5. To ensure the provision of properly designed play facilities for the benefit of residents of the proposed dwellings. (Policy C7 of The Plan for Stafford Borough).

6. To safeguard the character and appearance of the area (Policy N1h 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. In the interests of the safety and convenience of users of the highway. (Policy T1c 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. To safeguard the occupiers of the approved dwelling(s) from undue noise. (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 complies with the provisions of the National Planning Policy Framework.

2. The applicants attention is drawn to the comments of the Lead Local Flood Authority as submitted in response to consultations on this application. All comments can be viewed online through the planning public access pages of the Council's website at (www.staffordbc.gov.uk)
Previous report 20.02.2019 Committee

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REASON FOR REFERRAL TO COMMITTEE

This planning application has been called in by Councillor F Beatty (Ward Member Milwich) for the following reasons:

“Poor house design - non conformity with SBC design SPD
Non conformity with plan for Stafford Borough PSB N1”

Context

This is a reserved matters application for 120 dwelling following the approval of outline permission under 14/20816/OUT. The outline application for up to 120 dwellings included access only and was subject to conditions and a Section 106 Agreement which covered:-

- Open space
- Sports Provision
- Affordable housing
- Education contribution
- Off site highway works
- Travel Plan monitoring fee
- SAC contribution

The application site is a roughly triangular shaped parcel of agricultural land of approximately 4.4 hectares in area which is currently used as a field. It is located due
north of the junction of Beaconside and Sandon Road on the northern edge of Stafford. The land is largely enclosed by hedges and there are a small number of trees on the site.

The dwellings proposed across the site comprise a mixture of detached, semi-detached, terraced properties and flats. The dwellings are predominantly 2 storey in height, with some 2.5 storey properties dotted through the site to create visual interest. The accommodation comprises:
- 19 x 4 bedroom dwellings
- 49 x 3 bedroom dwellings
- 42 x 2 bedroom dwellings
- 10 x 1 bedroom units

There are a total of 36 affordable houses proposed, 25 social rented properties and 11 shared ownership. These dwellings are located throughout the site with 16 dwellings located to the north-west side of the site and the remaining to the south western boundary adjacent to Sandon Road.

The materials layout schedule shows that the dwellings would be constructed in Ibstock Weston red multi with Russell Roof tiles in slate grey. A number of properties would also feature cream render. The plans also include details of the following:
- Corbel and verge detail
- Solider brick course
- Brick sill brick banding

External surfacing materials comprise:
- Black tarmacadam to roads and parking areas
- Autumn gold block paving
- Brindle block paving
- Charcoal block paving
- Paving slabs to front and rear entrances

The proposed boundary treatments comprises 1.8m high fencing to the rear gardens. It is also proposed to build 1.8m high screen walls to exposed boundaries.

**Officer Assessment – Key Considerations**

1. **Principle of development**

Outline planning permission, reference 14/20816/OUT was granted in November 2017 for up to 120 dwellings on the site subject to a Section 106 Agreement. This outline permission included access only. The principle of development on this site has therefore been established under the outline permission, leaving details of layout, design, appearance and landscaping to be considered under this reserved matters application.

**Polices and Guidance:**

- National Planning Policy Framework
- Paragraphs: Section 5 – Delivering a sufficient supply of Housing
The Plan for Stafford Borough
Policies: Spatial Principle 1 (SP1) - Presumption in Favour of Sustainable Development,
Spatial Principle 2 (SP2) - Stafford Borough Housing & Employment Requirements,
Spatial Principle 3 (SP3) - Stafford Borough Sustainable Settlement Hierarchy,
Spatial Principle 7 (SP7) - Supporting the location of New Development

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

2. Character and Appearance

Initially a number of concerns were raised about the layout and design aspects of the proposal. Consequently a number of amendments have been made which include the following;

- The alignment and arrangement of the properties facing Sandon Road have been adjusted several times to achieve a form of development that would be less visually jarring and be more positively responsive to what will be a new roundabout junction on the A34 and the existing adjacent houses.

- Numerous other finer grained adjustments to the position and location of some units have been undertaken to improve the underlying legibility and character of the layout. For example, one particular unit that was compromising the legibility and urban structure of the layout was removed to achieve a more uniform building line and frontage to Beaconside.

In addition, concern was raised about the uniformity of the proposal which showed too little diversity and architectural interest in respect to the house-types and street scenes. Amendments were consequently sought to improve the overall character of the scheme as follows:

- A greater range of materials has been introduced to the architectural expression. Coloured render and alternative bricks have been introduced at important locations within the layout and also within the key street scenes to improve the legibility and visual diversity of the scheme.

- Alternative paving materials have been introduced to add more visual interest to the street scenes and frontages.

The amendments made have improved the overall quality of the scheme and it is now considered on balance to be acceptable in terms of layout and design having regard to the Design SPD. Whilst the Design Advisor states that the proposal does not represent high quality design, he also states that the proposal does not warrant a recommendation of refusal.

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 site is adjacent to numbers 1 to 4 Bricklyn Cottages. Concern is raised that the proposed dwellings would impact upon light to these properties. The Design SPD requires a distance of 21m to be the minimum separation between the rear elevations of dwellings. This distance is adequately achieved with all 4 dwellings. Concern is also raised that house type B, which is sited to the rear of 2 Bricklyn Cottages, has a second floor within the roof space and would therefore have a greater impact on amenity. There are two rooflights proposed to the rear elevation (which serve a bedroom) and the overall height of this house type is 9.4m. House type S sits either side of house type B to the rear of Bricklyn Cottages which in comparison, has an overall height of 8.6m. The overall height difference is therefore only 0.8m. Having regard to the adequate distance between the rear elevations, it is not considered that house type B will have any significant adverse impacts to residential amenity.

There are some minor internal breaches of guidance within the Design Supplementary Planning Document where a distance of 21m is not achieved:-
Distance of 20 between the rear elevations to plots 56 and 49.  
Distance of 19.5m between rear elevations to plots 60 and 69 and 70.

The distances achieved are however not significantly below the guidance and it is not considered that they would result in any adverse impacts to residential amenity.

The Design Supplementary Planning Document states that houses with 3 bedrooms or more should provide a private amenity area of at least 65sqm and 2 bedroom houses should provide 50sqm. A garden area plan has been submitted which illustrates the sizes of each garden. This demonstrates that the garden sizes throughout the development are adequate.

Landscaping/Trees & Open Space

Landscaping plans have been submitted which show planting throughout the site including the front areas of individual gardens. Planting includes ornamental shrub planting, hedge planting and tree planting in addition to turfed areas. The Tree Officer has not raised any objections and has requested conditions relating to tree protection. He has also requested that the following changes be made to the proposed tree planting:
- All Extra Heavy Standard trees shown on the plans should be exchanged for Heavy Standards
- All Heavy Standard trees shown on the plans should be exchanged for Selected Standards
- All trees being planted in communal areas of the development i.e. all those not within individual house plots, should be changed from Bare Root and/or Rootballed stock to Container Grown / Containerised stock.

These changes have now been reflected on amended plans.

A play area is proposed within the site. No objections are raised by the Sport and Outdoor Leisure Policy Officer subject to a condition to clarify details of play equipment.

National Planning Policy Framework
Paragraphs: 96, 117, 170,

The Plan for Stafford Borough
Policies: N1 Design; N8 Landscape Character;
Supplementary Planning Document – Design

5. Access and parking

The outline permission approved access. Access to the site is proposed from Sandon Road. Sandon Road is a single carriageway road which is rural in character. Under the outline application the construction a new roundabout at the junction of Sandon Road with Beaconside was agreed. The consideration of this proposed roundabout took into account the future needs of the wider area in terms of the neighbouring Stafford North Strategic Development Location for Housing.

The overall parking provision provided on site is considered to be acceptable and meets the standards set out in the Plan for Stafford Borough.

On the basis that the access to the proposed development has already been approved the Highway Authority do not raise any objections to the proposal subject to conditions.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 105 & 106

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

6. Other

Ecological issues and matters relating to flood risk were covered under the outline application.
The Lead Local Flood Authority state that the plans need to be compliant with the outline and condition 10 of that permission. The Environment Agency do not raise any comments.

The site falls within 8km of Cannock Chase Special Area of Conservation (SAC). Natural England have been consulted and state that the proposed development will not have significant adverse impacts on designated sites and has no objection.

7. Conclusion

The principle of residential development on this site has been established in the granting of the outline permission, which included the access arrangement. All significant issues relating to design and spacing between dwellings are considered to have been adequately addressed.

The proposed landscaping and areas of open space are considered to be acceptable. No objections are raised by the Highway Authority.

Consultations

Highway Authority:
No objections subject to the following conditions:

Before the proposed development commences details shall be submitted and approved in writing by Staffordshire County Council indicating all road construction, street lighting, drainage including longitudinal sections and a satisfactory means of draining the roads to an acceptable outfall which shall thereafter be constructed in accordance with the approved drawings.

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

The development hereby permitted shall not be brought into use until the visibility splays on the internal roads shown on the approved plan have been provided. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

i) a site compound with associated temporary buildings;
ii) the routing of construction vehicles to and from the site;
iii) the removal of demolition materials from site;
iv) the parking of vehicles of site operatives and visitors;
v) the loading and unloading of plant and materials;
vi) storage of plant and materials used in constructing the development;
vii) measures to prevent the deposition of deleterious material on the highway including wheelwash facilities.
(NB – the construction method statement condition is already attached to the outline permission and does not therefore need to be repeated)

**Design Advisor:**
Although when originally submitted there were aspects of the layout that were considered too divergent from the layout associated with the Outline Permission to warrant support there has been an open and largely positive design refinement process brought to bear during the application and this has resulted in the layout of the scheme now being considered in sufficient accordance with the approved scheme. Examples of the modifications to the layout of the scheme that have been introduced include the following;

- The alignment and arrangement of the properties facing Sandon Road have been adjusted several times to achieve a form of development that would be a less visually jarring and a more positively responsive to what will be a new roundabout junction on the A34 and the existing adjacent houses.
- Numerous other finer grained adjustments to the position and location of some units have been undertaken to improve the underlying legibility and character of the layout, for example, one particular unit that was compromising the legibility and urban structure of the layout was removed to achieve a more uniform building line and frontage to Beaconside.

As well as concerns over the layout of the scheme, the architectural and landscape design of the scheme raised several issues in relation to the character and quality of design (which was considered relatively poor). The overall impression of the scheme was that it demonstrated far too much uniformity and too little diversity and architectural interest in respect to the house-types and street scenes. Thus, (and notwithstanding that a very consistent approach to architectural style and materiality can result in distinctive schemes that have a strong identity and which contribute positively to the character and quality of the wider area), the overall character of the scheme was considered too banal and visually unengaging and so a number of modifications were requested, and though not all have been carried through to the current proposals, those that have been adopted by the applicants have brought substantive improvement to the overall character of the scheme. Examples of these modifications to the architecture and landscape include;

- A greater range of materials has been introduced to the architectural expression. Coloured render and alternative bricks have been introduced at important locations within the layout and also within the key street scenes to improve the legibility and visual diversity of the scheme.
- Alternative paving materials have been introduced to add more visual interest to the street scenes and frontages.

Overall, while this scheme is definitely not considered to be representative of a high quality of design, it is not considered to be so discordant with the approved scheme to warrant a recommendation of refusal.
Sport and Outdoor Leisure Policy Officer:
Initially raised an objection on the basis that the proposal did not show any area designated for open space for toddlers and juniors. Revised comments now state: “The applicants have provided possible play area schemes, however they have not provided sufficient detail on the equipment to enable a decision to be made. It is therefore proposed that the application, if approved, be conditioned so that further information be submitted on the play area scheme along with costings”

Lead Local Flood Authority:
As LLFA we would want to ensure that the proposed layout is consistent with condition 10 (surface water drainage) of the outline permission (Ref: 14/20816/OUT). To confirm this we would need to see additional details, including point and rates of discharge, attenuation volume, the supporting calculations (e.g. microdrainage) corresponding to the Preliminary Drainage Strategy Plan (Drawing Ref: 17014/DS/01), outfall details and necessary agreements, water quality treatment, and maintenance arrangements. Based on the available information I would make the following comments:
The FRA identified a potential overland flow route from the north of the site and recommended that this should be routed away from proposed dwellings and safely towards the proposed attenuation areas. It appears that there is open space and Pond/Basin 2 in this location but I would suggest the flow route should be incorporated into site levels landscaping plans and shown on the drainage strategy.
The Preliminary Drainage Strategy Plan (Drawing Ref: 17014/DS/01) shows two Basins, but the volumes are not given. Note 5 suggests that additional land may be required to enlarge Basin/Pond 1. The Basins currently appear to be offline, which would mean the most frequent smaller rainfall events, carrying the greatest pollutant concentrations would bypass the basins and receive no water quality treatment from them. I would recommend these basins should be made into online features to improve the water quality treatment. Adequate treatment can be demonstrated using the Simple Index Approach (CIRIA SuDS Manual).

Environment Agency:
No objections

Tree Officer:
No objections subject to conditions:

Tree Protection Plan:
A Tree Protection Plan including all trees, shrubs and hedges which are to be retained in accordance with the approved plans; and which is compliant with BS5837:2012 ‘Trees in relation to design, demolition and construction - Recommendations’; shall be submitted and agreed in writing with the Local Planning Authority prior to the commencement of any demolition, ground works and construction activity, including the delivery to site of any materials or equipment.

Tree Protection:
All measures within the approved Tree Protection Plans and Arboricultural Method Statement shall be implemented and maintained throughout development until completion
of all construction related activity, unless agreed in writing with the Local Planning Authority.

Having reviewed the landscaping plans I have the following comments:

- All Extra Heavy Standard trees shown on the plans should be exchanged for Heavy Standards
- All Heavy Standard trees shown on the plans should be exchanged for Selected Standards
- All trees being planted in communal areas of the development i.e. all those not within individual house plots, should be changed from Bare Root and/or Rootballed stock to Container Grown / Containerised stock.

If the above changes are made I will have no objections to the submitted landscaping specification.

Schools Organisation:
The REM application details a development which is scheduled to provide 120 dwellings. We note there have been changes to the dwelling mix, however, the required Education Contribution is as sealed within the Section 106 Agreement when the Outline Application was granted.
For ease of reference Schedule 7 of the S106 Agreement details the Education contribution required for this development.
“Primary Education Contribution” means the sum of £253,713.00 (two hundred and fifty three thousand seven hundred and thirteen pounds) Index Linked
“Secondary Education Contribution” means the sum of £432,933.00 (four hundred and thirty two thousand nine hundred and thirty three pounds) Index Linked. To pay the Primary Education Contribution and the Secondary Education Contribution to the County on or before the Commencement of Development

Housing:
The obligations in the previous section 106 (14/20816/OUT) would still stand.
These are detailed as:
Social rent housing -
6 x one bed two person flat
4 x one bed two person maisonette
12 x two bed four person house
3 x three bed five person house
Intermediate housing –
8 x two bed four person house
3 x three bed five person house

Natural England:
No objections

Environmental Health Officer:
No comment response.

Police Crime Prevention Design Advisor:
In order to prevent crime and reduce the fear of crime I recommend that this development attains Police Secured by Design (SBD) accreditation which is something that this proposal could easily attain. Advice given in relation to: Entrance to the development, Landscaping, Lighting & Alarms, LEAP, Dwelling Boundaries Car Parking, Building Illumination, Doors & Windows, Garages & Party Wall Construction

Parish Council:
Hopton and Coton Parish Council has resolved to object outright to the above-mentioned application. We realise that these comments are coming to you after the deadline date and also the objections do not just concern Reserved Matters. However, when Borough Councillor Frances Beatty attended our last full council meeting on 3.10.18, she recommended that we forward our objections, nevertheless. We hope that those facts do not devalue our objections and in any case, we would like these objections to be noted, particularly if evidence is required for the building of a roundabout on Beaconside as opposed to the access as it is currently planned on the Sandon Road. Hopton and Coton Parish Council objects to the above planning application for the following reasons:

Social Housing:
As the application stands the social housing will be exposed to the highest level of both general pollution and noise pollution. This is in contrast with the privately-owned houses which will enjoy a more favourable position. A noise survey carried out by a local resident shows that the noise level which will be experienced by the occupants of the social housing unit will be at an illegally high level.

Impact on the surrounding area:
There are a few houses which are due to be built over the drainage line for the septic tanks used by Bricklyn Cottages. No home should be built over a water-course.

Impact on the loss of trees / hedgerows:
Concerning the impact on the trees in the area, the development, if it goes ahead, will affect six mature trees. Their roots would have to be removed because of road widening and an increase in the local drainage. We thought that the NPPF recommended a safeguarding of the environment while meeting the needs for sustainable growth.

Access – the effect on traffic, road access and road safety:
The affect on traffic along the stretch of road where the development is planned, there are traffic queues from 7.00 a.m. until 9.30 a.m. on a working day. Post-development, this situation would be worse.

Road access:
The current access is onto a busy road on a bad bend. The access should not be on the Sandon Road but it should be from The Beaconside Industrial Estate.
Road safety:
There have been four more accidents since this application, with its access, was approved eighteen months ago. If an accident happens, it blocks the whole of the road (there are no plans to widen the road until 2021.)

The initial lack of infrastructure:
Apparently, developers are allowed to build up to 70% of a development before the appropriate infrastructure is added. What would happen if this particular developer went out of business?

The effect on sunlight and daylight to neighbouring houses:
In the afternoons, the sun will never get to the gardens of Bricklyn Cottages. There are plans to build two-storey houses next to these cottages.

The Local plan for Stafford:
Planning applications should be decided in line with the Local Development Plan according to the 1990 Town and Country Planning Act – this development does not feature on the current Development Plan. Also, a material consideration is that there should be compliance with current national and local planning including the Adopted Local Plan. Section 38 (6) of the "Planning and Compulsory Purchase Act" 2004, requires local planning authorities to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

Neighbours
(20 consulted): 8 letters of representation received objecting on the following grounds (summarised):

- Highway safety concerns
- Traffic on Sandon Road
- Development should not be completed until traffic lights or roundabout implemented
- Too many houses
- Access should be opposite industrial estate
- Security issues as the site is adjacent to MOD.
- Noise
- Loss of trees, wildlife and hedgerow
- Impact upon existing sewerage pipes
- Impact upon the environment
- Impact upon light to neighbouring dwellings
- Proposal conflicts with Plan for Stafford Borough
- Land should be public amenity land
- 3 storey properties will block light and cause overlooking

Site notice expiry date: 28.09.2018

Newsletter advert expiry date: 03.10.18
Relevant Planning History

14/20816/OUT - Redevelopment of site to form up to 120 dwellings including formation of new vehicular access onto Sandon Road. All other matters reserved – approved 2017.

Recommendation

Approve, subject to the following conditions:

1. 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 or the conditions attached to outline consent 14/20816/OUT, in which case the condition shall take precedence:-
   House Type Brochure dated 0.01.19
   A810_03D Planning Layout
   A810_16E Materials Plan
   A810_17D Massing Plan
   A810_18D Occupancy Plan
   A810_19D Enclosures Plan
   A810_20D Affordable Housing Plan
   A810_21B Street Scenes
   A810_29C POS Area Plan
   A810_30C Parking Plan
   A810_31C Refuse Plan
   A810_39 Site Location Plan
   A810_42B Garden Area Plan
   A810_43B External Surface Plan
   A810_47A Structural Tree Plan
   A810_046B Leap
   LDS436-01
   LDS436-02
   LDS436-03
   A810_43A External Surface Plan
   A810_46A LEAP Design 1 & 2
   A810_47 Structural Tree Locations

2. A Tree Protection Plan including all trees, shrubs and hedges which are to be retained in accordance with the approved plans; and which is compliant with BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations'; shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any demolition, ground works and construction activity, including the delivery to site of any materials or equipment.

3. All measures within the approved Tree Protection Plan shall be implemented and maintained throughout development until completion of all construction related activity, unless otherwise first approved in writing with the Local Planning Authority.
4. The development shall be carried out in accordance with the approved landscaping schedules. Any plants or trees that are removed or die or become seriously damaged or diseased within a period of 5 years from the date of planting shall be replaced with others of similar size and species in the next planting season, unless the local planning authority gives written consent to any variation.

5. Notwithstanding the information shown on drawing 046 Rev A (Leap Design 1 & 2), and prior to any above ground construction works, details of the equipment proposed for the play area, together with costings, shall be submitted to and approved in writing by the Local Planning Authority.

6. The development shall be implemented in accordance with the materials shown on Drawing no: A180-16 rev E unless alternative materials are otherwise first approved in writing by the Local Planning Authority.

7. Before the development commences details shall be submitted to and approved in writing by the Local Planning Authority indicating all road construction, street lighting, drainage including longitudinal sections and a satisfactory means of draining the roads to an acceptable outfall which shall thereafter be constructed in accordance with the approved drawings.

8. The access, parking, servicing and turning areas shown on drawing A810_30C shall be provided before the associated dwelling is first occupied and shall thereafter be retained.

9. The development shall not be brought into use until the visibility splays on the internal roads shown on the approved plan have been provided. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

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

1. To define the permission.

2. To safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important in the appearance of the development. (Policy N4 of the Plan for Stafford Borough).

3. To safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important in the appearance of the development. (Policy N4 of the Plan for Stafford Borough).

4. To safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important in the appearance of the development. (Policy N4 of the Plan for Stafford Borough).

5. To ensure the provision of properly designed play facilities for the benefit of residents of the proposed dwellings. (Policy C7 of The Plan for Stafford Borough).
6. To safeguard the character and appearance of the area (Policy N1h 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. In the interests of the safety and convenience of users of the highway. (Policy T1c 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).

INFORMATIVE(S)

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

2. The applicants attention is drawn to the comments of the Lead Local Flood Authority as submitted in response to consultations on this application. All comments can be viewed online through the planning public access pages of the Council's website at (www.staffordbc.gov.uk)

End of previous report
18/29161/REM
Land Between Beaconside And B5066
Sandon Road
Hopton
Application 18/29660/FUL  
Date Registered 23 November 2018  
Target Decision Date Extended To 18 January 2019  
Address Land Adjacent Wheelwrights Cottage Puddle Hill Hixon  
Ward Haywood And Hixon  
Parish Hixon  
Proposal Demolition of two-storey side extension at Wheelwrights Cottage and the erection of a detached bungalow with reinstatement of existing drive and parking for two cars at Cottage  
Applicant Mr S Hunt & Ms K Taylor  
Recommendation Approve, subject to conditions

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor A J Perkins (Ward Member for Haywood and Hixon) for the following reason:

"Plot is located forward of the street scene, would cause an adverse impact on neighbours aspect. Position is inconsiderate to neighbour (Very close)"

REASON FOR DEFERRAL

This application was deferred by Committee on 20th February 2019 to allow the case officer to revisit the site to take measurements of the neighbouring property “Suvo” to confirm whether or not the property is accurately represented on the submitted plans.

The owner of “Suvo” had highlighted concerns about the forward projection of the proposed dwelling. Measurements taken on site have confirmed that the front balcony at “Suvo” projects 3.0m from the front main wall of the property. The submitted plan shows the balcony to “Suvo” projecting 2.3m from the main front elevation of the property. The owner of “Suvo” had raised concerns about the 45 degree sightline. This has been double checked and the error relating to the projection of the balcony does not impact upon the 45 sightline from the front living room window to “Suvo”.

The owner of “Suvo” also raised concerns about the distance of the proposed dwelling from the side boundary. The submitted plans show that the proposed dwelling would be situated between 1.5m – 2.0m from the boundary with neighbouring property “Suvo”. 1.5m at the front (south-west corner) and 2.0m at the rear (north-west corner).
Apart from amendments to the measurements, the remainder of this report remains the same as previously reported to Committee.

**Context**

The application proposes a single storey, two bedroom bungalow within the curtilage of Wheelwrights Cottage. The application involves the demolition of an existing detached garage and a two storey extension to Wheelwrights Cottage.

The site lies within the settlement boundary for Hixon as defined in the Plan for Stafford Borough and the Hixon Neighbourhood Plan.

**Officer Assessment – Key Considerations**

1. **Principle of development**

The site falls within the settlement boundary for Hixon and therefore in policy terms the principle of a new dwelling in this location is considered to be acceptable, subject to other material planning considerations being satisfied.

**Policies and Guidance:**

- **National Planning Policy Framework**
  Paragraphs: 117, 122

- **The Plan for Stafford Borough**
  Policies: SP1 In Favour of Sustainable Development, SP3 Sustainable Settlement Hierarchy, SP7 Supporting Location of New Development

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

- **Hixon Neighbourhood Plan**
  Policies: No.1: Residential Development’ and No.3: Housing, Design, Access and Landscaping

2. **Character and Appearance**

The application site is situated on Puddle Hill which is located on the north eastern edge of Hixon. The road is characterised by a variety of dwellings, however the area immediately surrounding Wheelwrights Cottage features numerous bungalows.

The land level rises noticeably along Puddle Hill from the north-west to the south-east. The land also rises from the road into the site. There are no footpaths along Puddle Hill giving the road a more rural appearance than other parts of the village. Wheelwrights Cottage is a fully rendered dwelling situated close to the roadside. Other properties along this part of Puddle Hill are set further back from the road.
The neighbouring property “Suvo” is a brick built dwelling which has two storeys with the first floor entirely within the roofspace. This property steps up significantly from the road and features a lower level garage with a front balcony area above.

The proposal seeks to site a 2 bedroom bungalow between Wheelwrights Cottage and “Suvo”. The proposed bungalow would be sited 0.2m forward of the garage/balcony to the neighbouring property “Suvo” and 3.2m forward of the main front elevation. The proposed dwelling would be sited in a staggered position between Wheelwrights Cottage and “Suvo” which is considered to be acceptable in terms of the general street scene.

The existing two storey extension to Wheelwrights Cottage would be demolished and the end elevation to the property made good.

Material to the proposed bungalow comprise:
Facing brickwork for the proposed dwelling: Ibstock Calderstone Claret.
Roofing tiles: Marley Double Roman-Antique Brown MA10320S.
White UPVC Sash Windows and white UPVC patio doors.

These materials are considered to be acceptable having regard for the character and mix of materials used in the immediate vicinity.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 124, 127, 128 & 130
The Plan for Stafford Borough
Policies: N1 Design; Supplementary Planning Document (SPD) – Design

3. Residential amenity

There is a distance of 21m from the rear of the proposed bungalow to the dwelling at the rear on Ashlands. This meets the guidance set out in the Councils Design SPD. The proposal also provides adequate private amenity space in accordance with the Design SPD.

The proposed bungalow would have two bedrooms and would be situated between 1.5m – 2.0m from the north-west boundary with the neighbouring property “Suvo”. There are no side facing windows to “Suvo” apart from 3 small rooflights.

The proposed bungalow would be sited 0.2m forward of the garage to “Suvo” and 3.2m forward of the main front elevation. The projecting front part of “Suvo” features a balcony. Whilst the Design SPD looks specifically at the 45 degree rule in relation to extensions, it can be applied to this proposal to give an indication as to whether the proposed bungalow would cause an unreasonable loss of daylight or overshadowing.

Whilst the proposed bungalow does project forward of the neighbouring dwelling it is not considered that it would result in any adverse impacts to residential amenity since it would not impinge upon a 45 degree sightline taken from the front windows of “Suvo”.
A utility room door and two small windows to the bathroom are proposed to the side elevation (north-west) facing “Suvo”. There are no side windows to “Suvo” facing the proposal.

No windows are proposed to the other side facing elevation (south-east) of the proposed bungalow except a rooflight to serve a bedroom. The 2 storey extension to Wheelwrights Cottage would be demolished leaving one side facing principal window serving the kitchen. This kitchen window would look out onto the blank elevation of the proposed dwelling at a distance of approximately 4.0m. Whilst outlook from this window would be poor, there is also a large rear facing window which serves the kitchen. On this basis, it is not considered that the proposal would result in an unacceptable level of residential amenity.

A levels plan has been submitted showing that the finished floor level of the proposed dwelling will be the same as the neighbouring dwelling “Suvo”. The height of the proposed dwelling is 6.2m to the ridge and 2.6m to the eaves. The height of the neighbouring dwelling is 2.6m to the eaves and 6.13m to the ridge. In terms of the street scene the proposed dwelling will therefore sit at the same level as the neighbouring dwelling.

It is noted that the neighbouring dwelling has raised a number of objections relating to residential amenity and suggestions have been made for alternative layouts. It is not considered however that the current proposal would result in significant adverse impacts to residential amenity and is therefore considered be acceptable having regard to Policy N1 of the Local Plan and guidance in the Design SPD.

The Environmental Health Officer does not raise any objections subject to conditions relating to timing of site works and deliveries, no burning on site during development, facilities to be provided for damping down to prevent excessive dust, road sweeping to prevent excessive dust and noise. However, it is not possible to condition road sweeping as it would be outside the site red edge.

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

4. Access and parking

The application proposes to provide 2 on site car parking spaces for the proposed bungalow and a further 2 spaces for the existing dwelling. The existing cottage currently has 4 bedrooms but would be reduced to 3 bedrooms due to the proposed demolition of the 2 storey extension. The level of parking provided for the proposed bungalow and the existing dwelling meets the parking standards in the Local Plan.

The Highway Authority do not raise any objections subject to conditions relating to access and parking, and the provision of visibility splays.

Policies and Guidance:-

National Planning Policy Framework
5. Other

The site falls within 8km of Cannock Chase Special Area of Conservation (SAC). Natural England have been consulted and state that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Policies and Guidance:-

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

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

6. Conclusion

The proposed dwelling is considered to be acceptable having regard to Local Plan policy. The siting and design is considered to be acceptable. No issues arise in relation to residential amenity or highways.

Consultations

Highway Authority:
No objections subject to conditions.

Environmental Health Officer:
No objection is made to this application subject to the following conditions made in order to safeguard nearby residential occupiers from undue disturbance during development:
1. All works, including demolition, site works and construction shall only take place between the hours of 8.00 am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays.
2. Deliveries to the site shall only take place between the hours of 8.00am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays.
   Delivery vehicles shall not park on the access highways to the site.
3. There should be no burning on site during development.
4. Facilities shall be provided at the site and used when necessary for damping down to prevent excessive dust.
5. Road sweeping shall be carried out at regular intervals, both on the site and on the access highway to prevent excessive dust.
6. Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of occupied residential dwellings.
Natural England:
No objection

Hixon Parish Council:
Objects to the application for the following reasons:
The position/location of the proposed development on the plot;
The proposed site of the bungalow is inconsiderate to the adjacent neighbour;
The proposed site is forward of the street scene;
The proposed bungalow would have an adverse impact on the adjacent neighbour’s aspect.

Neighbours
(12 consulted): 2 letters of representation received raising the following objections (summarised)
 Increased noise
 Reduced light
 Forward projection of proposed dwelling
 Loss of light
 Concerns about construction damage
 Water runoff
 Loss of privacy to SUVO
 Concerns about access to SUVO for repairs and maintenance
 Proposed dwelling should be moved back further into the site
 Boundary treatment is needed between the proposed property and SUVO
 The timing of construction works need to be restricted

Site notice expiry date: 04.01.19
Newsletter advert expiry date: N/A

Relevant Planning History
92/28108/FUL - Entrance Hall & Study – permitted 1992

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 development authorised by this permission shall be carried out in complete accordance with the originally submitted details and specification and the drawings listed below, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-

Drawing AL01
Drawing AL02 rev A (dated 14/01/2018
Drawing no: WWC PH 24 (Level Survey)
3. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans.

4. The development hereby permitted shall not be brought into use until visibility splays of 2.4m x 43m have been provided. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

5. The development hereby approved shall be constructed in accordance with the submitted materials schedule, unless alternative materials are otherwise first approved in writing by the Local Planning Authority.

6. Notwithstanding any description/details in the application and before the proposed development is occupied, details of the height, type and position of all site and plot boundary walls, retaining walls, fences and other means of enclosure to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority.

7. All works, including demolition, site works, deliveries 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. Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of occupied residential dwellings.

8. There shall be no burning on site during development. In addition, facilities shall be provided at the site and used for damping down to prevent excessive dust.

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

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

2. To define the permission.

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

4. In the interests of the safety and convenience of users of the highway. (Policy T1c 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 safeguard the character and appearance of the area (Policy N1h of The Plan for Stafford Borough).

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

8. 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 complies with the provisions of the National Planning Policy Framework.
Application    18/29754/FUL
Date Registered  14 December 2019
Target Decision Date
Extended To     15 March 2019
Address         Land At Stafford
                Road
                Eccleshall
                Stafford
Ward
Parish         Eccleshall
Proposal        Revised layout to include ten additional plots
Applicant       Bovis Homes
Recommendation  Approve, subject to a Section 106 Agreement to secure open
                space, affordable housing and education contributions.

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor P W Jones (Ward Member for Eccleshall) for the following reason:

"Concerns that the physical infrastructure of the site with additional homes to the original plan will prove inadequate. Over massing of site. Eccleshall already has four sites of new homes changing the physical size of the small country town".

Context

This is a full planning application which follows on from the approval of 130 dwellings on the site off Stafford Road in Eccleshall under permissions 14/20665/OUT and 15/22533/REM, together with a subsequent permission, 16/23729/FUL, which approved a further 8 dwellings.

This application details a red edge which lies wholly within the original development site and following the approval of application 16/23729/FUL currently has permission for a total of 17 dwellings. This application seeks to accommodate a further 10 dwellings.

The total number of dwellings across the application site would be 27 and 148 across the entire development site.

The mixture of dwellings as previously approved comprises the following:
- 2 x 2 bed dwellings
- 1 x 3 bed dwelling
- 5 x 4 bed dwellings
- 9 x 5 bed dwelling
The mixture of dwellings proposed by this current application is as follows:
- 6 x 2 bed dwellings
- 15 x 3 bed dwellings
- 6 x 4 bed dwellings

The reasoning behind the replacement housing mix is to remove the 5 bed units from this part of the site due to lack of marker demand. An additional 4 affordable homes are to be provided, totalling 6 affordable units within this part of the site. Overall this amounts to the 40% as required by Local Plan policy. 40% of the already approved 138 dwellings on the site amounts to 55 affordable dwellings. 40% of the 148 dwellings now proposed amounts to 159 (ie. a difference of 4).

**Officer Assessment – Key Considerations**

1. **Principle of development**

The principle of residential development has already been established on this site under permissions 14/20665/OUT & 15/22533/REM. A large proportion of the site is already built and dwellings are occupied.

The main consideration for this current proposal is whether the site can adequately accommodate the additional 10 dwellings proposed having regard to local plan policy and the Council’s Supplementary Planning Document on Design (SPD).

Polices and Guidance:-

National Planning Policy Framework
Paragraphs: 117, 122, 123

The Plan for Stafford Borough
Policies: Spatial Principle 1 – Presumption in favour of Sustainable Development; Spatial Principle 3 – Stafford Borough Sustainable Settlement Hierarchy; Spatial Principle 4 – Stafford Borough Housing Growth Distribution; Spatial Principle 7 – Supporting the Location of New Development

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

Eccleshall Neighbourhood Plan
Policies: Policy 1 – Housing Development, Policy 2 – Housing Types,

2. **Character / Appearance & Residential amenity**

The red edge contains a total of 27 houses. This amounts to a total of 148 dwellings across the entire site. A total of 10 additional dwellings are proposed which have been achieved within the red edge essentially by substituting larger house types for smaller ones.
Since the previous application for additional plots on the site the Councils’ Design SPD has been adopted. The proposed layout has been revised since the original submission to improve the two development edge frontages in line with comments raised by the Council’s Design Advisor. Plots 140 and 141 now mirror the opposite plots (Plots 2 and 3) and a 3 bedroom dwelling on plot 131 has replaced the previously approved semi-detached dwelling and the earlier proposal (of this application) of 3 x 2-bedroom properties. This ensures that the entrance to the development via road 1 remains spacious and in character with the rest of the site.

In relation to the latest layout the Design Advisor comments that whilst the proposal now increases the intensification of the street scene to Road 6 this layout is preferable to previous options which impacted upon the two development frontages which, would have had a greater impact on the character of the overall development.

All properties have private gardens however plots 127 and 128 fall short of the 50sqm as suggested in Councils design SPD (approximately 40sqm). Whilst these gardens do not meet Guideline 3 in the SPD it should be noted that this is a guideline only and that individual requirements for private garden areas do vary. Other garden sizes are all appropriate to the size of the dwellings proposed.

Frontages distances within the proposed site are acceptable having regard to the Design SPD.

A mixture of the following bricks and tiles are proposed across the application site:
- Ibstock Audley red mixture
- Ibstock Betley Cottage
- Ibstock Weston Red Multi
- Russell Lothian Slate Grey colour
- Sandtoft 20/20 Tuscan Colour

These materials tie in with the rest of the wider development site. A mixture of 1.8m high close boarded fencing, 1.8m high timber larch lap fencing, 1.8m high brick screen walls, 1.2m high estate fencing and 450mm high timber knee rail fencing are proposed throughout the application site. Again this accords with the rest of the wider development site.

The Environmental Health Officer does not raise any objections subject to a condition relating to hours of work and on site and deliveries (inline with the original outline permission).

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. Access and Parking

A Transport Assessment was submitted with the original application 14/20665/OUT. In support of this application a technical note has been submitted which in its summary states that the proposed development traffic will not have a material impact on the operation of junctions and that no improvements are required. The proposal does not impact upon the access previously approved. No objections are raised by the Highway Authority subject to conditions.

The proposed layout which incorporates an additional 10 dwellings provides adequate parking provision in accordance with Local Plan parking standards.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 105 & 106

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

4. Flood Risk/Surface Water Drainage

The outline application covered flood risk and drainage issues for the site.

Comments have been raised by the Parish Council and from neighbouring properties about flooding and inadequate drainage at the site.

The applicant has provided a response to the concerns raised (summarised):
The Parish objection is based on a single flooding incident that occurred in March 2017, since which time our pond construction and flow control chamber have been in place and we are not aware of any further flooding incidents.

Our correspondence at the time of the incident informed complainants of the mistake by our ground works contractor who had over-pumped an amount of stored water within the pond which had arisen prior to the installation of the outfall pipe and flow control. Unfortunately the pump did not include any flow control and hence exceeded the approved discharge rate. The works were promptly stopped and no further discharge took place until the control chamber was operational. The flooding of the public right of way is also mentioned however at the time of our land purchase/planning application, the Public Right of Way did not sit within our land title. Furthermore it was acknowledged that a trodden path across the northern part of our site used as the Right of Way was too wet i.e. already flooded. The land which we have now developed would have previously contributed to the surface water ponding in the area of the PRoW, the surface water shedding from the developed impermeable areas (roofs and hardstanding’s) now enters the piped system and attenuated pond and therefore reducing the existing problem with the PRoW. The surface water calculations support the proposed re-plan inclusive of the additional units and prove the existing pond is of sufficient capacity as the discharge rate has to remain as per the original approval.
The Lead Local Flood Authority have commented that the submitted drainage information has demonstrated that the surface water runoff from the additional dwellings can be accommodated in the broader surface water drainage system without a significant impact on downstream flood. Whilst the Lead Local Flood Authority do not raise any objections they do however recognise that there are drainage issues that need to be addressed and have therefore agreed to meet the developer on site to review the current issues and consider what measures may be undertaken to mitigate these.

The Environment Agency do not have any comments.

Policies and Guidance:-

National Planning Policy Framework:
Section 10: Meeting the challenge of climate change, flooding and coastal change

The Plan for Stafford Borough
Policy N2

Landscaping

A landscaping plan has been submitted which illustrates tree and hedge planting across the site. Given that the red edge does not include any of the open space area, the proposed planting falls within private curtilages. Initially the Tree Officer raised objections to the proposed landscaping proposals however, a revised landscaping plan has been submitted which he considers to be acceptable subject to a condition which stipulates the replacement of any failed plants within a 5 year period.

Policies and Guidance:-

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

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

Planning Obligations

A Deed of Variation to the Section 106 Agreement agreed with the outline permission will be required to secure open space contributions, affordable housing and education contributions.

Conclusion

The principle of development is already established on this site. The submitted layout has demonstrated that 10 additional dwellings can be adequately accommodated within the site having regard to the Council’s Design SPD and Local Plan policy.
No objections have been raised from technical consultees.

Consultations

Highway Authority:
No objections

Environment Agency:
No comment response

Lead Local Flood Authority:
The attached information has been submitted to demonstrate that the surface water runoff from the additional dwellings can be accommodated in the broader surface water drainage system without a significant impact on downstream flood risk.

In addition the applicant has agreed to meet us on site to review the current issues and consider what measures may be undertaken to mitigate these. On this basis we do not object to the current application, and will work with the applicant to try to resolve existing problems.

Environmental Health Officer:
Comments supplied by Environmental Health should be reiterated on this amendment.

Design Advisor:
Original comments:
I am not inherently adverse to a slight densification of a development as long as the proposed changes have either a neutral or positive impact on the character and quality of the development and its wider context.

Given that the urban structure of the block remains essentially unchanged it would be easy to assume that any change to the finer grain of this block wouldn’t necessarily impact severely on the quality and character of the overall development; however, this is not the case as in several ways the proposed modifications do bring a deleterious impact to the design qualities of the approved layout, and I would characterise the main issues to be addressed as follows;

- The modification to the urban form of the layout adjacent the principle site entrance is considered to create an awkward and visually jarring relationship between the repositioned buildings and the roundabout.
- The frontage (and building line) to Stafford Road has been pushed forward and results in a loss of private front garden areas to properties fronting Stafford Road. This parcel/location is the first point of transition between the urban environment and the wider landscape setting and it is generally considered that this new frontage treatment is too urbanised in comparison with the approved layout to articulate this transition in as sensitive and appropriate a manner.
- The character of Road 6 will be substantively intensified by these proposals; with the frontages and street scene becoming inappropriately dominated by hard paved parking areas rather than the visually softer provision of private front garden space of the approved layout.
While we are prepared to accept some intensification of this development parcel, we consider the current layout does not strike an appropriate balance between densification and the retention of important design aspects of the approved layout. To this end we attach a sketch plan to articulate a possible solution in respect to how we consider an additional 6 units could be achieved while retaining the key design qualities of the approved layout that we consider are being diminished too much to accept.

Comments dated 03.11.2019
Happy to accept the layout for the two development edge frontages.
Don't really like the 129-131 cluster…to now have three here seems like an over-intensification of the street scene to the principal/primary road...this is literally the only location on the primary that is not characterised by detached properties...and given that we have essentially conceded an intensification of the layout to the internal area of the development parcel and to Road 6, I think we would be justified.

The application of materials appears rationale and in line with the rest of the development.

Further comments dated 3.11.2019
Even though this increases the intensification of the street scene to Road 6, I would consider this a preferable option to the earlier version as I think it would exert less impact on the character of the overall development…and we have already accepted an intensification of the frontage to Road 6.

**County Education:**
The development is scheduled to provide 10 dwellings, and that these are in addition to the number of dwellings proposed on the wider development site. In calculating the education contribution for these additional dwellings, we have discounted the 4 RSL dwellings from secondary only. A development of this size and mix could add 2 primary school aged pupils and 1 secondary school aged pupil.
The requested education contribution for these additional dwellings is £50,029, (2 x £11,031 = £22,062 and 1 x £27,967 = £27,967).
The above is based on current demographics which can change over time and therefore we would wish to be consulted on any further applications for this site.
The trigger for the payment of the education contribution would be on the commencement of the 139th dwelling on the wider development. The education contribution will be used towards projects at Bishop Lonsdale CE (VC) Primary School and Sir Graham Balfour High School.

**Sport and Outdoor Leisure Policy Officer:**
Due to the size of this development the Council is reasonably entitled to request a quantative provision of 30.81m2 per person of open space provision under its current policy.

This application forms part of a larger scheme as permitted under applications 14/20665/OUT, 15/22533/REM and 16/23729/FUL. This application is for an additional 10 dwellings, however the response takes into account the fact that this site is for a site of 200 plus units.
An increase of 10 units would necessitate an increase of open space to the size of 717.87m² (0.17 acres) to a capital value of £9,155.74. If the site were to be adopted by the Council a maintenance fee of £17,055.96 is required. All open space provision should be on site and complement or be part of the larger open space and play area scheme devised under the previous applications.

In order for developers to calculate the open space requirements, the cost of open space per dwelling is set out below:

Open Space required per person (M²) 30.81
Capital cost £915.57
Onsite maintenance £1,705.60
Offsite maintenance £119.06

Sports Provision
Due to the size of this development a contribution to sport provision is not required.

Adoption of footpaths and cycle ways and associated lighting.
Sport and Outdoor Leisure will not be seeking the adoption of any footpath or cycle way and associated infrastructure including lighting as part of this development. These paths should be adopted by the County Council who are the Highways authority for the Borough.

Flood Attenuation/Sustainable Drainage Systems.
Leisure and Culture inform the applicant of a flood attenuation scheme as a result the Council will not be seeking adoption of any of the open space upon site and alternative management methods must be secured. This should be discussed with Severn Trent Water as we are aware they will be unlikely to adopt the drainage system on the development site.

Tree Officer:
Original comments
Having reviewed the landscaping plan submitted for the above application I can confirm that it is, in my opinion, wholly substandard for the following reasons:
- The number of new trees to be planted appears to have been substantially reduced from previous schemes, and in any event is now far from a sufficient quantity. This section of the development is on the front of the site and should be aiming to soften the impact of the newly built environment when viewed from the surrounding area.
- Those trees that have been included are within the boundaries of individual plots and so wholly within the control of future home owners. Because of this, and given the proximity of the trees to the dwellings, it is highly unlikely that any of these trees will make maturity and thus produce a high amenity streetscene.
- Due to the proximity to dwellings smaller fastigiate type species have been selected which will not produce a high quality streetscene.
- The size and type of nursery stock selected is not optimum for promoting successful establishment. All trees used should be containerised / container grown specimens and reduced in size to Selected Standard (Heavy Standard can be used where Selected is unavailable).
Considering the above points I have to raise a strong objection to the landscaping scheme as submitted.
A new landscaping scheme should be provided that is of a significantly improved quality taking account of the following:
- The majority of tree planting should be located in communal areas / open space, not within the footprint of individual plots.
- The landscaping scheme should primarily aim to screen / visually soften the development from surrounding viewpoints and create a blend between the built environment and the rural character of the area.
- The use of non-fastigiate native species and cultivars should be used for any trees outside the footprint of individual plots (there should not be an over reliance on Sorbus and Betula species).
- All trees to be planted should be container grown or containerised. No bare root or root balled stock should be included and all trees should be reduced in size to Selected Standard, or Heavy Standard where Selected is unavailable.
- All trees should be specified as being planted using a two stake and strap system, and specifically not employ a crossbar.
Trees need to be included in a sufficient quantity that will produce a high quality streetscene at maturity.

Comments dated 14.03.2019
(Following the submission of a revised landscaping plan)
Having reviewed the amended landscaping plans I can confirm that within the constraints of the application red edge, and the existing proposed layout, the landscaping is of as high a quality as can be expected.
The nursery stock selected is appropriate and therefore I have no objections.
The only condition I can recommend would be one that stipulates the replacement of any failed plants within a 5 year period.

Parish Council:
Please note that Eccleshall Parish Council wishes to object to the above application.
The current approved application has not yet been delivered, with many properties waiting to be constructed.
The properties erected to date, and the resulting surface water which has been displaced has caused flooding as the balancing pond and the system being used to take the water away is not suitable. As the estate progresses it will only get worse.
The design to use old ditches and old existing surface water systems in the Stone Road area have not proved to be sufficient and water damage is evident at the Catholic Church, and also house numbers 51, 49, 47, progressing down the Stone Road. Any increase in the estate design will contribute to further increasing the flow of water and would be totally unacceptable.
The Parish Council would further ask Stafford Borough Council to insist that Bovis takes responsibility for the current issues resulting from the surface water as this should not have to be rectified using tax payers money. This includes flooding to the Public Right of Way, Eccleshall 17.

Neighbours:
(35 consulted): 11 letters of representation received objecting on the following grounds (summarised);
Already enough houses in Eccleshall
Increased traffic
Increased noise
Not enough school places
Smaller units now proposed which is not what Bovis originally planned
High density, overdevelopment will have a detrimental impact upon the standard of the estate
Increased overlooking
More intensive housing should be facing Stafford Road to give an active frontage
More intensive housing does not reflect the surrounding area.
Flooding – causing a danger to highway users and pedestrians. Flooding has also caused damage to neighbouring property
Drainage is inadequate
Illogical urban design
Infrastructure was designed for the original number of houses
Impact upon house prices of existing dwellings on the site
Health and safety concerns
Description of development is incorrect
Supporting statements do not contain enough detail. Also missing documents required for validation
Stafford Borough Council has a 5 year housing land supply
Key Services villages have already exceeded their expected housing delivery for the plan period
Inappropriate mix of affordable housing
Proposal is contrary to the Council’s Design SPD
Eccleshall neighbourhood plan states that low density is more appropriate to the rural character of Eccleshall
Development is now closer to road 1 resulting in an imbalanced street scene
Proposal is closer to Stafford Road.
Proposal now erodes the soft edge previously approved
No meaningful front gardens
Under provision of amenity space
Car parking spaces are poorly related to the dwellings
Parking spaces are substandard
No FRA submitted
No ecological survey submitted
Proposal does not comply with the NPPF

Site notice expiry date: 07.01.2019
Newsletter advert expiry date: 16.01.2019

**Relevant Planning History**

14/20665/OUT - Residential development up to a maximum of 130 dwellings, public open space, green infrastructure and associated works – permitted 2014

15/22533/REM - Residential development up to a maximum of 130 dwellings, public open space, green infrastructure and associated works – permitted 2015

15/23114/FUL - Creation of temporary access for vehicles – permitted 2015
15/23159/DCON - Discharge of condition 10 on permission 14/20665/OUT – permitted 2015

16/23729/FUL - Application for additional plots and associated works – permitted 2016

16/23655/DCON - Discharge of conditions 5 and 6 on application 14/20665/OUT – permitted 2016

16/24046/DCON - Discharge of condition 3 on approved consent 15/23114/FUL – permitted 2016

16/24047/DCON - Discharge of condition 12 on approved consent 14/20665/OUT – permitted 2016

19/29936/FUL - Retain existing construction access from Stafford Road for 18 months – currently under consideration

**Recommendation**

Approve, subject to the following conditions

0. Subject to the applicant first entering into a Deed of Variation to the Section 106 Agreement to outline planning permission 14/20665/OUT within one month of the Committee resolution, or an alternative period to be otherwise first agreed in writing by the Local Planning Authority to secure further financial contributions towards open space and education provision, together with affordable housing, permit 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:-

   ECCL- XO2-001 - Location Plan
   ECCL- O2-002P rev C - Planning Layout
   ECCL- XO2-003 - rec C External works
   ECCL- O2-004P rev C - Materials layout
   ECCL - 05-505 rev I - Road and sewer arrangement
   ECCL - 05-506 rev I - Road and sewer arrangement
   AAJ5146-RPS-XX-O-DR-L-9001 - Landscape proposals
   Type S241 P
   Type S241 E
   Type X305 E
   Type X305 P
   Type M307 E
Type M307 P
Type X308 - E
Type X308 - P
Type X413 - E
Type X413 - P
Type X414 - E
Type X414 - P

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

4. Proposed materials shall be fully in accordance with the following plan unless alternative materials are otherwise first agreed in writing with the Local Planning Authority: ECCL- O2-004P rev C - Materials layout

5. All garages shall be retained for the parking of vehicles and shall not be used as or converted to habitable accommodation at any time.

6. The development shall be carried out in accordance with the approved landscaping schedules. Any plants or trees that are removed or die or become seriously damaged or diseased within a period of 5 years from the date of planting shall be replaced with others of similar size and species in the next planting season, unless the local planning authority gives written consent to any variation.

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

8. Prior to first occupation of the development hereby approved, all private parking and vehicle access areas, shall be hard surfaced in a porous material and drained in accordance with a scheme to be first submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall thereafter be retained for such purposes in perpetuity.

9. No part of the development permitted by this consent shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including a timetable) to promote travel by sustainable modes which are acceptable to the Local Planning Authority. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary, for a period of five years, from first occupation of the development permitted by this consent.

10. Works shall be undertaken in accordance with the Highways Construction Method Statement approved under discharge of condition application 15/22984/DCON.
The reasons for the Council’s decision to approve the development subject to the above conditions are:

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

2. To define the permission.

3. To safeguard the amenities of the area. (Policy N1e 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 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. In the interests of amenity and to ensure a satisfactory form of development (Policy N4 The Natural Environment and Green Infrastructure).

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

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

9. In 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 complies with the provisions of the National Planning Policy Framework.
Application 19/30069/FUL  
Date Registered 15 February 2018  
Target Decision Date Extended To 12 April 2018  
Address Ground Floor Stafford Borough Council Civic Offices Riverside  
Ward Forebridde  
Parish  
Proposal External alterations to the north, south and west elevations of the building including windows and doors, together with access ramps and the installation of roof level air conditioning units.  
Applicant Stafford Borough Council  
Recommendation Approve, subject to conditions  

REASON FOR REFERRAL TO COMMITTEE

This applicant is Stafford Borough Council.

Context

This application seeks to make alterations to the north, west and south elevations of the Council Civic offices. The proposal includes the premises previously occupied by the Royal Bank of Scotland, Capital Appliances and Jade clothing.

The Civic Centre offices are within the Stafford Town centre boundary as defined within the Plan for Stafford Borough, and are adjacent to the Stafford Conservation Area. The building also sits adjacent to the River Sow and is within Flood Zones 2 and 3.

Whilst the premises fall within a flood zone, this application only proposes alterations and not a material change of use therefore there is no increased flood risk.

The alterations are as follows:

North elevation: existing night safe removed and blocked up, new louvres, new door and disabled access ramp,
South elevation: new doors with double glazed sidelight and new disabled ramp access
West elevation: additional obscure window

It is proposed to apply film and images to existing door and windows to aid privacy.
The proposal also includes the installation of roof level air conditioning units. There are 3 existing roof top units which this application proposes to replace in the same locations.

**Officer Assessment – Key Considerations**

1. **Character and Appearance**

   The alterations proposed are minor and are in keeping with the appearance of the existing building. The disabled ramps will improve access to the building. The ground floor alterations will have minimal visual impact on the building as a whole and are considered to be acceptable.

   The proposed air conditioning units are situated at rooftop level and will replace existing units in the same location. The units are currently screened to a large extent by the existing parapet wall. The proposed units are approximately 20cm greater in height than the existing units. Whilst the 3 units are all situated close to the edge of the flat roof, it is not considered that the additional height would result in the units being significantly more visible from ground level.

   **Policies and Guidance:**

   - National Planning Policy Framework
     Paragraphs: 124, 127, 128 & 130
   - The Plan for Stafford Borough
     Policies: N1 Design
     Supplementary Planning Document (SPD) – Design

2. **Residential amenity**

   It is not considered that the proposal will have any impact upon residential amenity. No material change of use is proposed and alterations to openings are not in close proximity to residential properties.

   The Environmental Health Officer does not raise any objections subject to conditions relating to hours of works and deliveries. However, it is not possible to control delivery vehicles not parking on the access highways to the site as these are outside of the red edge.

   **Policies and Guidance:**

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

3. **Access and parking**

   The proposal will not have any impact upon access or parking. The proposed access ramps will not obstruct the public footpath.
The Highway Authority do not raise any objections

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 105 & 106

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

Conclusion

The proposed alterations will assist in bringing the currently vacant units back into occupation and improving the overall appearance of the premises.

Consultations

Highway Authority:
No objections

Environmental Health Officer:
No objection is made to this application subject to the following conditions in order to safeguard nearby residential occupiers from undue disturbance during development:
1. All works, including demolition, site works and construction shall only take place between the hours of 8.00 am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays.
2. Deliveries to the site shall only take place between the hours of 8.00am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays.
Delivery vehicles shall not park on the access highways to the site.

Neighbours:
(11 consulted): No responses received

Site notice expiry date: 18.03.2019

Newsletter advert expiry date: N/A

Relevant Planning History

None which are relevant to this application

Recommendation

Approve, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. This permission relates to the originally submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:
   - drawing no: P001
   - drawing no: P002
   - drawing no: P003
   - drawing no: P004
   - drawing no: P005 rev A
   - drawing no: P006 rev A
   - drawing no: P007
   - drawing no: P008

3. All works, including demolition, site works, construction and 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 comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.
3. 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 complies with the provisions of the National Planning Policy Framework.
Ward Interest - Nil

Planning Appeals

Report of Head of Development

Purpose of Report

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

Notified Appeals

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<thead>
<tr>
<th>Application reference</th>
<th>Location</th>
<th>Proposal</th>
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</thead>
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<td>18/29369/HOU</td>
<td>113 Northwood Lane Newcastle Under Lyme</td>
<td>First floor extension to front elevation, two storey side/rear extension and single-storey rear extension.</td>
</tr>
<tr>
<td>Delegated Refusal</td>
<td>18/28619/HOU</td>
<td>67 Winsford Crescent Stafford Staffordshire</td>
</tr>
<tr>
<td>Delegated Refusal</td>
<td>18/29641/HOU</td>
<td>Red Lion Cottage Biddles Lane Cranberry</td>
</tr>
<tr>
<td>Delegated Refusal</td>
<td>18/29577/HOU</td>
<td>Netherfield 7 Barnes Croft Hilderstone</td>
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Decided Appeals

<table>
<thead>
<tr>
<th>Application reference</th>
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<th>Proposal</th>
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</thead>
<tbody>
<tr>
<td>18/28042/MDPO,</td>
<td>Church View House Millian Brook Road Seighford</td>
<td>Retention of change of use of land to residential (Class C3) and extend drive &amp; To modify planning obligation relating to 12/17192/EXTF</td>
</tr>
<tr>
<td>18/27839/FUL and</td>
<td></td>
<td></td>
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<tr>
<td>Enforcement Appeals Dismissed</td>
<td></td>
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<tr>
<td>Enforcement Notice Upheld.</td>
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</tbody>
</table>
Previous Consideration

Nil

Background Papers

File available in the Development Management Section

Officer Contact

Mr John Holmes, Development Manager Tel 01785 619302
Appeal Decisions
Site visit made on 12 February 2019

by A A Phillips BA(Hons) Dip TP MTP MRTPI
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 March 2019

Appeal A: APP/Y3425/C/18/3203097
The land fronting Church View House and The Chimes, Millian Brook Road, Seighford
- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr Martin Davies against an enforcement notice issued by Stafford Borough Council.
- The enforcement notice was issued on 24 April 2018.
- The breach of planning control as alleged in the notice is the construction of a vehicular access and parking area.
- The requirements of the notice are:
  i. Remove the vehicular access and parking area.
  ii. Remove from the land all building materials arising from compliance with the first requirement above and restore the land to its condition before the breach took place by replacing grass turf.
- The period for compliance with the requirements is two months.
- The appeal is proceeding on the ground set out in section 174(2) (a) of the Town and Country Planning Act 1990 as amended.

Summary of Decision: The appeal is dismissed and the enforcement notice is upheld.

Appeal B: APP/X4725/W/18/3203076
Church View House, Millian Brook Road, Seighford, Stafford, Staffordshire ST18 9PQ
- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The application Ref 18/27839/FUL, dated 2 January 2018, was refused by notice dated 19 April 2018.
- The development is described by the Council as retention and change of use of land to residential (Class C3) and extend drive.

Summary of Decision: The appeal is dismissed.

Appeal C: APP/Y3425/Q/18/3203758
Land - The Green Opposite Development of Church View House and The Chimes, Seighford, Stafford ST18 9PQ
- The appeal is made under Section 106B of the Town and Country Planning Act 1990 against a refusal to modify a planning obligation.
- The appeal is made by Mr Peter Simmons against the decision of Stafford Borough Council.
- The development to which the planning obligation relates is the construction of two new houses with garages.

https://www.gov.uk/planning-inspectorate
The planning obligation, dated 14 December 2012, was made between Stafford Borough Council and Peter John George Simmons, Jean Nora Simmons and Richard Mark Dixon and Seighford Parish Council.

The application Ref 18/28042/MDPO, dated 9 February 2018, was refused by notice dated 19 April 2018.

The application sought to have the planning obligation modified as follows: The shared driveway is not suitable or large enough to service the properties properly. The original boundary line is confusing and a straight line from the Lychgate to the corner of The Barn would remove ambiguity, allow both houses to have sufficient driveway access and would not encroach at either end using original access to the road and corner of the Lychgate position.

Summary of Decision: The appeal is dismissed.

Procedural matter

1. With respect to Appeal C I have used the description of development used by the Council because it accurately describes the development the subject of the appeal.

Background

2. There is a rather long and complex planning history to the site, including planning applications, enforcement investigations and action. In determining this current appeal I am fully aware of the planning history from the appellants’ statement, copies of decisions, reports and correspondence and the main approved, refused and implemented schemes and how they relate to the alleged breach of planning control, the steps required to remedy the breach, the time given to remedy the breach and the Council’s decisions. Of particular relevance to this appeal is planning permission reference 12/17192 which was approved subject to conditions and a section 106 agreement on 14 December 2012 for the construction of two new houses with garages. My understanding is that this application represented an extension of the time period on a previous approval reference 07/09406/FUL, which was allowed at appeal on 24 June 2009. In 2015 a minor material amendment was submitted in relation to the scheme approved under reference 12/17192 and in approving that scheme, the Council did not impose the planning obligation because it was not fairly and reasonably related in scale and kind to the development approved.

3. The planning obligation provides for the laying out and transfer, to the Parish Council, of an area of land to be used as common open amenity land. In summary, the appeals before me are against the Council’s refusal to grant planning permission for the retention and change of use of land to residential and to extend the drive, the Council’s subsequent decision to issue an enforcement notice with respect to the construction of a vehicular access and parking area on the land the subject of the planning obligations and the Council’s refusal to modify the planning obligation to allow for widening of the access and driveway and allowing the land to be managed and maintained in perpetuity by the owner rather than the Parish Council.

Appeal A on Ground (a) and Appeal B

4. The ground of appeal is that planning permission should be granted. The main issue is whether the development preserves the setting of St Chad’s Church which is a Grade II* listed building.
5. The appeal site is situated in a prominent location at the heart of Seighford and adjacent to the church yard of St Chad’s Church, which was originally built around mediaeval times. The site fronts onto a village green and is situated to the front of two modern residential properties.

6. The church is a fine structure and the tower is a local landmark within the surrounding landscape and is a feature which dominates the centre of Seighford. The area in the vicinity of the church and appeal site is characterised by buildings of different ages, including some traditionally built and modern buildings. Those closest to the appeal site are farms on Moor Lane, the School House, Ivy Cottage and Vicarage Cottage as well as the modern residential properties known as Church View House and The Chimes. The lych-gate which is immediately adjacent to the appeal site is also a particularly important structure in the context of the setting of the listed building. Seighford is an attractive village which contains the historic church and some other traditional buildings, but it is not designated as a conservation area noted for its particular architectural or historic interest.

7. Given the importance of the appeal site to the setting of the Grade II* listed building, in accordance with paragraph 196 of the National Planning Policy Framework (the Framework) when considering the impact of the development on the significance of the designated heritage asset I give great weight to the asset’s conservation. Among other objectives, Policy N8 of the of The Plan for Stafford Borough 2011-2013 Adopted June 2014 (PSB) states that development should demonstrate that proposals with landscape and visual implications should protect, preserve and where appropriate enhance the setting and views of or from heritage assets, including listed buildings. In addition, Policy N9 of the PSB relates to the historic environment and states that development will be expected to sustain and where appropriate enhance the significance of heritage assets and their setting by understanding heritage interest. Any potential harm to the significance of a heritage asset including its setting will require clear justification.

8. In my mind the churchyard provides the most immediate and significant visual setting for St Chad’s Church and beyond it the built elements of the village, the open rural landscape and the open spaces within the village itself need also be taken into account when assessing the setting of the church. The appeal site comprises part of the common amenity open space area in front of the two modern residential properties which have previously been approved. Development in the village is not closely concentrated around the church and that includes some relatively modern development.

9. The authorised development that has taken place allows for a continued appreciation of the church within its wider setting from various vantage points in and around the village, including some glimpse views between landscape features and buildings as well as broader observation points across the wider area. An important view of the church is from within the village, across the common amenity open land towards the lych-gate with the church beyond. This offers an appreciation of the architectural form of the tower and offers an important perspective on the relationship between the church and other buildings and spaces in the village.

10. I understand that the expanse of village green (common amenity open space) which is the subject of the planning obligation, has resulted in improvements to

https://www.gov.uk/planning-inspectorate
the situation that existed before the development of the two adjacent residential properties took place. The village green which was an integral part of the wider residential development opened up an important view of the church from public space within the village and also improved the usability of the open space. Consequently, it is particularly important in this case to ensure that the open space and landscaping associated with the two dwellings and the village green continue to play an important role in contributing to the setting of St Chad’s church.

11. The evidence before me leads me to understand that the concept of the village green was to address a visual and heritage concern rather than it being specifically required to address any local shortage of open space or provide a community facility. Indeed, a previous appeal decision on the site specifically refers to the creation of the village green and the benefit of opening up an important prospect of the church from public space within the village. I also appreciate that the village green has been the subject of a great deal of care and attention to create a larger space for the use of residents, that landscaping has taken place and the overgrown hawthorn hedge has been removed to improve accessibility.

12. As such, I consider it important that the area of open space secured by the section 106 agreement is retained to ensure that those views of the listed church are retained, ensuring that the development of the two modern residential properties and their associated gardens and ancillary spaces contribute positively to the setting of the listed building. However, the unauthorised works that have taken place compromise the overall visual integrity of the development that has taken place, including the improvements to the extended village green. The erosion of the extent of open space in this locality is contrary to the original objectives of improving the setting of the listed building and opening up important views from within the village towards the church.

13. In addition, the development is highly visible in its immediate locality, with a relatively large area of land being covered in white stone chippings forming the unauthorised extension of residential land into the open space. The use of the unsympathetic material causes harm to the setting of the Grade II* listed church by introducing a feature which is unsympathetic within the village landscape. Furthermore, in its current condition, it is highly prominent within the locally important view of the church. A hedge or other landscaping could screen the surfacing from views, locally, but nevertheless, the unsympathetic and inappropriate materials within this important historic context detracts from the historic setting.

14. Given the scale of the proposal within the context of the Conservation Area as a whole, I consider that it would cause less than substantial harm to its character and appearance. In accordance with paragraph 196 of the Framework, I must weigh the harm against the public benefits of the proposal.

15. The appellant states that the approved driveway arrangements limit the turning space for both properties in an area which already has limited and off-street parking due to school parking arrangements. However, there is insufficient evidence before that the original arrangements were unsatisfactory or that the original parking provisions were inadequate to serve the needs of the two new houses. I can see that there may be some limited public benefit from improving
the access and parking arrangements, but in my mind the benefits would be limited and confined to the occupants of the properties and their visitors.

16. Therefore, the appellant has not demonstrated sufficient public benefits arising from the development which, in my judgment, outweigh the harm that I have found. For these reasons, I conclude that the development fails to preserve the setting of St Chad’s Church which is a Grade II* listed building. As such it conflicts with Policies N8 and N9 of the PSB and the Framework.

**Appeal C**

17. Since appeals A and B are dismissed following my conclusions with respect to the effect on the setting of the Grade II* listed building, it follows that the proposed amendments to the Section 106 agreement to allow for the widening of the driveway by redefining the extent of the common amenity open space area should not be modified. Therefore, although it may be argued that the size of the area of gifted land through the section 106 agreement is not fair or reasonable in proportion to the development of two houses, in the light of my conclusions above Appeal C should also be dismissed.

**Conclusions**

18. I have taken account of the detailed chronology of events submitted by the appellants, the discussions and negotiations that have taken place with Stafford Borough Council and Seighford Parish Council and the range of correspondence, reports, recommendations and decisions that have been issued with respect to the appeal site. However, in this case none of these persuade me that the appeals should be allowed.

19. For the reasons given above and taking into account other matters raised I conclude that the development conflicts with the development plan taken as a whole and that the appeals should be dismissed.

**Formal Decisions**

**Appeal A**

20. The enforcement notice is upheld and planning permission is refused for the application deemed to have been made under section 177(5) of the Act.

**Appeal B**

21. The appeal is dismissed.

**Appeal C**

22. The appeal is dismissed.

*AA Phillips*

INSPECTOR
Ward Interest - Nil

Enforcement Matters

*Report of Head of Development*

**Purpose of Report**

To consider the following reports.

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**Previous Consideration**

Nil

**Background Papers**

File available in the Development Management Section

**Officer Contact**

John Holmes, Development Manager Tel 01785 619302
USE/00101/EN18 - The Hollies Farm, Sandon Road, Sharpley Heath, Staffordshire, ST15 8SL

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

Purpose of Report

To consider the introduction of ménage, floodlights and use of agricultural barns for stabling horses without the benefit of planning permission at The Hollies Farm, Sandon Road, Sharpley Heath, Stone, Staffordshire, ST15 8SL.

1 Detail

1.1 On 09/05/2018 a report was submitted to the Planning Department concerning the use of agricultural buildings being used to stable horses and referring to an advert on social media offering riding lessons at The Hollies Farm, Sandon Road, Sharpley Heath, Stone, Staffordshire, ST15 8SL.

1.2 On 1/06/2018 correspondence was exchanged with the owner and the owner’s agent who clarified that a ménage with floodlighting had been introduced to the land and the existing barns were in use for stabling horses/DIY Livery as well as being used for the purposes of lambing and storage. A site visit was undertaken which confirmed the use of the barns for stabling horses and the introduction of the ménage with floodlights.

1.3 A letter was sent on 08/10/2018 requesting a retrospective planning application be submitted for the works undertaken.

1.4 On the 28/11/2018 a further site visit was undertaken which confirmed that the ménage, floodlights and DIY Livery was still being operated from the farm.

1.5 On 1/03/2019 further correspondence was sent requesting a retrospective planning application to retain the ménage, floodlights and DIY Livery. None has been forthcoming.
2 Policies


3 Conclusion

3.1 The ménage and floodlights have been introduced to the land without the benefit of planning permission and is therefore unauthorised. The use of the barns for a mixed use, agriculture and equine use for DIY Livery also remains unauthorised. No planning application has been submitted for the retention of the works or change of use.

3.2 It is considered that the unauthorised works of introducing hard-core 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 paragraph 83 and 207 of the National Planning Policy Framework.

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 ménage, floodlights and cease the activity of the DIY Livery and return the land to its original condition.

Background Papers

USE/00101/EN18 - Unauthorised Change of Use of Land - pending consideration

Contact Officer

John Holmes - Planning Manager - Direct No 01785 619 302