



Civic Centre, Riverside, Stafford
Contact Jim Dean
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Dear Members

Planning Committee

A meeting of the Planning Committee will be held in the **Craddock Room, Civic Suite, Civic Centre, Riverside, Stafford on Wednesday, 28 November 2018 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 - 28 NOVEMBER 2018

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 249 due to be published on 7 December 2018](#)

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6 Planning Appeals	9
7 Enforcement Matters	10 - 17

MEMBERSHIP

Chairman Councillor R M Sutherland

C A Baron	W J Kemp
G R Collier	D B Price
B M Cross	J K Price
I E Davies	G O Rowlands
M G Dodson	R M Sutherland
A S Harp	C V Trowbridge
E G R Jones	

(Substitutes - F Beatty, R J Draper, A P Edgeller, J Hood, S Learoyd)

PLANNING COMMITTEE - 28 NOVEMBER 2018

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**:-

		Page Nos
18/29395/COU	Land Adjacent 2 Shenley Grove, Stafford, Staffordshire ST17 9PT	4 - 8
	This application was called in by Councillor G O Rowlands	
	Officer Contact -Sarah Poxon, Development Lead (Small Scale) - Telephone 01785 619507	

Previous Consideration

Nil

Background Papers

Planning application files are available for Members to inspect, by prior arrangement, in the Development Management Section. The applications including the background papers, information and correspondence received during the consideration of the application, consultation replies, neighbour representations are scanned and are available to view on the Council website.

Application	18/29395/COU	Case Officer	Mr S Owen
Date Registered	04 October 2018	Target Decision Date	29 November 2018
Address	Land Adjacent 2 Shenley Grove Stafford Staffordshire ST17 9PT	Ward	Manor
		Parish	Stafford MB
Proposal	Change of use from vacant land to residential curtilage.		
Applicant	Mr M Boulton		
Recommendation	Approve, subject to conditions		

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor G O Rowlands (Ward Member for Manor) for the following reasons:-

'Neighbours concern with loss of open space'

Context

2 Shenley Grove is a two storey semi-detached dwelling located within a residential area of the Sustainable Settlement Hierarchy as defined in Spatial Principle 3 (SP3) of The Plan for Stafford Borough (TPSB) (2011-2031).

The land, measuring approx. 126sqm, is currently vacant and without use. It is sited at the end Shenley Gove and is bordered by; a public footpath, further open space, and the established residential property at 2 Shenley Grove.

The rear garden is separated from this land by a 1.8m high brick wall, and the front garden area by a 1m high picket style fence. There is a garage sited within the rear garden of 2 Shenley Grove, which is accessed by a hardsurfaced drive across this land with a dropped kerb; the previous integral garage has been converted to a habitable room and a porch added on the front elevation; a rear conservatory; and a single storey side extension has been added. There is no record of any planning applications on this property.

This proposal involves changing the use of vacant land into additional residential curtilage for 2 Shenley Grove. The applicant has confirmed that there is no proposal to erect a structure, or lay hard surfacing, as part of this application.

Officer Assessment – Key Considerations

Character & Appearance

The area around Shenley Grove has a number of green vacant spaces which act as visual buffers between dwellings and the public highway.

The land in question is grassed with a single street sign, and forms part of a wider green area on the south side of Shannon Road, at the sides of properties in Shenley Grove, Crinan Grove and Elsdon Road.

There is no structure or hard surfacing proposed. The application includes no proposal to enclose the land. The application only seeks to incorporate the land into the residential curtilage of 2 Shenley Grove.

Changing the use of the land would have no discernible effect upon the character and appearance of the area.

The removal of permitted development rights in terms of means of enclosure, hardstanding and outbuildings and structures would mean that any future development would be subject to planning controls.

Policies and Guidance:-

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

Supplementary Planning Document (SPD) – Design

Amenity

There is no structure or hard surfacing proposed. The application only seeks to alter the use of the land.

Changing the use of the land would have no discernible effect upon the amenity of the area.

Policies and Guidance:-

National Planning Policy Framework (NPPF) – Paragraph 127

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

Supplementary Planning Document (SPD) - Design

Parking

Changing the use of the land would have no discernible effect upon the parking provision at the dwelling.

Policies and Guidance:-

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

Conclusion

Changing the use of the land would have no discernible impact upon the character and appearance of the area. Since no structure, hardstanding or means of enclosure has been proposed there is no breach of parking or amenity policy associated with this proposal. Any future development would be subject to planning controls. The proposal should therefore be approved, subject to the standard conditions.

Consultations

Neighbours (17 consulted):

2 responses: Material planning considerations summarised below:

The adverse loss of public open space.

The detrimental impact upon the character and appearance of the area.

Parking provision within the area.

Site Notice:

Expiry date: 09.11.2018

Relevant Planning History

None

Recommendation

Approve, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. This permission relates to the originally submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-
 - Location Plan (At a scale 1:1250)
 - Site and Block Plan (At a scale 1:200)
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any other subsequent equivalent order, no development within the following classes of development shall be carried out to the dwelling hereby approved without the prior approval of the Local Planning Authority:
 - Schedule 2, Part 1, Class E - buildings etc incidental to the enjoyment of the dwellinghouse

- Schedule 2, Part 1, Class F - hard surfaces incidental to the enjoyment of the dwellinghouse
- Schedule 2, Part 2, Class A - gates, fences, walls etc
- Schedule 2, Part 2, Class B - means of access to a highway
- Schedule 2, Part 2, Class D - electrical outlet for recharging vehicles
- Schedule 2, Part 2, Class E - electrical upstand for recharging vehicles.
- Schedule 2, Part 14, Class A - installation or alteration etc of solar equipment
- Schedule 2, Part 14, Class B - installation or alteration etc of stand-alone solar equipment
- Schedule 2, Part 14, Class C - installation or alteration etc of ground source heat pump
- Schedule 2, Part 14, Class D - installation or alteration etc of water source heat pumps
- Schedule 2, Part 14, Class E - installation or alteration etc of flue for biomass heating system
- Schedule 2, Part 14, Class F - installation or alteration etc of flue for combined heat and power
- Schedule 2, Part 14, Class G - installation or alteration etc of air source heat pumps
- Schedule 2, Part 14, Class H - installation or alteration etc of wind turbine
- Schedule 2, Part 14, Class I - installation or alteration etc of stand-alone wind turbine.

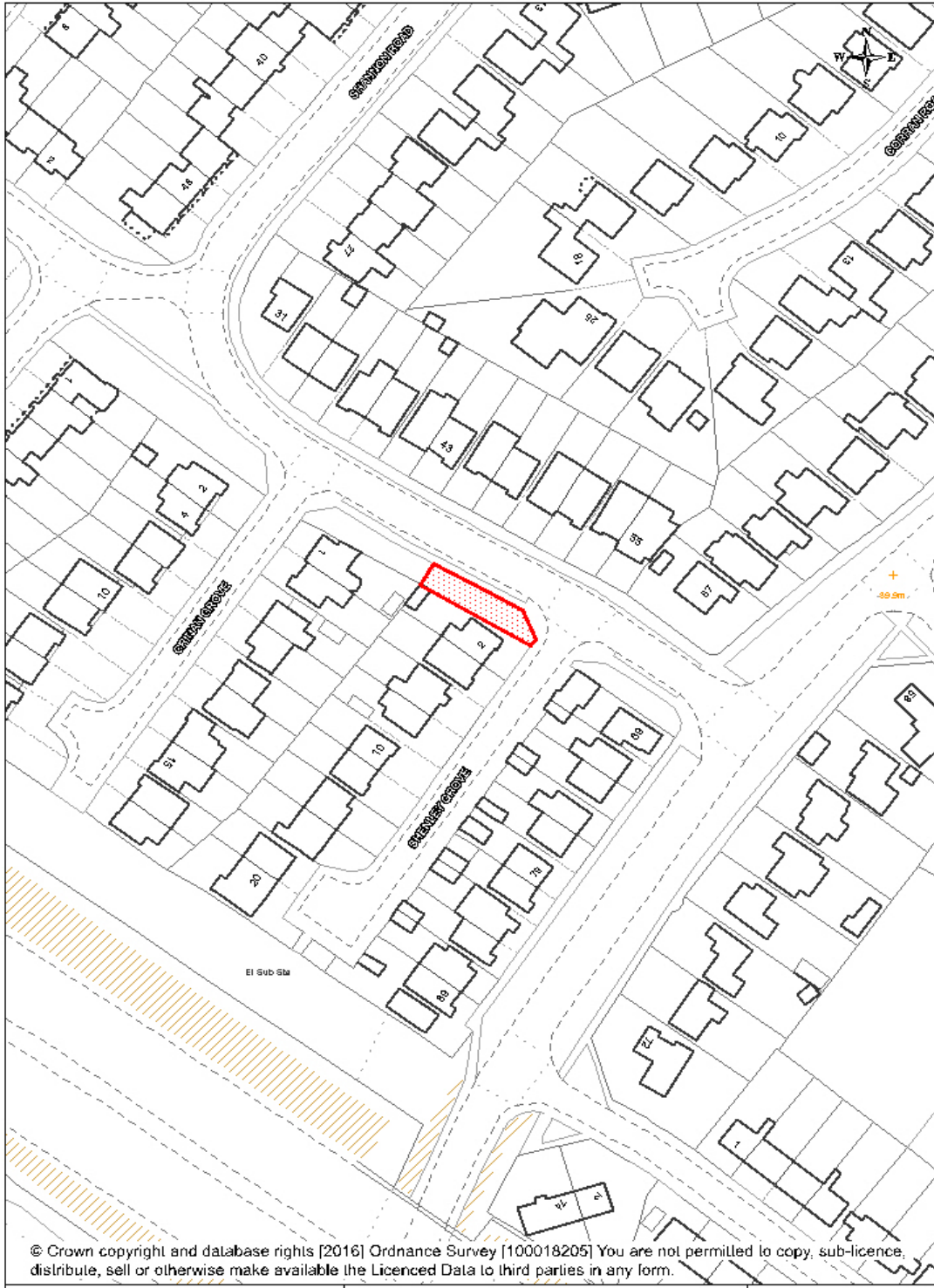
The reasons for the Council's decision to approve the development subject to the above conditions are:

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

18/29395/COU
Land Adjacent 2 Shenley Grove
Stafford
Staffordshire
ST17 9PT



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ITEM NO 6

ITEM NO 6

STAFFORD BOROUGH COUNCIL

PLANNING COMMITTEE - 28 NOVEMBER 2018

Ward Interest - Nil

Planning Appeals

Report of Head of Development

Purpose of Report

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

Notified Appeals

Application Reference	Location	Proposal
18/28352/FUL	Land Adjacent Nesbitt Close, Morton Road, Stafford	Proposed erection of four maisonettes and one bungalow

Previous Consideration

Nil

Background Papers

File available in the Development Management Section

Officer Contact

Mr John Holmes, Development Manager Tel 01785 619302

PLANNING COMMITTEE - 28 NOVEMBER 2018

Ward Interest - Nil

Enforcement Matters

Report of Head of Development

Purpose of Report

To consider the following reports.

	Page Nos
(a) WKS2/00142/EN18 - Land at Former Bird in Hand Car Park, Cresswell Road, Hilderstone, Stone	11 - 13
(b) WKS3/00259/EN18 - Land at Former Bird in Hand Car Park, Cresswell Road, Hilderstone, Stone	14 - 16
(c) Quarterly Enforcement Report	17

Previous Consideration

Nil

Background Papers

File available in the Development Management Section

Officer Contact

John Holmes, Development Manager Tel 01785 619302

Ward – Fulford

WKS2/00142/EN18 - Land at Former Bird In Hand Car park

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

Purpose of Report

To consider the introduction of a three bay carport to the Land At Former Bird In Hand Carpark, Creswell Road, Hilderstone, Stafford, without the benefit of planning permission.

1 Detail

- 1.1 On 12 June 2018 a report was received concerning the introduction of a three bay carport to the Land at the former Bird in Hand carpark, Creswell Road, Hilderstone.
- 1.2 A site visit was undertaken on 05 July 2018 which confirmed a three bay carport had been erected on the land.
- 1.3 A planning application was submitted to the planning department on 24 July 2018 for 'Retention of three bay carport to provide covered parking for vehicles, to reduce impact visually of neighbouring metal sheds and containers, provide roosting site for bats' ref 18/28990/FUL. This application was refused on 04/10/2018 on the grounds that *'The proposal, by reason of it comprising a new building within the North Staffordshire Green Belt constitutes inappropriate development which is harmful to the openness of the Green Belt. No very special circumstances have been provided in support of the proposal to justify a departure from the normal policy of restricting inappropriate development within the North Staffordshire Green Belt. Consequently, the proposal is contrary to paragraphs 143, 144 and 145 of the National Planning Policy Framework and Policy E2 of the Plan for Stafford Borough'*.
- 1.4 On the 01/11/2018 a letter was sent to the owner requesting the carport be removed from the land.

2 Policies

- 2.1 The Plan for Stafford Borough - E2 - Sustainable Rural Development.
- 2.2 National Planning Policy Framework - Section 9 - paragraphs 143, 144, 145, Paragraph 207 - enforcement.

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3 Conclusion

- 3.1 The car port does not fall within any of the exception categories listed in the NPPF and is therefore inappropriate development and should only be approved if very special circumstances existing to outweigh harm to the Green Belt. No very special circumstances have been advanced on this case and there is, therefore, no justification to approve the application.
- 3.2 It is considered that the three bay car port is harmful to the openness of the Greenbelt and contrary to policy E2 of the Plan for Stafford Borough paragraphs 143, 144 and 145 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 three bay car port.

Background Papers

18/28990/FUL- Retention of three bay carport to provide covered parking for vehicles, to reduce impact visually of neighbouring metal sheds and containers, provide roosting site for bats. Refused 04/10/2018.

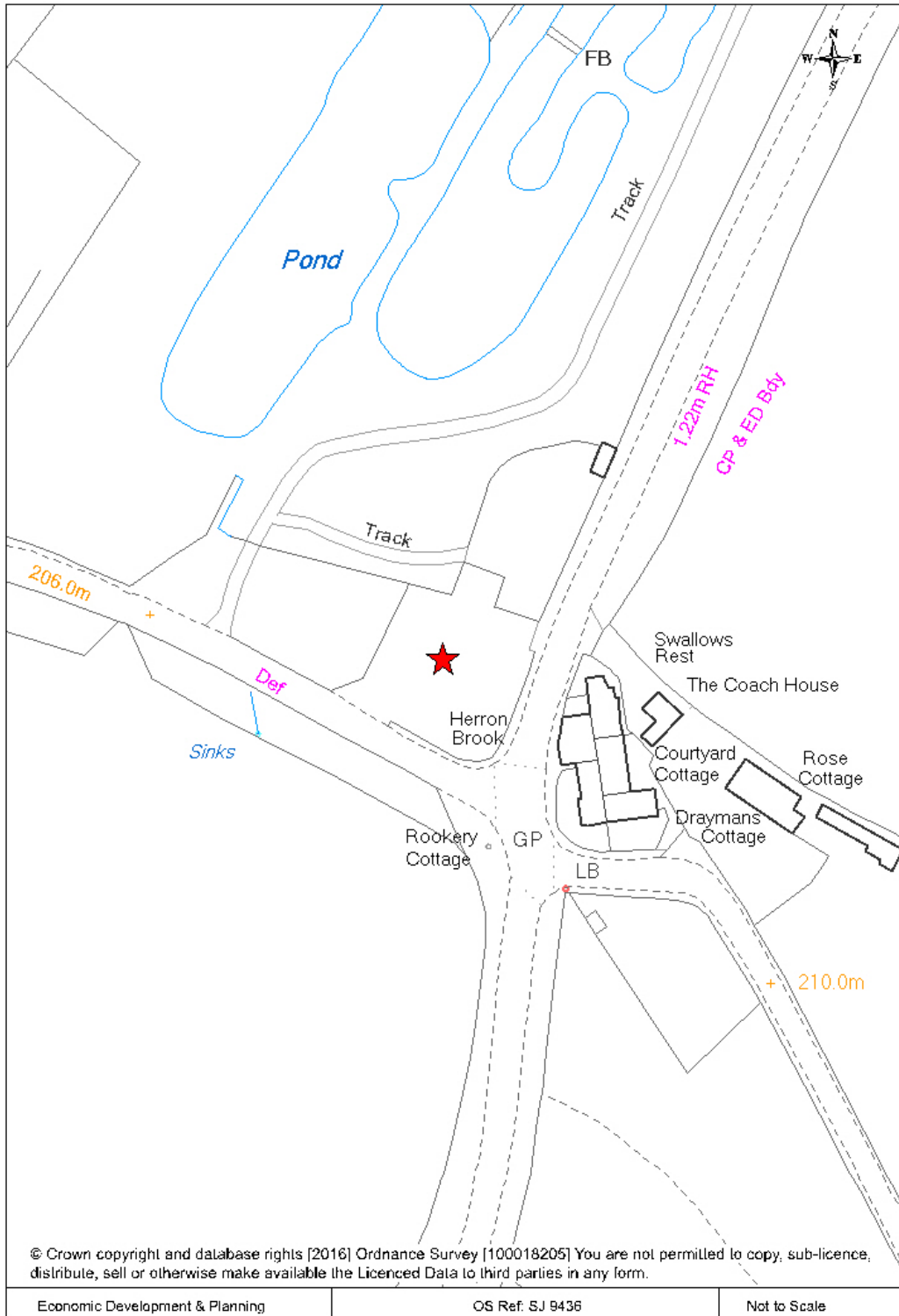
WKS2/00142/EN18 - Unauthorised Three Bay Carport – Under consideration.

WKS3/00259/EN18 - Store room and shelter does not appear to be in accordance with 15/21775/REM - under consideration.

Contact Officer

Mrs Eiryl McCook - Development Lead - Direct No 01785 619732

**Land At Former Bird In Hand Carpark
Cresswell Road
Hilderstone
Stone**



Ward – Fulford

WKS3/00259/EN18- Land At Former Bird In Hand Car Park

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

Purpose of Report

To consider the introduction of a wooden structure to the Land At Former Bird In Hand Carpark, Creswell Road, Hilderstone, Stafford, without the benefit of planning permission.

1 Detail

- 1.1 On 12 June 2018 a report was received concerning the introduction of a wooden structure to the Land at the former Bird in Hand carpark, Creswell Road, Hilderstone.
- 1.2 A site visit was undertaken on 05 July 2018 which confirmed a timber structure was under construction on the land.
- 1.3 A planning application 07/08560/OUT was submitted to the planning department on 28/06/2007 for 'Erection of fishing lodge and ancillary store', approved 30 October 2008. On 09/09/2011 a planning application was submitted for 'Extension of time on outline permission 07/08560/OUT (Erection of fishing lodge and ancillary store)' ref 11/16077/EXTO. This was approved on 14 February 2012. An application for reserved matters was approved for scale, appearance and landscaping (reserved matters in respect of 07/08560/OUT and 11/16077/EXTO) ref 15/21775/REM was approved on 08/05/2015
- 1.4 On the 17 September 2018 a letter was sent to the owner requesting a planning application to amend the original scheme as the timber structure that is currently under construction is not representative of the approved scheme being too high and incorrectly positioned. No application has been received to support the unauthorised works.
- 1.4 On the 01 November 2018 a letter was sent to the owner requesting the unauthorised wooden structure be removed from the land.

2 Policies

- 2.1 The Plan for Stafford Borough - E2 - Sustainable Rural Development.

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2.2 National Planning Policy Framework - Section 9 - paragraphs 143, 144, 145, Paragraph 207 - enforcement.

3 Conclusion

3.1 The timber structure as currently built is not in accordance with the approved plans and as such does not have planning permission and is unauthorised. No very special circumstances have been proposed and there is no justification for its retention.

3.2 It is considered that the unauthorised timber structure is harmful to the openness of the Greenbelt and contrary to policy E2 of the Plan for Stafford Borough paragraphs 143, 144 and 145 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 timber structure.

Background Papers

1 07/08560/OUT 'Erection of fishing lodge and ancillary store' approved 30 October 2008.

2 11/16077/EXTO 'Extension of time on outline permission 07/08560/OUT (Erection of fishing lodge and ancillary store)' approved 14 February 2012.

3 15/21775/RE M 'Scale, appearance and landscaping (reserved matters in respect of 07/08560/OUT and 11/16077/EXTO) approved 08 May 2015.

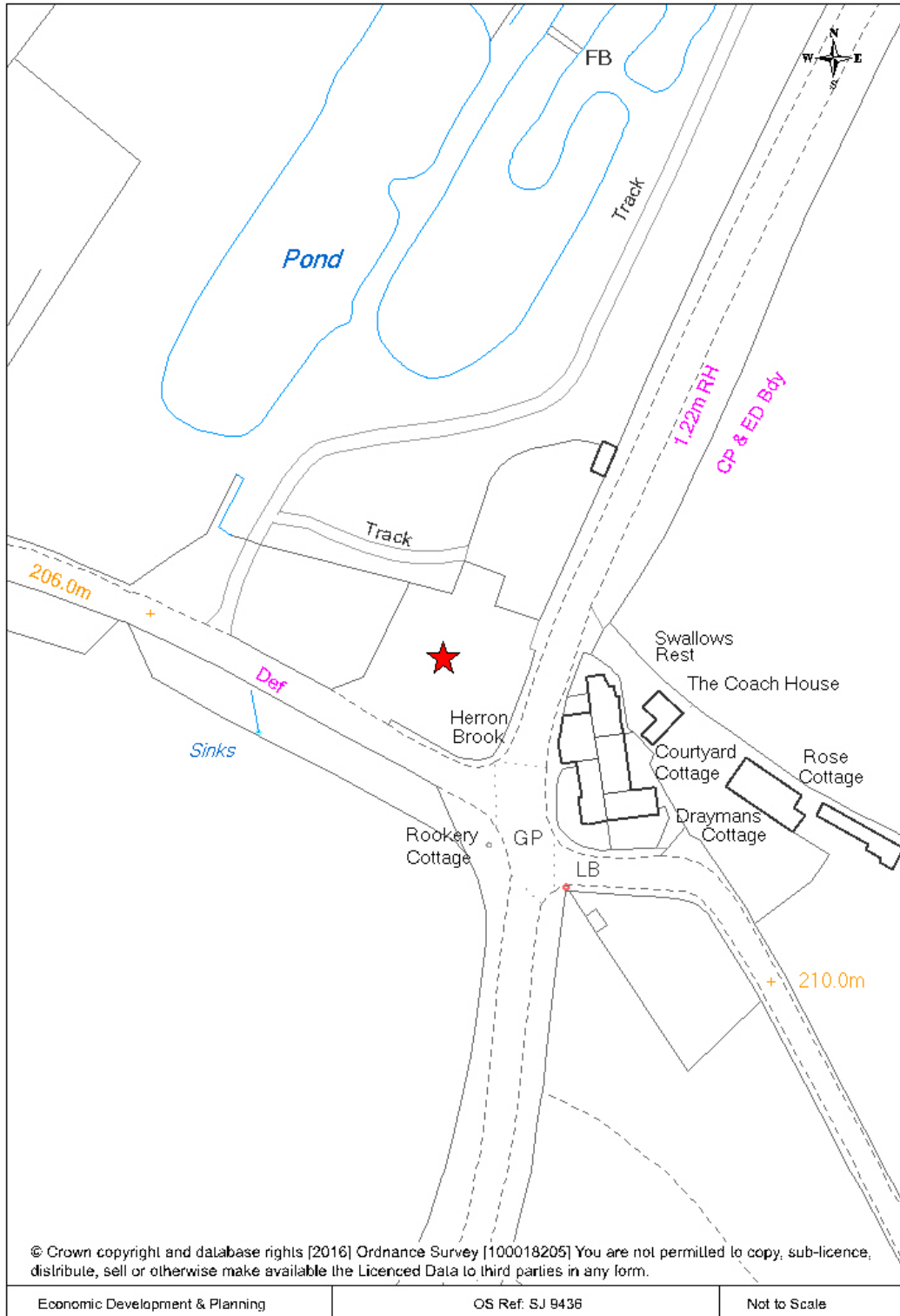
4 WKS2/00142/EN18 - Unauthorised Three Bay Carport - under consideration.

5 WKS3/00259/EN18 - Store room and shelter does not appear to be in accordance with 15/21775/REM - under consideration.

Contact Officer

Mrs Eiryl McCook - Development Lead - Direct No 01785 619732

Land At Former Bird In Hand Carpark
Cresswell Road
Hilderstone
Stone



Appendix Items:-

Quarterly Enforcement Report

ONGOING AUTHORISED ENFORCEMENT CASES				
Reference	Location	Unauthorised Works/Use	Action Authorised	Progress
USE/00065/EN08	Spot Acre, Hilderstone Road, Spot Acre.	Use of land for traveller site.	04 March 2015	Further temporary period approved by planning inspector for a period of 3 years. Occupancy period until 15 November 2019, restore the land a further 3 months.
WKS2/00227/EN16	Little Haywood General Stores, Main Rd, Little Haywood.	Railings	05 October 2016	Failure to comply with enforcement notice, Court action instigated, first hearing 22 October 2018.
COND2/00257/EN15	Cold Norton, Norton Bridge, Stone	Non compliance with landscaping scheme	26th October 2017	Failure to comply with Breach of Conditions Notice, Court action instigated, defendant pleaded guilty. Penalty imposed. Works still to be undertaken.
COND2/00257/EN15	Cold Norton, Norton Bridge, Stone	Non compliance with road treatments	1st August 2018	Breach of Condition Notice Served. Compliance by 30th November 2018.
COND2/00360/EN16	Church View Seighford	Drive	06 December 2017	Enforcement Notice served, compliance by 28 July 2018. Appeal received by planning inspectorate awaiting decision.
WKS2/00380/EN16	The Old Stores, Newport Rd, Woodseaves	Drive, wall, gates and patio.	06 December 2017	Owner not in country currently, legal in discussions with owners legal representative.
COND/00277/EN16	The Stables, Outwoods Bank, Outwoods.	Siting of a mobile home for use during stable conversion.	03 January 2018	Enforcement notice served, appeal received.
COND2/00424/EN16	Former Methodist Church, Garshall Green.	Unauthorised conservatory.	03 January 2018	Conservatory removed, owner advised to remove dwarf wall. Close Case
WKS3/00224/EN17	Eago, The Island, Stafford	Container	18 April 2018	Planning application not validated therefore returned. RFI served. Draft Enforcement Notice compiled by legal.
ADV/00065/EN18	Former Police Headquarters, Weeping Cross, Stafford	Signage	18 April 2018	Signage still in situ. Developers have been advised that signage is unauthorised. Statement to be prepared for Legal.
WKS2/00048/EN17	92 St Georges Parkway, Stafford	Container	30 May 2018	Planning application refused. Appeal received.
COND2/00387/EN16	Taylor Wimpey, Blenheim Manor, New Rd, Hixon	Acoustic Bund/Fence	Delegated	Complied with Breach of Conditions Notice . NFA
USE/00311/EN17	Grove Hill Farm, Adbaston.	Caravan and other vehicles being stored on land	15 August 2018	RFI Served awaiting response.
COND/00083/EN18	Woodland View Cottage, Ranton	Menage	15 August 2018	RFI returned. Enforcement notice being drafted.