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, 25 July 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. Wells
Head of Law and Administration
AGENDA

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. 245 due to be published on 3 August 2018

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5 Planning Applications 3 - 43
6 Planning Appeals 44 - 57

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 Applications

Report of Head of Development

Purpose of Report

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

<table>
<thead>
<tr>
<th>Application Number</th>
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<td>17/27766/FUL</td>
<td>Land to the north, The Burgage, Eccleshall</td>
<td>5 - 25</td>
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<td>This application was called in by Councillor</td>
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<td>P W Jones</td>
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<td>Officer Contact -Richard Wood, Development Lead</td>
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<td>(Large Scale) - Telephone 01785 619324</td>
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<tr>
<td>18/28283/HOU</td>
<td>Stone Cottage, Weston Lane, Bowers</td>
<td>26 - 31</td>
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<td>Officer Contact -Sarah Poxon, Development Lead</td>
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<td>(Small Scale) - Telephone 01785 619507</td>
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<td>18/28666/HOU</td>
<td>64 High Street, Eccleshall</td>
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<td>18/28606/COU</td>
<td>The Saltings, Baswich Lane, Stafford</td>
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<td>This matter is referred to the Committee as</td>
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<td>Stafford Borough Council is the applicant</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.
**Application** 17/27766/FUL  
**Case Officer:** Ed Handley

**Date Registered** 19 January 2018  
**Target Decision Date** 20 April 2018

**Address**  
Land to the north of,  
The Burgage,  
Eccleshall  
Ward  
Eccleshall  
Parish  
Eccleshall

**Proposal** Residential development comprising 24 two bedroom, four person houses

**Applicant** Wrekin Housing Trust

**Recommendation** Approve, subject to conditions and to the applicant first entering into a s106 agreement

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**REASON FOR REFERRAL TO COMMITTEE**

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

- Highway issues – increase in traffic at an already congested junction; and
- Details of a register of local interest needed

**Context**

The application site is roughly rectangular and has an area of 0.49 hectares and is situated to the north of The Burgage at the north of Eccleshall; north of the site is a sewage works. The boundary of Eccleshall Conservation Area is 85m to the south of the site, separated by a development of two and three storey blocks of flats forming The Burgage. The site is within the settlement boundary for Eccleshall and is within the area covered by the Eccleshall Neighbourhood Plan (ENP).

This application is for 24 two storey dwellings with pitched roofs, each with two bedrooms. Whilst the floor plan of each dwelling would be the same there would be two pairs of semi-detached dwellings and five rows of four; some would have front-facing gables.

It is proposed that the dwellings would be sited around a broadly ‘H’ shaped cul-de-sac which extends to the northern boundary.

All 24 of the dwellings would be affordable dwellings.

The scheme would involve extending the cul-de-sac The Burgage directly north of its junction with Stone Road to serve the additional 24 dwellings.
The site is a green field site which was not in any apparent use at the time of the Officer’s site visit; it is bound by a mixture of close boarded fences, hedges, and post and wire fences, depending on the adjacent land uses. Ground levels rise west to east and from north to south.

Officer Assessment - Key Considerations

1. Principle of development

   The overarching policy consideration is the presumption in favour of sustainable development (SP1) which re-iterates the NPPF requirement that permission should be granted for development unless “any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or specific policies in the Framework indicate that development should be restricted”.

   Of the minimum 10,000 dwellings required to be delivered in the Borough during the plan period, 12% are proposed for Key Service Villages, of which Eccleshall is one, in accordance with SP3 and SP4.

   Although the application site also includes a small area outside of the settlement boundary which includes access to a pumping station wet well, all of the proposed residential development (dwellings and their curtilages) would be within the settlement boundary for Eccleshall as defined in The Plan for Stafford Borough Part 2.

   The ENP provides for new housing development within the settlement boundary which is supported by Policy 1.

   Policy 2 states that new housing developments should seek to provide a mix of market and affordable houses. Whilst this policy provides support for the provision of 3 bedroom dwellings and 2 bedroom bungalows within housing developments it does not preclude other types of development, nor does it specify that any specific quota of development should be of these types.

   The principle of development is, therefore, considered to be acceptable subject to other material considerations being satisfied.

   Polices and Guidance:-

   National Planning Policy Framework - paragraphs 9, 14, 17, 47, and 50

   The Plan for Stafford Borough - SP1 Presumption in Favour of Sustainable Development, SP2 Stafford Borough Housing and Employment Requirements, SP3 Sustainable Settlement Hierarchy, SP4 Stafford Borough Housing Growth Distribution, SP7 Supporting the Location of New Development

   The Plan for Stafford Borough Part 2 - Policy SB1 Settlement Boundaries

   Eccleshall Neighbourhood Plan - Policies 1 Housing Development, 2 Housing Types
2. Character and appearance

Policy C2 requires that new housing development provides an appropriate mix of dwelling types, tenures, and sizes. The proposal includes 24 dwellings, all of which would be two-bedroom units and almost identical in appearance. The Health and Housing Officer states that there is an annual shortfall in general needs affordable accommodation; this proposal would assist in reducing the identified shortfall.

Policy 2 of the ENP requires that new housing developments seek to provide a mix of market and affordable housing. It is considered that this policy seeks to ensure that new development provides an appropriate proportion of affordable housing; the Health and Housing Officer supports the proposed arrangement.

The site forms part of a larger field which rises approximately 1.8m from west to east along the southern boundary and approximately 1.5-2.0m from the northern extent of the site to the southern boundary. Levels continue to fall to the north and the surrounding open countryside is undulating in nature. The boundaries comprise hedges, post and wire fences, and some short lengths of close-boarded fences.

The surrounding development is generally set out in a linear form with some being staggered in relation to the adjacent properties. The character of the area is derived from these brick and tile buildings.

The proposal would broadly follow the pattern of development of The Burgage. It is considered that the scale of the buildings proposed is a considered expression of the flats and terraced rows which form The Burgage. The Design Advisor states that the scheme reflects the existing urban grain and structure of the immediately adjacent built environment.

Whilst the proposed dwellings would be of the same size and shape there is some level of variation in the design of the roofs and porches where some dwellings would have front-facing gables. It is considered that the scheme is generally underwhelming with regard to the diversity of the design, however it is acknowledged that affordable housing providers have a favoured unit type which is manageable in the long term. Given that there is a significant shortfall in affordable accommodation within the Borough it is considered that the design is acceptable.

It is considered that the following proposed materials are acceptable:
- Brickwork: Ibstock Ormonde Antique Blend brick;
- Detailing: Ibstock Grampian Red;
- Tiles: Wienerberger Calderdale Traditional Concrete.

The gardens to plots 12, 13, 16, 17, and 22 would have an area of less than 50sqm (excluding the private pedestrian access which can not be considered to constitute amenity space). However, it is acknowledged that some occupiers of affordable housing would not require significant garden space and it is therefore considered that adequate garden space would be provided across the site.
The presence of a significant number of private alleyways may result in opportunities for criminal and anti-social behaviour given their secluded nature and poor visibility; in line with the recommendations of the Police Design Advisor it is considered that an informative should be attached to any approval highlighting the benefits of Secured by Design accreditation.

Following amendments made to the layout of the scheme the parking provision for plots 1-8 would form the majority of the frontage, similar to those at plots 11-18. Whilst this would result in the near domination of frontages by tarmac some soft landscaping would be present at corner plots. It is not considered that this lack of soft landscaping would justify the refusal of this application. However, although the Council’s Biodiversity and Ecology Officer is generally accepting of the landscaping scheme outlined on the proposed site plan, improvements are requested. It is considered that a condition should be attached to any approval to secure additional tree planting (of appropriate species), and hedgerow planting along the northern boundary. These additions to the proposed landscaping scheme would soften the overall appearance of the scheme whilst providing additional ecological gain within the development.

Furthermore, the Council’s SPD requires that paved driveways should be kept to a minimum and permeable surfaces should be used. A condition could be attached to any approval to ensure that a permeable surface is used for any parking provision.

With regard to Policy 5 of the ENP the site is 85m north of the Eccleshall Conservation Area, and is not in the vicinity of any heritage assets; therefore it is not considered that the scheme would result in any harm to the historic environment.

Policies and Guidance:-

National Planning Policy Framework – paragraphs 56, 57, 58, 59, 60, 61 and 64

The Plan for Stafford Borough - Policies N1 Design, N8 Landscape Character

Design Supplementary Planning Guidance (SPD) 2018

Eccleshall Neighbourhood Plan - Policies 2 Housing Types, 5 Historic Environment

3. Residential amenity

The proposed scheme would meet the guidelines set out in section 6 of the Council’s Design SPD with regard to separation distances and privacy.

Internally the separation distances between dwellings are considered to be acceptable.

Within the development there would be no instances where a principal window would look onto an elevation without principal windows at a distance of less than 12m. With regard to privacy and separation, the proposed layout is considered to be acceptable. The layout would meet the recommendations of guideline 1 of the Council’s SPD.

Plots 12, 13, 16, 17, and 22 would have gardens measuring less than the 50sqm set out in guideline 3 of the Council’s SPD. Whilst privacy would not be a concern it is considered
that the small garden sizes would result in a number of plots with limited amenity space, it is considered that this is a result of the constrained size of the site.

Should the application be approved permitted development rights should be removed, by condition, in regard to extensions and outbuildings to ensure that the small garden areas are not further reduced without due consideration.

The site is within 100m of an existing sewage treatment works and, therefore, the proposal is supported by an odour assessment by Air Quality Consultants Ltd, dated 26 February 2018. This report concludes that the sewage treatment plant would have a negligible impact on the proposed development. The Pollution Control Officer accepts the findings of the report and therefore it is not considered that the works would result in an unacceptable level of amenity for the potential future occupiers of any dwellings on this site.

The application is also supported by a Geoenvironmental Risk Assessment (phase 1) by Strategic Team Group, dated October 2017. This report strongly recommends that an intrusive ground investigation is carried out. The Environmental Health Officer accepts the findings of this report and recommends a condition to secure an intrusive ground investigation and report to include remediation options where necessary to be carried out prior to the commencement of development and thereafter implemented in full.

Further to this, the Environmental Health Officer raises no objection to the scheme, subject to a number of conditions. It is considered that conditions should be attached to any approval to secure the following:
- A construction management plan detailing noise, vibration, dust control, and lighting mitigation measures during construction;
- Restriction of hours of works and associated deliveries;
- Any equipment to be left running outside of allowed working hours to be inaudible at the boundary of adjacent residential properties; and
- No burning on site during development.

Other recommended conditions are considered to either be covered by the requested construction management plan or are more effectively controlled under separate Environmental Health legislation.

The Police Design Advisor makes a number of recommendations in order to ensure that the development is safe, secure, and crime resistant. It is considered that an informative should be attached to any approval to bring these matters to the attention of the applicant.

Policies and Guidance:-

The Plan for Stafford Borough - Policies N1 Design

Design Supplementary Planning Guidance (SPD) 2018

4. Access and parking

The development would be accessed from The Burgage, by extending the road to the north into the application site; The Burgage is a cul-de-sac with a junction onto Stone
Road (B5026) to the south. It is proposed that off site highways works are carried out to improve safety at this junction; these would comprise enlarged visibility splays through vegetation works and additional signage - both post mounted and road markings.

The proposal comprises a development of 24 two-bedroom dwellings accessed from an extension of The Burgage leading from Stone Road (B5026). Each would have two bedrooms.

Local Plan parking standards require two parking spaces for each detached or semi-detached dwelling with up to (and including) three bedrooms; and for other forms of dwellings with up to two bedrooms, there would be a requirement of one space per dwelling plus one space per four dwellings for visitors.

There would be four semi-detached properties which would require a total of eight parking spaces and 20 terraced properties which would require a total of 25 parking spaces (one per dwelling and five for visitors). The overall parking requirement for the development would, therefore, be 33.

It is proposed that 34 parking spaces would be provided, one more than the requirement outlined in the parking standards within The Plan for Stafford Borough.

Policy 3 of the ENP requires that applications for major schemes identify the realistic level of traffic that they are likely to generate, assess the potential impact of additional traffic, and include measures to mitigate harm. Furthermore, opportunities to walk and cycle should be promoted and the linking of new and existing pedestrian and cycle routes to green spaces will be supported. The application is supported by a Transport Statement which predicts in the range of 13-14 two way trips during the AM and PM peak hours (8.00 - 9.00 and 17.00 - 18.00) and concludes that the proposal would not result in any perceivable increase in traffic to the day to day fluctuations on the wider highway network and would, therefore, not result in any material impact. Notwithstanding this, improvements are proposed at the junction of Stone Road (B5026) and The Burgage in order to provide a new footway and improvements to visibility. On the basis of the Highway Authority raising no objection it is considered that the application contains adequate detail in the assessment of potential impacts and proposed mitigation measures. The proposal is, therefore, considered to be in accordance with Policy 3 of the ENP.

The Highway Authority raise no objection to the proposal, subject to a number of conditions which are considered to be reasonable and should, therefore, be attached to any approval.

An informative should be attached to any approval to highlight the requirement for further approval from Staffordshire County Council with regard to highway works.

Policies and Guidance:

National Planning Policy Framework - paragraph 39

The Plan for Stafford Borough - Policies T1 Transport, T2 Parking and Manoeuvring Facilities, Parking Standards Guidance
Design Supplementary Planning Guidance (SPD) 2018

Eccleshall Neighbourhood Plan - Policy 3 Traffic and Parking

5. Other

The application is supported by an Extended Phase 1 Habitat Survey which concludes that the proposal would result in potential habitat loss for amphibians, badgers, bats, birds, hedgehogs, brown hares, invertebrates, and reptiles; however it states that habitat loss would be limited in extent and would be unlikely to result in any impacts to the conservation status of any local populations. The report makes a number of recommendations which the Biodiversity and Ecology Officer recommends are secured by condition. It is considered appropriate and reasonable to attach the conditions recommended by the Biodiversity and Ecology Officer in order to ensure that there is no damage or harm to legally protected species and that the proposal secures ecological enhancement where possible.

The Council’s Tree Officer raises no objection to the proposal on the basis that it would not result in the loss of, or undue harm to, and arboricultural asset of significant value.

The application site is outside of any defined flood zones and there are no recorded flooding hotspots in the immediate vicinity. The River Sow runs to the north of the site and there are land drains running to the river to the west of the site.

It is proposed that foul and surface water drainage would be connected to the mains sewer.

The Local Flood Authority confirm that the amended Drainage Strategy and Flood Risk Assessment has been amended to address earlier concerns and is sufficient to demonstrate that an acceptable drainage design can be achieved within the proposed development. No objection is raised, subject to a condition to secure a detailed surface water drainage design in order to reduce any risk of surface water flooding to the development and properties downstream. It is considered appropriate to attach such a condition to any approval.

Policies and Guidance:-

National Planning Policy Framework - Sections 4 and 11

The Plan for Stafford Borough - Policies N4 The Natural Environment and Green Infrastructure, T1 Transport

6. Planning obligations

The scheme comprises 24 dwellings.

Policy C7 requires that new housing development contributes to the provision of public open space and seeks such provision within development sites. The scheme does not involve any on-site provision. There is a deficiency in the quality and quantity of play facilities and sports and recreation provision in the area. Given the nature of the proposed development the Sport and Outdoor Leisure Policy Officer requests off-site provision,
involving a contribution of £21,973.76 and an off-site maintenance contribution of £2,857.32 to be directed towards a site within Eccleshall.

Policy C2 requires that 40% of the new dwellings be affordable given that the site is within Eccleshall and would result in over 12 new residential units. The Health and Housing Officer states that there is an annual shortfall of 210 affordable dwellings in the Borough and that, as the applicant confirms that 100% of the dwellings would be affordable, this development would assist in reducing that shortfall; in particular there is currently an undersupply of one and two-bedroom units and an oversupply of three-bedroom units.

The Health and Housing Officer continues to state that affordable housing should be provided at a ratio of 80% social rent and 20% intermediate affordable housing; however given that the scheme would comprise 100% affordable housing any tenure mix can be agreed through an s106 agreement.

A financial contribution would, also, be required in regard to educational facilities as the scheme would involve ten or more dwellings. The County Schools Organisation state that a development of this size and mix would be expected to add 5 primary school aged pupils. Given that the primary school within whose catchment area the site falls is projected to have insufficient space to accommodate the likely demand from pupils generated by the development, a contribution for 5 primary places is requested - £55,155 (5 x £11,031). This would be used towards the expansion of the local primary school. Contributions to secondary education would not be sought from this site.

Policies and Guidance:-

National Planning Policy Framework - paragraphs 203, 204, 205, and 206

The Plan for Stafford Borough - Policies C2 Affordable Housing, C7 Open Space, Sport and Recreation, N6 Cannock Chase Special Area of Conservation (SAC), I1 Infrastructure Delivery Policy

7. Conclusion

Given the benefits arising from the provision of a 100% affordable development it is considered that the design of the scheme is acceptable on balance. Following amendments being made to the scheme a number of technical objections have been removed, in regard to highways concerns, surface water flooding, and design.

It is not considered that the proposal would result in undue harm to the character and appearance of the area, whilst appropriate conditions would ensure that the development is acceptable with regard to its wider impact.

The application should be approved, subject to conditions and the completion of a s106 agreement.
Consultations

Highway Authority:
(Comments dated 26 June 2018):
No objection to securing the off-site traffic management scheme through a post-commencement (pre-occupation) condition.
(Comments dated 29 May 2018):
The parking provided is the minimum required to meet the Borough Council’s guidelines for this type and size of development. No objection, subject to conditions to secure the following:
- Approval of additional information:
  - Road and footpath construction;
  - Surfacing and surface water drainage of parking bays;
  - Means of surface water drainage; and
  - Street lighting provision;
- Provision of access, parking, servicing, and turning areas;
- Provision of footpath widening/extension;
- Provision of visibility splays;
- Off-site traffic management scheme; and
- Construction method statement.
(Comments dated 12 March 2018):
The application should be refused for the following reasons:
- The traffic generated by the proposed development would be likely to result in an increase in highway danger owing to increased use of the existing access which affords restricted visibility for drivers emerging from the access; and
- The proposed development fails to make adequate provision for the parking of vehicles within the site curtilage resulting in an increase in the likelihood of highway danger due to the likelihood of vehicles being parked on the public highway.
It is considered that the visibility splays to the east onto Stone Road are incorrectly measured and are below the guidelines in Manual for Streets.

Design Advisor:
Whilst the layout of the scheme appears to adequately reflect the existing urban grain and structure of the immediately adjacent built environment as well as providing a rational linkage point for any future expansion to the north, there are a number of finer grained aspects of the scheme that unfortunately exert too much of a sense of the banal and mediocre for this scheme to be fully supported. Given the relative diversity and richness of the character and quality of the wider townscape (not the immediate local context), and the high quality landscape setting of this site, the overall impression of this scheme is that it is a lost opportunity to deliver a scheme of a much higher design quality that would far more convincingly improve the quality and character of the immediate context.
As it currently stands, this proposal is considered to represent a relatively low quality of development. The principle issues that are considered to be acting together to create this negative impression include:
- Achieving an appropriate balance between design consistency/cohesion and variety is sometimes a difficult balance to strike, but with every unit essentially being identical this proposal almost completely lacks diversity in the design of the houses, and this
substantively contributes to the mono-cultural and relatively banal appearance of the scheme;
- This sense is further exacerbated by the frontages and areas of public realm within the layout being almost entirely dominated by tarmac, and aligned with this is an almost complete lack of soft landscape within the street scenes.
- Footpaths to both sides of the carriageways appear as an unnecessarily over-engineered solution and one would question whether a single footpath would be sufficient and any area gained being given over to soft landscaped public realm.

I would also question the necessity and rationale for units 17 and 18 and 21 to be set forward of the prevalent building lines. This does not appear to bring any substantive benefit to the scheme and, in the case of units 17 and 18, is considered to introduce an awkward and unnecessary visual stop between this development and the building line of the existing properties facing The Burgage.

**Environmental Health Officer:**

**Odour**
The odour report is accepted and there are no further comments with regard to the risk of odours at the site.

**Ground Investigation**
There should be an intrusive ground investigation and report including remediation options (if shown to be necessary) as outlined in the ground investigation report.

**Other**
No objection, subject to conditions to secure the following:
- A construction management plan should be submitted to and approved by the Council detailing noise, vibration, dust control, and lighting mitigation measures during construction;
- Restriction of hours of works and associated deliveries;
- No burning on site during development;
- Removal and proper disposal of all demolition materials;
- Damping down facilities;
- High intensity lighting during works to be directed away from nearby residences;
- Provision of sufficient refuse and recycling bin storage facilities which are easily accessible by the collection services;
- Provision of adequate surface and foul water drainage which would not adversely impact on any existing systems;
- Foul drainage to be to the main public sewer unless it can be demonstrated that such a connection is not feasible taking into account cost and/or practicability. Where such connection is not feasible a filtered package sewage treatment plant shall be provided in accordance with details to first be approved;
- Sufficient potable water to be supplied if there is no mains connection; and
- Only inaudible (at the boundary of adjacent residential properties) equipment to be left running outside of allowed working hours.

**Health and Housing Officer:**

(Comments dated 23 March 2018):
- Proposal is acceptable.

(Comments dated 16 February 2018):
- The Strategic Housing Market Assessment identified that Stafford Borough has an annual affordable housing shortfall of 210 dwellings; an annual shortfall in general
needs accommodation of 154 units and a shortfall of 55 for older person’s accommodation. This development would help to reduce the housing shortfall.

- Council Policy suggests that affordable housing should be provided at a ratio of 80% social rent and 20% intermediate affordable housing. As this scheme is 100% affordable we will work with the Registered Provider to agree the tenure mix.
- There is an undersupply of 1 and 2 bedroom homes and an oversupply of 3 bedroom homes. A mix of these required properties would be expected on site.
- It is recommended that sites provide a mix of bedroom numbers and property sizes to accommodate more than the minimum persons.
- It is preferred that any one bedroom accommodation contain a minimum of three habitable rooms, particularly in units designed for older people that are not part of flexi-care style schemes.
- Where two or more bedroom affordable homes are intended for rent it is recommended that these are not delivered as part of flat/apartment schemes as such properties are unaffordable for single people or couples on benefits and are not favoured by Registered Providers as being the best environment for families with young children.
- The affordable housing on this development should provide a mix of properties to meet the identified needs of residents and must meet the identified design standards.

Sport and Outdoor Leisure Policy Officer:
- Within the catchment areas surrounding this development there is a deficiency in the quality and quantity of play facilities along with a deficiency in sporting and recreation provision for all ages.
- Amenity open space in this area falls short of national guidelines and are in need of refurbishment.
- Sports pitch provision and built associated facilities within the area fall short of national standards as identified within the Open Space, Sport and Recreation Facilities Strategy 2009 Assessment and are in need of refurbishment to address significant quality deficiencies. This has been supported by the draft revised 2013 assessment and the Sport and Recreation Investment Strategy 2017.
- The NPPF supports the Council policy by ensuring that all developments are designed to be sustainable both in the now and in the future. The Council’s policy reflects this by ensuring that new developments contribute to enhancing or providing green space.
- Due to the size of this development the Council is reasonably entitled to request a quantitative provision of 30.81sqm per person of open space provision under its current policy. Given the nature of the development it is in keeping with the Council’s policy to seek full off site contribution.
- A development of 24 units would result in a contribution of £21,973.76 and an offsite maintenance contribution of £2,857.32. We would seek a monetary contribution to be directed towards a site within Eccleshall.
- Due to the size of the development the Council will not be seeking a sport contribution.
- Sport and Outdoor Leisure will not be seeking the adoption of any footpath or cycleway and associated infrastructure unless it forms part of the public open space and is not a through route as part of the highway.
- All planting undertaken should be done to give the development a distinctive feel and should not be generic. All planting should be able to withstand periods of drought and require minimal watering. All trees should be native to the UK and Sycamore should not be planted under any circumstances.
- Where trees are planted adjacent to footpaths or hardstanding they should be planted in tree pits and linear pavement protection should be installed.

**Schools Organisation:**
A development of this size and mix would be expected to add 5 primary school aged pupils. The primary school (Bishop Lonsdale CoE) within whose catchment area the development falls is projected to have insufficient space to accommodate the likely demand from pupils generated by the development. Therefore a contribution for 5 primary places is requested - £55,155 (5 x £11,031) - which would be used towards the expansion of the local primary school.
We would not seek a request for secondary education contributions from this site.
For a development of this size we would seek payment of the primary education contribution on commencement of the development.

**Biodiversity and Ecology Officer:**
(Comments dated 4 July 2018):
*Landscaping*
- The positioning of garden trees is sparse and there should be room to increase the number of trees on site;
- Species of proposed trees should be provided;
- It would be preferable for the northern boundary of the site to be native hedgerow rather than fencing as it would better suit the landscape and soften the impact of the proposed development whilst providing a gain with regard to biodiversity.

(Comments dated 14 February 2018):
No objection, subject to conditions. Ecus undertook an Extended Phase 1 Habitat Survey during December 2017; the surveys did not find evidence of protected species within the site.

*Bats*
It is recommended that Schwegler 1FR Bat Tubes are installed within selected buildings on site. This should preferably be under gables, a minimum of 3m high and situated on western/southern facing aspects, as directed by the ecologist.
External lighting should be designed to avoid light spill on boundary hedgerows.

*Hares*
Precautionary measures for brown hare should be undertaken as stated within the report.

*Hedgehogs*
Precautionary measures for hedgehogs should be undertaken as stated.
To facilitate movement of hedgehogs across the site without the risk of crossing roads, gaps should be left under sections of garden and boundary fencing.

*Nesting birds*
Vegetation clearance works should not be undertaken in the nesting season (March to August) unless it can be demonstrated that breeding birds will not be affected.
In this instance it is not considered that a breeding bird survey would reveal any significant information; if the survey did find evidence of Skylark it would only conclude that the large amount of greenfield land in the vicinity would enable it to continue breeding nearby and no new mitigation would be forthcoming.
Five Schwegler woodcrete bird boxes should be installed in approved locations as directed by the ecologist.

*Badgers*
Prior to the commencement of work a site check for badger should be undertaken. Any excavations left open overnight should be provided with a means of escape.
Habitats
Boundary hedgerows and grassland should be retained and managed for biodiversity interest. A simple environmental management plan should be submitted that includes a methodology to carry this out. The plan should include locations for bird/bat boxes.

Tree Officer:
No objection.
The proposal would not result in the loss of, or detriment to, and arboricultural asset of significant value.

Lead Local Flood Authority:
(Comments dated 25 June 2018):
- The Drainage Strategy and FRA have been amended to address our previous comments and is now sufficient to demonstrate that an acceptable drainage design can be achieved within the proposed development. A condition should be attached to any approval to secure a detailed design.

(Comments dated 22 May 2018):
- Although the Drainage Strategy and FRA have been updated to include permeable paving for parking spaces this has not been updated on the drawings;
- No development enquiry response from Severn Trent appears to be included to confirm the agreed point and rate of discharge to the public surface water sewer;
- The issues in my previous comments have, therefore, not been resolved.
- Clarification is required of the drainage plan to include pipe numbers corresponding with the microdrainage calculations, and of the Flood Flow Route Plan.

(Comments dated 16 February 2018):
Objection.
The site is in flood zone 1 and not within the 1 in 100 year surface water flood map extent; there are no flooding hotspots within 20m of the site or watercourses within 5m of the site. The application should not be approved until the following concerns have been adequately addressed:
- The application documents do not demonstrate an acceptable Sustainable Drainage Strategy in accordance with the non-statutory technical standards for SuDS (DEFRA 2015) and good practice guidance;
  - The proposed drainage does not include adequate water quality treatment. There may be scope to include open swales and permeable paving for example.
  - A developer enquiry response from Severn Trent should be obtained to confirm an agree point of connection to the public surface water sewer, and capacity for the proposed rate of discharge.

Sow and Penk Drainage Board:
- The applicant should ensure that any existing or proposed surface water discharge system has adequate capacity for any increase in surface water runoff to the area;
- The IDB have no objection in principle (surface water being directed to a mains sewer), providing that the Water Authority are satisfied that the existing system would accept the additional flow;
- No obstructions within 9m of the edge of a watercourse are permitted without consent from the IDB;
- Should consent be required from the IDB as described then we would advise that this should be made a condition on any approval.
County Historic Environment Advisor:
No objection.
Whilst there is a degree of historic environment interest on this site, taking into account the small scale nature of the works I would raise no concerns regarding this proposal.

Staffordshire Police Crime Prevention Design Advisor:
- In order to prevent crime and reduce the fear of crime it is recommended that this development attains Police Secured by Design (SBD) accreditation.
- All rear gardens should be secured with a robust fence or wall, without footholds, to a minimum height of 2m or 1.8m with trellis;
- Some of the proposed alleyways are very long and narrow making them very dark at night; an offender could hide in such a place to commit crime, confront or harass people, or to generate anti-social behaviour. In order to reduce the chance of these offences, gates should be fitted with mortice locks and lighting should be installed to prevent unauthorised access.

Eccleshall Parish Council:
(Comments dated 17 May 2018):
Objection. Further to previous comments the Parish Council raise the following points:
- Concerns regarding ongoing lack of commitment from the developer to incorporate robust traffic calming measures;
- The markings and signage are already in place and visibility in clearly below requirements;
- The comments of the Design Advisor are endorsed regarding the poor design standard.
(Comments dated 8 March 2018):
No additional objection in regard to the amended red edged application site.
(Comments dated 8 February 2018):
Objection.
The application is within the settlement boundary and, as such, the Parish are broadly in favour of development on this site.
However, the Parish wishes to object to this proposal for the following reasons:
- Essential highway improvements should be incorporated within the scheme including a pedestrian crossing;
- Provision of sewer infrastructure and mitigating odour prevention details due to the proximity of the sewage plant;
- A register of local interest should be created; housing should be offered to Stafford Borough residents and residents of Eccleshall parish area in particular;
- Public transport in Eccleshall is poor due to removal of subsidised bus services;
- Wrekin Housing should commit to supporting local needs as identified by SBC Sport and Leisure;
- Small garden space;
- Inadequate parking provision. One space per dwelling is insufficient; and
- A suitable construction statement should be submitted.
Neighbours:
(37 consulted):
One representation received in support, raising the following points:
- The proposed footway to the east of the Burgage entrance would significantly improve visibility to the west; and
- A footway on the north side would significantly improve pedestrian safety.
One further representation received, neither in support nor objection, raising the following point:
- Improvements to the junction of The Burgage and Stone Road should be considered.
Twenty representations received in objection, including two each from six households, raising the following points:
- No commitment to a s106 agreement to provide facilities and infrastructure;
- Eccleshall has met its allocated of social housing as set out in the SBC strategic housing plan;
- Increased pressure on local services;
- No variation between dwellings;
- No three-bed dwelling;
- Housing density is too great;
- Dwellings are too small;
- Some gardens are too small;
- Would change the demographic of the area;
- Harm to character of countryside;
- Potential loss of trees;
- Harm to biodiversity;
- Harm to protected species;
- Harm to character of Eccleshall;
- Loss of daylight;
- Resultant subsidence;
- Noise during construction;
- Air pollution from additional traffic;
- Danger to users of the highway due to inadequate access point;
- Further traffic calming measures are required;
- Public transport is limited;
- Inadequate parking provision;
- Turning facilities are inadequate;
- Flooding of area and increased future risk;
- Inadequate detail in regard to drainage strategy and SuDS;
- No provision of play area;
- No consideration of right of access over field;
- No requirement for such properties;
- Future pressures to operate these as houses in multiple occupation;
- Houses should be made available to Eccleshall residents;
- Provision of space for the storage of refuse bins should be made; and
- Foul drainage is at capacity.

Relevant Planning History
None.
Recommendation
Approve, subject to the following conditions and the applicant first entering into a Section 106 agreement:

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:-

M4188.PL.L1 B
M4188 PL 10
M4188 PL 11
M4188 PL 12
M4188 PL 13
M4188 PL 14
M4188 PL 15
M4188 PL 16
17134/GA/01 B
29298-620 P3
SSL:18279A:200:1:1

3. Details of all hard and soft landscaping (to include all means of enclosure and planting specification) shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be implemented prior to the first occupation of any dwelling. 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.

4. The landscaping plan submitted in pursuance of condition 3 shall be broadly in accordance with drawing M4188 PL 10 and shall include a native species hedgerow to the northern boundary of the site and additional tree planting throughout.

5. No development hereby approved shall be commenced unless and until full details of the following have been submitted to and approved in writing by the Local Planning Authority:
   - Road and footway construction, including all surfacing materials;
   - Surface water drainage of individual parking bays;
   - Means of surface water drainage; and
   - Street lighting provision.
No dwelling shall be occupied unless and until the development has been completed in accordance with the approved details.
6. The development shall not be brought into use unless and until the access, parking, servicing, and turning areas have been provided in accordance with the approved plans.

7. No development shall commence unless and until the footpath widening/extension has been provided on the north side of the B5026 (Stone Road) to the east of its junction with The Burgage in accordance with drawing 17134/GA/01 revision B.

8. No dwelling shall be occupied unless and until visibility splays have been provided in complete accordance with drawing 17134/GA/01 revision B. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600mm above the adjacent carriageway level.

9. No dwelling shall be occupied unless and until off-site traffic management scheme comprising speed reducing measures has been provided in accordance with drawing 17134/GA/01.

10. No development shall commence unless and until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for the following and shall be adhered to throughout development:
   - Site compound with associated temporary buildings;
   - Routing of construction vehicles to and from the site;
   - Removal of demolition materials from the site;
   - Parking of vehicles of site operatives and visitors;
   - Loading and unloading of plant and machinery;
   - Storage of plant and materials used in construction; and
   - Measures to prevent the deposition of deleterious material on the highway, to include wheel wash facilities.

11. All works shall be in accordance with the provisions and recommendations of the ecological appraisal by Ecus Ltd dated December 2017.

12. Schwegler 1FR bat tubes shall be installed in positions on south or west facing gables as directed by a suitably qualified ecologist.

13. Five Schwegler woodcrete bird boxes shall be installed in appropriate locations within the site as directed by a suitably qualified ecologist.

14. No vegetation clearance works shall be undertaken in the bird nesting season (March to August), unless it can first be demonstrated by the developer that breeding birds will not be affected through the submission of and approval in writing by the Local Planning Authority of a method statement for the protection/avoidance of nesting birds. The development shall thereafter be carried out in accordance with the approved details.

15. All external lighting shall be designed to avoid light spill on boundary hedgerows.
16. The materials to be used in the construction of the external wall(s) and roof(s) of
the building(s) shall be as follows unless otherwise approved in writing by the Local
Planning Authority:
- Ibstock Ormonde Antique Blend brick;
- Ibstock Grampian Red brick (detail); and
- Wienerberger Calderdale Traditional concrete tile.

17. No development shall commence unless and until a detailed surface water
drainage design has been submitted to and approved by the Local Planning
Authority. The design shall be in accordance with the Drainage Strategy and Flood
Risk Assessment (LRD29298, revision 4, June 2018).

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

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

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

21. No development shall commence unless and until an intrusive ground investigation
and report, to include remediation measures where necessary, has been submitted
to and approved in writing by the Local Planning Authority. The development shall
be carried out in complete accordance with the approved report.

22. No development shall commenced unless and until a construction management
plan, to include noise, vibration, dust control, and lighting mitigation measures
during construction, has been submitted to and approved by the Local Planning
Authority. The development shall be carried out in complete accordance with the
approved details.

23. Notwithstanding any detail/description within the application documents no
development shall commence unless and until details of the pumping station wet
well (to include location, design, materials, and specification) have been submitted
to and approved in writing by the Local Planning Authority. The development shall
thereafter be carried out in accordance with the approved details.

24. 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 A - enlargement, improvement or other alteration;
- Schedule 2, Part 1, Class E - buildings etc incidental to the enjoyment of the
dwellinghouse; and
- Schedule 2, Part 1, Class F - hard surfaces incidental to the enjoyment of the
dwellinghouse.

The reasons for the Council’s decision to recommend approval of the development subject
to the conditions listed above are:

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

2. To define the permission.

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

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

5. In order to ensure that the road and footway proposals and related drainage are satisfactory to serve the development and to ensure the safety of all road users thereafter (Policies T1c and N1m and N2 of the Plan for Stafford Borough).

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

11. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 109 of the National Planning Policy Framework).

12. In order to ensure that the development results in a net gain in biodiversity. (Paragraph 109 of the National Planning Policy Framework).

13. In order to ensure that the development results in a net gain in biodiversity. (Paragraph 109 of the National Planning Policy Framework).

14. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 109 of the National Planning Policy Framework).

15. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 109 of the National Planning Policy Framework).
16. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).

17. To ensure the provision of adequate drainage facilities and to prevent the pollution of any adjacent watercourses, wells and aquifers. (Policy N2 of The Plan for Stafford Borough).

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

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

20. To safeguard occupiers of nearby residential properties from nuisance caused by fumes, smoke and smells (Policy N1e of The Plan for Stafford Borough).


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

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

24. In the interests of local amenity (Policy N1 of The Plan for Stafford Borough).

Informative(s)

1 The Local Planning Authority has worked in a positive and proactive manner in dealing with this application and entered into pre-application discussions with the applicant and following the submission of an amended scheme it is considered that the proposal is a sustainable form of development and complies with the provisions of the National Planning Policy Framework.

2 The applicant's attention is drawn to the comments of the Staffordshire Police Crime Prevention Design Advisor, Lead Local Flood Authority, Highway Authority (dated 29 May 2018), and the Sow and Penk Drainage Board. All comments can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).
17/27766/FUL
Land to the North of
The Burgage
Eccleshall
Application 18/28283/HOU  Case Officer Steven Owen

Date Registered 28 March 2018  Target Decision Date 24 May 2018
  Extended To 31 July 2018

Address Stone Cottage  Ward Eccleshall
  Weston Lane
  Bowers
  Stafford
  ST21 6RW

Parish Standon

Proposal Proposed two storey and single storey extension to rear and dormer to side elevation

Applicant Mr D Bunce

Recommendation Approve, subject to conditions;
  And subject to no objections from the Ramblers or the County Rights of Way Officer within the consultation period (30 July 2018)

REASON FOR REFERRAL TO COMMITTEE

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

‘For the committee to consider the massing on site of the proposed new building and also the impact on light and privacy to neighbouring properties.’

Context

Stone Cottage is a two-storey semi-detached dwelling in the rural parish of Standon, which is located outside the residential settlement hierarchy.

The dwelling has been significantly extended in the past. A two-storey extension forming a bedroom and dining area received approval in 1996 (96/32936/HOU). There is also a flat roof extension to the rear of the dwelling. There is no planning history related to this extension.

This proposal involves:

- A part two-storey/part single storey rear extension forming a fourth bedroom, sitting room and kitchen.
- A dormer window to the side elevation

Matching materials will be conditioned to safeguard the character and appearance of the dwelling.
Officer Assessment - Key Considerations

1. Principle of Development

Spatial Principle 3 (SP3) of the Plan for Stafford Borough sets out where the majority of future development will be delivered within the Borough in terms of a Sustainable Settlement Hierarchy which consist of Stafford, Stone and 11 Key Service Village (KSVs).

The property is located in the open countryside and Policy C5 required that in areas outside the settlements identified in SP3, the extension of an existing building should not result in additions of more than 70% of the dwelling as originally built, unless at provision (Cii), the design and appearance of the proposed extension is proportionate to the type and character of the dwelling and the surrounding area.

The original floor area for dwelling measured a maximum of 84.80 square metres. The house has subsequently been extended to include a two storey rear extension and a flat roof single storey extension. These combined additions have added 43.32sqm to the dwelling, or 51.08%.

The proposal would add a further 46.90sqm. This equates to a further 55.31% increase to the original dwelling. The cumulative addition of the existing and proposed extensions therefore equates to a 106.39% increase in the size of the original dwelling.

These additions exceed the 70% limit mentioned in Policy C5 for extensions to dwellings in the open countryside. However, Policy C5 does allow for extensions in excess of 70% when the proposal has a design and appearance which is proportionate to the type and character of the existing dwelling and surrounding area.

This proposal has been specifically designed to ensure that it appears proportionate to the original house as well as the neighbouring property, Meadow-side Cottage. The proposal therefore is not contrary to Policy C5 and is acceptable in principle.

Policies and Guidance:-
National Planning Policy Framework - paragraphs 9, 14, 17
The Plan for Stafford Borough - Policies SP3 Sustainable Settlement Hierarchy, SP7 Supporting the Location of New Development, C5 Residential Proposals outside the Settlement Hierarchy

2. Character and Appearance

Stone Cottage is a two-storey dwelling. It is located within an area of open countryside. The dwelling adjoins onto Meadow-side Cottage.

Both Stone Cottage and Meadow-side Cottage have a shared character and appearance. The original buildings are a mirror of each other. They share architectural features; such as, the front facing gables, and the two-storey rear extensions.

Like Stone Cottage, Meadow-side Cottage has been significantly extended in the past. In 1989 the Local Authority permitted a two-storey extension to the rear of Meadow-side
Cottage (89/23792/FUL). It was established during the site visit that this extension has been built.

When considering an extension, its visual impact upon the immediate area, as well as the main dwelling, must be assessed. It is important to note the surrounding context, and where possible, maintain the existing character.

The proposed two-storey rear extension at Stone Cottage would match the architectural form of the existing dwelling, as well as, Meadow-side Cottage. The two-storey element of the proposal would not project past the two-storey element of the neighbouring extension. The two-storey element of the proposal would also maintain the ridge height and width of the existing extension at Stone Cottage. The ground floor element is also proportionate and does not project beyond the neighbouring ground extension.

It is noted that the original dwelling and the extension to Meadow-side Cottage are of stone, whereas the two storey extension rear of Stone Cottage is in brick. The materials to be used in the proposed extension are brick and tile to match those of the existing extension.

The proposal would successfully integrate into the main dwelling. It would also return some architectural harmony lost after the construction of the neighbouring extensions.

Overall, after considering this proposal, and the neighbouring extensions, it is concluded that this proposal would not adversely harm the character and appearance of the dwelling, or surrounding area.

Policies and Guidance:-
National Planning Policy Framework - paragraphs 56, 57, 58, 59, 60, 61 and 64
The Plan for Stafford Borough - Policies N1 Design, N8 Landscape Character
Supplementary Planning Document (SPD) - Design

3. Amenity

There is a breach of the Council’s amenity guidance detailed inside the Councils Design Supplementary Planning Document (DSPD) associated with this proposal.

An established practice to minimise the loss of light or outlook from a bedroom window is to implement the 45 Degree Code. A proposal should not unreasonably impinge upon a horizontal 45 degree sight line when measured from the centre of any principal window. The intention of this policy is to maintain a reasonable relationship between existing buildings and boundary treatments and to avoid overbearing visual impacts, as well as a reduction in light.

The two storey element of this proposal would interrupt the 45 degree sightline when viewed from the small, narrow dormer window to the rear of Meadow-side Cottage. Outlook would be interrupted at a distance of 3.5m for 4.0m.

It should be noted however that the Local Authority permitted an extension to Meadow-side Cottage that currently impinges upon the outlook of the rear dormer bedroom window of Stone Cottage at a distance of 1.5m for 5.5m.
The amenity of neighbours must be safeguarded as much as is reasonable. This proposal has been amended to reduce the projection of the extension to no more than the rear extension of Meadow-side Cottage. In addition it is noted that the first floor section has been set in from the boundary by 2.7m whereas the first floor section of Meadow-side is directly adjacent to the boundary, due to a somewhat convoluted boundary line.

On planning balance it is concluded that it may be unreasonable for the council to refuse a planning application on the grounds of an amenity breach, when a previous application, with a larger breach to the adjacent dwelling, was previously approved and has been implemented.

Policies and Guidance:-
National Planning Policy Framework - paragraph 17
The Plan for Stafford Borough - Policy N1 Design
Supplementary Planning Document (SPD) - Design

4. Parking

This proposal would increase the number of bedrooms at the dwelling from three to four.

The Plan for Stafford states that dwellings with four or more bedrooms must have provision for three cars to park within the curtilage of the dwelling.

The applicant would continue using an area of land at the rear of the dwelling which meets the parking provision requirements.

Policies and Guidance:-
National Planning Policy Framework - paragraph 39
The Plan for Stafford Borough - Policies T1 Transport, T2 Parking and Manoeuvring Facilities, Appendix B - Car Parking Standards

5. Conclusion

The associated breach of amenity guidance associated with this proposal is acknowledged. On balance however, after considering the permitted extensions at the neighbouring property, Meadow-side Cottage, it is concluded that the proposal is considered acceptable subject to conditions.

Consultations

Ramblers Association:
No Response received - consultation period expires 30 July 2018

Staffordshire County Council Rights of Way Officer:
No response received - consultation period expires 30 July 2018

Parish Council: (consulted and reconssulted on amended plans)
No response received.
Neighbours (5 consulted and reconsulted on amended plans):
1 response: Material planning considerations summarised below:
- Amenity breach associated with the distance of the rear window of Meadow-side Cottage and the proposed two-storey extension.
- The proposal having a floor area in access of the 70% permitted under policy C5
- A resulting loss of privacy via the direct outlook over neighbouring garden space.

Site Notice:
Expiry date: 04 May 2018

**Relevant Planning History**

79/9202/FUL - Extension to cottage lounge and bathroom - Permit - 21 November 1979
89/23792/FUL - Extension - Permit - 15 June 1989
96/32936/FUL - Two-storey rear extension - Permit - 13 March 1996

**Recommendation**

Approve, subject to conditions and subject to no objections from the Ramblers or the County Rights of Way Officer within the consultation period (30 July 2018)

Conditions:

1. The development to which this permission relates must be begun not later than the expiration of five 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:-
   - JPK/17/3886/OS Rev A Location plan;
   - JPK/17/3886/2 Rev F Existing and proposed floor plans and elevations.

The reasons for the Council’s decision to recommend approval of the development subject to the conditions listed above are:

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

2. To define the permission.
**Application** 18/28666/HOU  
**Case Officer** Samantha Borgars  
**Date Registered** 07 June 2018  
**Target Decision Date** 02 August 2018  
**Address** 64-66 High Street  
Eccleshall  
Stafford  
ST21 6BZ  
**Ward** Eccleshall  
**Parish** Eccleshall  
**Proposal** Rear and side extension part replacement and part two-storeys  
**Applicant** Mrs J Christian  
**Recommendation** Approve, subject to conditions

### REASON FOR REFERRAL TO COMMITTEE

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

‘For committee to discuss the impact of the proposed development on the Conservation Area’

### Context

64-66 High Street is a semi-detached dwelling located in the Eccleshall Conservation Area, it is also subject to an Article 4 Direction.

The proposal is for a two storey extension to replace the existing flat roof kitchen extension at the rear of the property with a two storey side extension to infill a space between the host property and neighbouring property 68 High Street. A gap of approximately 80mm has been demonstrated on the submitted drawings between the two properties to avoid encroachment and attaching on to the neighbouring property.

The proposed extensions would allow for the reconfiguration of the internal layout of the dwelling to form an open plan kitchen/dining area and utility to the ground floor and a substantial bedroom with dressing room to the first floor.

This is a resubmission of the previous application for a two storey rear extension that was refused for the following reason:

Whilst there is no conservation objection in principle to remodelling the rear elevation of the cottage the current proposal is an assertive modern design with asymmetric roofline and large expanse of glazing is considered out of keeping with the existing property and its immediate neighbours.

The contrast in scale and style to existing development would be very visible in views from the Meadow to the rear and would cause harm to the significance of the conservation area. The application is opposed in its current form and in the absence of any
demonstrated overriding public benefit warrants refusal of planning permission contrary to policies N1 and N9 of the Plan for Stafford Borough.

Whilst the current proposal is for essentially the same floor area as the previous scheme, the form and design in terms of the rear elevation has been significantly changed.

**Officer Assessment - Key Considerations**

1. **Character and Appearance**

   64-66 High Street is an unlisted building of 19th century date in Eccleshall conservation area subject to an Article 4 Direction. The property is a small scale two storey building built of rendered brickwork beneath a roof of Staffordshire blue clay plain tile. The building sits in a row of cottages of broadly similar date and scale which form an essential part of the townscape of the conservation area. The townscape presence extends to the rear of the property where it is visible across the long rear gardens occupying former medieval burgage plots from Castle Meadow. The existing flat roof kitchen extension to the rear of the dwelling is considered an insensitive addition to the property and has no architectural or historic merit – there is therefore no conservation or historic building objection to its replacement.

   Some local residents have raised concerns surrounding the proposed extension being too modern in design with its feature glazed façade, however the National Planning Policy Framework (NPPF) Section 7 (requiring good design) paragraph 60 states “Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness.”

   The proposed two storey rear/side extensions are of modern design, with a fully glazed feature gable end and a simple flat roof element to the side. The design associated with this application is the result of an exhaustive and iterative process of discussion and design refinement between the architect for the application, the Council’s Design Advisor and the Council’s Conservation Advisor and is absolutely reflective and accordant with the design advice provided. It is considered that the proposal carefully blends a very contemporary approach with the more traditional brick and tile form and proportions of the overall extension. The Conservation Advisor considers that the extension would sit harmoniously with the more conventional vernacular style rear extensions of neighbouring properties in High Street - however has requested a planning condition (should consent be granted) for the submission of full details of the large glazed frame in the rear elevation to be submitted and approved by the Local Planning Authority prior to the commencement of any works on site.

   The resident of the neighbouring property 62 High Street, raised concerns about the proximity of the proposed side extension and the potential for this making her property a terraced property. The two dwellings were originally built separately and currently maintain a gap between the two with the exception of the front elevation facing on to High Street where the corners of the dwelling touch and appear as terraced houses. It is not considered that there would be any increase in the terracing effect of the two properties as a result of the proposed extensions which are located at the rear of the dwelling and would
not be visible from the High Street streetscene where the cottages already appear as terraced. As such there would be no visual impact to the High Street street scene as a result of the proposed extensions.

Overall, and subject to a condition for further details of the frame for the glazed rear elevation, it is not considered that the proposals would cause harm to the host dwelling or the character and appearance of the Eccleshall Conservation Area.

Policies and Guidance:-
National Planning Policy Framework - paragraphs 56, 57, 58, 59, 60, 61, 64, 131 and 137
The Plan for Stafford Borough - Policies N1 Design, N8 Landscape Character and N9 Historic Environment
Supplementary Planning Document (SPD) - Design
Eccleshall Neighbourhood Plan

2. Amenity

Concerns have been raised by residents and the Parish Council about the impacts to neighbour privacy and neighbour amenity as a result of the proposed extensions.

The proposed glazed gables rear elevation would be flush with the rear elevation of neighbouring property 62 High Street. The ground floor of the proposed extension would be a kitchen/dining room and the first floor would form the master bedroom - all principal rooms. The amenity has been assessed by applying the 45 Degree and 25 Degree rules set out in the council’s Design Supplementary Planning Document. The proposal does not at any point breach either the 45 degree rule or the 25 degree rule and would not impede the direct outlook of any principal windows of neighbouring or adjacent properties.

A point was made by a resident that by means of the proposed rear gables façade being completely glazed this would reduce levels of privacy for neighbouring property 62 High Street’s patio and garden area. Whilst the point is taken it is considered that any breach of privacy occurring would be no worse than having a standard size first floor window. The 45 degree outlook would still ultimately be measured from the same point and the outlook over the neighbouring garden of 62 would be no different whether the façade be fully glazed or fitted with a standard size window. As such it is not considered that there would be any breach to neighbour privacy by the glazed façade over and above that of a standard size window being fitted to the first floor of the proposed extension’s rear elevation.

With the above taken in to consideration it is not considered that there would be any breach to the Councils Design Supplementary Planning Document with regards to extensions to dwellings and neighbour amenity.

Policies and Guidance:-
National Planning Policy Framework - paragraph 17
The Plan for Stafford Borough - Policy N1 Design
Supplementary Planning Document (SPD) - Design
Eccleshall Neighbourhood Plan
3. Parking

The proposed development would not result in an increase in the number of bedrooms at the property. The property does not have any off street car parking currently and nor is any proposed. As such the proposal would not have any adverse impact to parking provision over and above the existing situation.

Policies and Guidance:-
National Planning Policy Framework - paragraph 39
The Plan for Stafford Borough - Policies T1 Transport, T2 Parking and Manoeuvring Facilities, Appendix B - Car Parking Standards
Eccleshall Neighbourhood Plan

4. Other Non-material Planning Considerations

Several non-material planning concerns have been raised by neighbours and the Ward Councillor in relation to maintenance access to no. 62, the Party Wall etc. Act 1996 and the potential impact to the structural integrity of no. 62 as a result of the proposed development. These matters are non-material planning considerations and are addressed by separate legislation; as such they have not been included as part of the case officer assessment, nor can the application be refused on any of these grounds.

5. Conclusion

In conclusion the proposal is considered acceptable in terms of design, scale and massing - the Conservation Advisor considers the contemporary style extension to be acceptable and not have an adverse impact to the character and appearance of the Article 4 dwelling or the surrounding conservation area. Although some residents have raised concerns surrounding neighbour amenity, the proposal does not directly breach any of the guidance set out in the Council’s design supplementary planning document with regards to the 45 degree and 25 degree rules, nor does it impede on the direct outlook of any adjacent properties. Overall the proposal is therefore considered acceptable.

Consultations

Conservation Advisor:
64 High Street is an unlisted building of 19th century date in Eccleshall conservation area. The property is a small scale two storey building built of rendered brickwork beneath a roof of Staffordshire blue clay plain tile. The building sits in a row of cottages of broadly similar date and scale which form an essential part of the townscape of the conservation area. The townscape presence extends to the rear of the property where it is visible across the long rear gardens occupying former medieval burgage plots from Castle Meadow. The rear elevation of No 64 has been spoiled in the past by the addition of a single storey extension with insensitive windows but this does not diminish its overall contribution to the character and appearance if the conservation area. There is no conservation objection in principle to remodelling the rear elevation of the cottage. The design of the extension has been subject of extensive discussion between the architect and SBC officers following the refusal of the previous application. The submitted scheme carefully blends a very contemporary approach to the full glazed rear elevation and simple flat roofed infill with the more traditional brick and tile form and
proportions of the overall extension. It is considered the extension will sit harmoniously with the more conventional vernacular style rear extensions of adjoining properties in High Street and will not cause harm to the character and appearance of the conservation area. There is no conservation objection to the application. A condition needs to be attached “Full details of the large glazed frame in the rear elevation to be submitted and approved by the LPA before commencement of development”.

Parish Council:
Object to the application for the same reasons as per the previous application, namely that:
• The extension was intrusive to neighbours, and inappropriate for the location.
• The modern design of the extension is not in keeping with the location and aspect of its neighbours.

Neighbours (8 consulted):
5 responses received (2 representations from 62 High Street and 2 from Church Lodge):
Material planning considerations summarised below:
- Inappropriate modern design in the conservation area;
- Breach of privacy to neighbouring garden of no. 62 High Street;
- Excessive projection of proposed extension from the original rear wall of the host dwelling;
- Overshadowing of no. 64-66 (this is taken to mean overshadowing of no.62 as no. 64-66 is the application property);
- Negative impact to character and appearance of Eccleshall Conservation Area – particularly with regards to the views from the town meadow.

Site Notice: Conservation Area
Expiry date: 05 July 2018

Newsletter Advert: Conservation Area
Expiry date: 11 July 2018

Relevant Planning History
- 81/12028/FUL - Kitchen Ext/Internal Alterations - Permitted
- 17/27006/HOU - Rear extension part replacement and part two storeys - Refused

Recommendation
Approve, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

2. This permission relates to the 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. 1586-001-B (Site and Location Plans)
Drawing No. 1586-003-G7 (Existing and Proposed)
3. Notwithstanding the details and specifications submitted in the application documents, details and specifications or samples of the external materials and finishes of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the approved details.

4. Notwithstanding the details and specifications submitted in the application documents, full details of the framing for the glazed facade of the extension hereby approved shall be submitted to and approved in writing by the Local Planning Authority and carried out in complete accordance with the approved details.

The reasons for the Council’s decision to recommend approval subject to the conditions listed above 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 order to safeguard the character of this part of the Eccleshall Conservation Area of which this building forms an important constituent part. (Policy N9 of The Plan for Stafford Borough).

4. In order to safeguard the character of this part of the Eccleshall Conservation Area of which this building forms an important constituent part. (Policy N9 of The Plan for Stafford Borough).

Informative(s)

1 The Local Planning Authority considers the proposal to form a sustainable form of development and that it complies with the provisions of the National Planning Policy Framework.
Application: 18/28606/COU
Case Officer: Mark Alford
Date Registered: 8 June 2018
Target Decision Date: 3 August 2018
Address: The Saltings, Baswich Lane, Stafford
Ward: Baswich
Parish: -
Proposal: Continued use as mobile home site
Applicant: Stafford Borough Council
Recommendation: Approve subject to conditions

REASON FOR REFERRAL TO COMMITTEE
The applicant is Stafford Borough Council.

Context
The application seeks a permanent permission for the use. However, the latest in a series of temporary consents expired on 17 July 2018. These have been considered necessary as the site has formed part of the land reserved for a possible improved eastern access route for Stafford.

Officer Assessment - Key Considerations
1. Policy
The site lies within the Settlement Boundary of Stafford under The Plan for Stafford Borough (TPSB). Stafford is also at the top of the Settlement Hierarchy for the location of housing under that Plan. Whilst there is no specific policy for mobile home sites, Policy C1 generally encourages the provision of an appropriate mix of dwelling types and sizes. There is therefore no objection in principle to the continued use.

Policies and Guidance
The Plan for Stafford Borough (TPSB):
Spatial Principle (SP) 3 - Stafford Borough Sustainable Settlement Hierarchy; SP7 - Supporting The Location of New Development; Policy Stafford 1 - Stafford Town; Policy C1 - Dwelling Types and Sizes; Part II: Policy SB1 - Settlement Boundaries.

National Planning Policy Framework (NPPF):
Paragraph 17 - core principles; Section 6 - Delivering a wide choice of high quality housing.
2. Highways

The eastern access improvement route is shown across the western end of the site on the Stafford Area Inset 1 plan of TPSB. This extends along Baswich Lane from the railway bridge and across the River Sow valley to link up with the new Beaconside extension from Weston Road at its junction with Tixall Lane.

Policy Stafford 4 - East of Stafford of TPSB refers to the potential highway capacity improvements along Baswich Lane and its written statement confirms that they are part of measures that are critical to the delivery of this Strategic Development Location. Appendix D of TPSB under Stafford Town East Infrastructure Requirements includes an initial programme for the improvement works. Paragraph 10.5 of the written statement to the Transport section of TPSB adds that the existing traffic route via St Thomas’ Lane needs to be improved within the plan period (to 2031).

The Highway Authority’s recommendation of a 5 year temporary permission to secure the planned new route has been accepted by the applicant and a condition would secure this. There are no other highway issues.

Policies and Guidance

TPSB:
Policy Stafford 4 - East of Stafford; Policy T1 - Transport

NPPF:
Section 4 - Promoting sustainable transport

3. Drainage

The submitted flood risk assessment states that the site falls within Flood Zone 1, the zone of least flood risk and that there are no records of flooding at the site. Surface water appears to be discharged into the ground via infiltration. This system is in line with sustainable drainage guidance with the site effectively serving as greenfield conditions. Although there is no formal surface water drainage system, the surface water flood map shows no natural flow routes or ponding that would pose a localised risk. The park homes are also set about 0.5m above ground level which is enough to manage any localised ponding.

The Local Lead Flood Authority raises no issues nor asks for any conditions in relation to flood risk.

Policies and Guidance

TPSB:
Policy N2 - Climate Change

NPPF:
Section 10 - Meeting the challenge of climate change, flooding and coastal change
Conclusion

A further grant of a 5 year temporary consent is appropriate.

Consultations

Highway Authority:
No objection subject to a condition to secure a temporary permission of no more than five years.
Note:
Due to the line of Stafford Eastern Bypass still being protected, we request an extension of the temporary permission is granted only.

Local Lead Flood Authority:
Application site is not within the 1 in 100 year flood event outline and there are no recorded flooding hotspots within 20m or ordinary watercourses within 5m of the site. There will be no increase in impermeable area, so no change to the surface water run off generated by the site. While data indicates that infiltration is unlikely to be suitable at this location, the site appears to be positively drained with no flooding incidents recorded within the vicinity.
Given the nature of this application, the Flood Team has no further comment to make.

Canal and River Trust:
Observations should be available at the meeting.

Network Rail:
Observations should be available at the meeting.

Neighbours:
(42 notified) 1 reply received stating the site has been here for many years and is quiet and safe for residents; many residents have been here a long time and the land should be left for the continued use as a mobile home site.

Relevant Planning History

13/18532/COU - Continued use of land as mobile home site - limited permission of 5 years granted on 17 July 2013; expired 17 July 2018.
10/13498/SG3 - Continued use as mobile homes site for temporary period of 3 years - approved 21 July 2010.
1977 - 2006, applications for temporary mobile home site, approved.

Recommendation

Approve, subject to the following conditions:

1. The approved plan is the 1:1250 scale Ordnance Survey extract with the red application site outline.
2. This is a grant of a limited planning permission for 5 years only and the use shall cease and all mobile homes and ancillary structures shall be removed from the site by 25 July 2023 unless a further planning permission has been granted.

The reasons for the Council’s decision to grant permission for the proposal subject to the conditions listed above are:

1. To define the permission.

2. In order to safeguard part of the route of the eastern access improvement works (Policy Stafford 4 - East of Stafford of The Plan for Stafford Borough).

Informative(s)

1 The Local Planning Authority consider the proposal to be a sustainable form of development and therefore it complies with the provisions of the National Planning Policy Framework.
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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<td>Groundslow Grange</td>
<td>Demolition of a former care home (C2) and construction of 7 detached bungalows (C3) with associated shared access and car parking</td>
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Previous Consideration

Nil

Background Papers

File available in the Development Management Section

Officer Contact

Mr John Holmes, Development Manager Tel 01785 619302
**Appeal Decision**
Site visit made on 5 June 2018

by Gareth Wildgoose  BSc (Hons) MSc MRPI
an Inspector appointed by the Secretary of State

Decision date: 22 June 2018

Appeal Ref: APP/Y3425/W/18/3197933
Groundslow Grange, Winghouse Lane, Tittensor, Stoke on Trent  ST12 9HJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Andy Plant on behalf of Plant Developments Ltd against the decision of Stafford Borough Council.
- The application Ref 17/26627/FUL, dated 20 June 2017, was refused by notice dated 19 January 2018.
- The development proposed is demolition of a former care home (C2) and construction of 7 detached bungalows (C3) with associated shared access and car parking.

**Decision**

1. The appeal is allowed and planning permission is granted for planning application for demolition of a former care home (C2) and construction of 7 detached bungalows (C3) with associated shared access and car parking at Groundslow Grange, Winghouse Lane, Tittensor, Stoke on Trent ST12 9HJ in accordance with the terms of the application, Ref 17/26627/FUL, dated 20 June 2017, subject to the conditions set out in the attached schedule.

**Application for costs**

2. An application for costs was made by Mr Andy Plant on behalf of Plant Developments Ltd against Stafford Borough Council. This application is the subject of a separate Decision.

**Main Issues**

3. The main issues of this appeal are:
   - Whether the proposal is inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and the development plan, including the effect on the openness of the Green Belt and the purposes of including land within it, and;
   - Whether the proposal is consistent with the objectives of local and national planning policies relating to the location and supply of housing.

**Reasons**

**Background**

4. The appeal site has a shared access onto Winghouse Lane with Groundslow Lodge, an existing dwelling, and is within the North Staffordshire Green Belt. The former care home within the site has been vacant for a considerable period of time and is a substantial two-storey pitched roof building which lies

[https://www.gov.uk/planning-inspectorate](https://www.gov.uk/planning-inspectorate)
perpendicular to the road in a set back position behind a grouping of trees, some of which are protected by Tree Preservation Order (TPO) 135: 1983. The site also includes hardstanding areas at the front of the building and overgrown grounds at the rear, together with the intermittent presence of other TPO protected trees adjoining boundary hedging.

5. The site is located outside of the Settlement Boundary for Tittensor as defined by The Plan for Stafford Borough 2011 - 2031 - Part 2 (LP-Part 2), adopted January 2017, but is enclosed by existing residential properties at the side and rear that are accessed from Field Rise Road and a private road serving Groundslow Mews. The development surrounding the site in the Green Belt has arisen from previous redevelopment of the remainder of the former Groundslow Hospital complex and separate barn conversions.

Whether inappropriate development in Green Belt

6. Spatial Principle 7 (SP7) of The Plan for Stafford Borough 2011 - 2031 (LP-Part 1), adopted June 2014, indicates that development will be supported where, amongst other things, it is within the Green Belt and is consistent with national policies for the control of development, and Policy E5. Policy E5 of the LP-Part 1 relates to major developed sites in the Green Belt and sets out an identified list of previously developed sites that does not include the appeal site. However, it is a permissive policy and therefore, does not preclude development elsewhere that would otherwise be consistent with Green Belt policies in the Framework.

7. Paragraph 89 of the Framework states that the construction of new buildings should be regarded as inappropriate in Green Belt, unless it falls within certain listed exceptions. As the site falls within the definition in the Framework of a previously developed site, the exception listed at the 6th bullet point of paragraph 89 is of relevance to the assessment of the proposal. The exception relates to "limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development”.

8. The exception reflects a fundamental aim of Green Belt policy, as set out in paragraph 79 of the Framework, to prevent urban sprawl by keeping land permanently open, with openness identified as one of the essential characteristics of the Green Belt. Based on the submitted plans and the evidence before me, the proposal would involve around a 54% increase in the overall footprint of developed land within the site when compared with the existing building, including the siting of the majority of the seven bungalows within parts of the site that are currently free from built form. However, the proposal would also involve around a 17% reduction in overall floorspace, together with a marginal reduction in volume and a significant reduction in height of buildings from 9.4m as existing to 4.7m as proposed.

9. With regard to the above, openness has both a spatial and visual aspect. In terms of the spatial aspect, the proposal would have benefits to openness through the reduction in height, volume and floorspace of the proposed bungalows relative to the more considerable scale and massing of the existing care home building. To my mind, those factors offset the spatial effect upon openness arising from the increased footprint of built form within the site.
From a visual perspective, the presence of TPO trees along the Winghouse Lane frontage and trees and hedging along other boundaries, ensures that the existing building has visual containment within the site and, therefore, is not a prominent feature from public vantage points. The bungalows would benefit from similar levels of screening and therefore, when also taking account of the modest height of buildings proposed, the visual impact of the development upon the openness of the Green Belt would be no greater than the existing development in a location surrounded by other built form.

10. I, therefore, consider that the proposal would have no greater impact on the openness of the Green Belt than the existing development. In addition, when taking account of the locational context of the previously developed site and its surroundings of residential properties beyond its side and rear boundaries, the proposal would not have an adverse impact in terms of encroachment into the countryside. Furthermore, there would be no harm with respect to the other purposes of including land within the Green Belt. The proposal, therefore, falls within the exception listed at bullet point 6 of paragraph 89 of the Framework.

11. Having regard to all of the above, I conclude that the proposal is not inappropriate development in the Green Belt when having regard to the Framework and Policy SP7 of the LP-Part 1. As I have found that the proposal is not inappropriate development in Green Belt and no other harm has been identified in Green Belt terms, it is not necessary to consider whether there would be very special circumstances. I, therefore, necessarily go on to consider whether the proposal is consistent with the objectives of local and national planning policies relating to the location and supply of housing within the remaining main issue below.

**Location and supply of housing**

12. Policy SP2 of the LP-Part 1 sets out that in Stafford Borough, provision will be made for the development of 500 dwellings per year over the plan period. In that respect, Policy SP3 of the LP-Part 1 sets out the settlement hierarchy for Stafford Borough where the majority of future development will be directed towards the towns of Stafford, Stone and defined Key Service Villages, which includes Tittensor. However, Policy SP4 also sets out that in order to achieve the scale of new housing identified in Policy SP2, the annual targets for the distribution of housing development, supported by necessary infrastructure will be: Stafford (70%), Stone (10%), Key Service Villages (12%) and Rest of the Borough (8%). Policy SP4 therefore, provides some flexibility for developments that lie outside of the settlements listed in Policy SP3.

13. With regard to the above, as the site lies approximately 350m beyond the Settlement Boundary for Tittensor it falls outside of the settlements listed in Policy SP3 and, therefore, is within the open countryside and the ‘Rest of the Borough’ category for the purpose of Policy SP4. In terms of the annual targets in Policy SP4, the most up to date evidence before me is the Authority Monitoring Report (AMR) covering the period up to 31 March 2017. In that respect, it is evident that completions in the ‘Rest of the Borough’ area (labelled Rural Areas in the document) between the period of 2011-2017 has exceeded the 8% target in Policy SP4 and the housing delivery at an average of 545 dwellings also surpassed the annual target of 500 dwellings in Policy SP2.

14. Notwithstanding the above, the Council accepts that the provision of 10,000 dwellings over the plan period is not to be taken as a maximum.
Furthermore, it is evident from Table 4.1 of the AMR that housing delivery between 2011-2017 included years where the annual target had not been achieved. It is also reasonable that annual variations in performance relative to the targets in Policy SP4 of the LP-Part 1 will occur and past trends in terms of housing completions and their locational distribution may not be repeated in the future. Consequently, reliance upon past performance of completions alone when assessing a proposal against Policy SP4 is not a comprehensive approach. Whether the annual targets are met in the future will be influenced by the supply of housing sites which should, therefore, be taken into account.

15. The AMR indicates a 5.85 years supply of deliverable housing sites in Stafford Borough, including a 20% buffer, to which the appellant has offered no contrary evidence. In that regard, it is apparent in Table 4.4 of the AMR that when sites with planning permission and plan allocations are added to completions, the target of 8% for the ‘Rest of the Borough’ area is not forecast to be exceeded. In that context, I am satisfied that a proposal for a further seven dwellings in the ‘Rest of the Borough’ area would not have a significant effect on future compliance with annual targets in Policy SP4 and, therefore, does not conflict with that policy.

16. The requirements of Policy SP7 of the LP-Part 1 also apply to development in the countryside including compliance with Policy C5 of the LP-Part 1 in seeking to support rural sustainability. In so far as it is relevant to new development, Policy C5A, amongst other things includes a requirement that provision can not be accommodated within the settlement hierarchy in Policy SP3 and identification that it will meet defined needs via a Parish based Local Housing Needs Assessment. The supporting text of Policy C5 indicates that the policy relates to residential development proposals (excluding gypsy and traveller pitches) outside of the settlement hierarchy including areas of Green Belt.

17. There is limited conflict with Policy C5A of the LP-Part 1 in terms of the absence of a Parish based Local Housing Needs Assessment to support the proposal before me, resulting in an associated conflict with Policy SP7 as a result. However, it is evident from the supporting text of Policy SP4 that as Tittensor is one of the Key Service Villages that are surrounded partly or wholly by the North Staffordshire Green Belt it cannot support new development outside of existing built up areas of settlements unlike some of the others listed under Policy SP3. The supporting text is also clear that such development is necessary as insufficient infill sites are available to deliver the scale of new development required in most of the settlements.

18. With regard to the above, the site is within walking distance of Tittensor which is accessed by a continuous pedestrian footway with street lighting adjoining Winghouse Lane on the opposite side of the road. The site is also surrounded by existing housing development and therefore, does not consist of isolated new homes in the countryside. As such the development would be in a relatively accessible rural location for seven dwellings, with potential to enhance and maintain the vitality of rural communities and support local services, businesses and the employment market, including during the construction phase. It, therefore, follows that the limited conflict with Policy C5A of the LP-Part 1 and associated conflict with Policy SP7 is a technical matter that is clearly outweighed in the particular circumstances of this case, given that a proposal for seven 3-bed dwellings in an accessible location and on
previously developed land relatively close to Tittensor would clearly address local housing needs that otherwise could not be met within its built up area.

19. Policy C2 of the LP-Part 1 also requires that residential proposals must provide affordable housing in accordance with thresholds it sets out. In areas outside of the settlements, the relevant threshold is that 30% of the dwelling should be affordable on sites of 3 dwellings or more. The proposal consists of market housing with no affordable housing proposed and therefore, conflicts with Policy C2.

20. Nonetheless the adoption of the LP-Part 1 preceded the publication of Planning Practice Guidance (PPG)¹, and the associated Written Ministerial Statement of 28 November 2014, relating to circumstances where infrastructure contributions through planning obligations should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000 square metres (gross internal area). Furthermore, as the proposal involves demolition of a vacant building to be replaced by a new building it is eligible for the vacant building credit as set out in the PPG². As the development would result in a net reduction in overall floorspace when compared with the vacant building, I am satisfied that an affordable housing contribution is not required if the vacant building credit is taken into account. As the PPG reflects the most up-to-date expression of national policy the conflict with Policy C2 of the LP-Part 1 is outweighed in the particular circumstances of this case.

21. Having regard to all of the above, I conclude that the development would not harm the objectives relating to the location and supply of housing. In reaching that conclusion, I have taken into account that I found conflict with Policy C2 and limited conflict with C5A and SP7 of the LP-Part 1. However, for the reasons previously given and in the particular circumstance of this case, there would be no conflict or harm to the overall development strategy in Policies SP2, SP3 and SP4 of the LP-Part 1 arising from the proposal and therefore, the limited conflicts with Policies C5A and SP7 are clearly outweighed when the development plan is taken as a whole. Furthermore, the conflict with Policy CS2 is outweighed by the WMS and the more up-to-date guidance relating to planning obligations and the vacant building credit in the PPG.

Other Matters

Character and appearance, including trees

22. The development consists of seven bungalows in positions that would be largely screened by retained trees along the Winghouse Lane frontage. The design and layout of the single storey dwellings in a cul-de-sac would assimilate appropriately with the setting, form and character of the existing properties in the wider setting and would be softened by additional landscape planting and screening afforded by trees to be retained.

23. An existing tree close to Plot 7 (T9) along the frontage would need to be removed. However, such an approach is acceptable based on the evidence within the Arboricultural Impact Assessment accompanying the application and my observations that the Holly tree is a poor quality specimen in poor condition and of limited lifespan. In that context, I am satisfied that the addition of

² PPG, Planning Obligations, Paragraph: 021 Reference ID: 23b-021-20160519 Revision date: 19 05 2016
evergreen shrubs within the landscape proposals (plan ref: LM17/1288/01D) would otherwise mitigate the loss of visual amenity arising from the removal of T9. Furthermore, the removal of an existing conifer hedge alongside the footway of Field Rise Close is also acceptable given that it is over mature and would be replaced by a new boundary treatment and planting bays that would provide visual interest to the street scene.

24. The removal of a poor quality Holly tree (T6) with a limited lifespan was also recommended by the Council’s tree officer and is acceptable to ensure a soakaway for Plot 2 could be moved outside of the root protection area of a Cedar tree (T5) of better condition, quality, form and lifespan. The remaining trees to be retained could be suitably protected by implementation of measures in the Arboricultural Implications Assessment and Arboricultural Method Statement submitted with the application that can be secured by condition.

25. In the context of the above, the proposal, therefore, constitutes high quality design and would not harm the character and appearance of the area, given the positive benefits of redeveloping a long-time vacant and overgrown site.

Living environment

26. The dwellings would be served by adequate private amenity spaces and the separation distances between the buildings would be sufficient to provide a satisfactory relationship and living environment for future occupiers in terms of outlook, light and privacy, subject to details of side boundary treatments that can be secured by condition. The separation distance to other neighbouring properties would be adequate to preserve the living conditions of their occupiers in those respects. Whilst concerns have been expressed by interested parties with respect to drainage matters, there is no substantiated evidence before me that the drainage arrangements as proposed and the existing infrastructure in the area would not be suitable to accommodate the development before me. A condition to restrict construction hours to prevent works taking place in early mornings, late evenings and at other times at the weekend when a quieter living environment could reasonably be expected, would prevent any adverse impact on the occupiers of neighbouring properties in terms of noise and disturbance.

Highway and pedestrian safety

27. The site would be served by the existing access and driveway onto Winghouse Lane which is shared with Groundslow Lodge. The proposal involves reconstruction of the access, with visibility splays capable of being secured via condition. The layout of the development and its associated turning head would provide sufficient space for vehicles to turn within the site and leave the access in forward gear. Furthermore, the proposal includes sufficient off street parking spaces within each of Plots 1 - 7 to satisfy the Council’s car parking standards of two spaces for dwellings up to 3 bedrooms. The scale of development proposed would not increase the existing demand for on-street parking or increase traffic flows on Winghouse Lane to an extent that existing highway conditions and parking arrangements would be significantly altered.

28. I am, therefore, satisfied that there would be no harm to highway and pedestrian safety, subject to the imposition of conditions relating to the reconstruction of the existing access, provision of parking areas, provision of
the footpath link within the site to Winghouse Lane, provision of visibility splays and retention of integral garages.

**Ecology**

29. The Ecological Appraisal submitted with the application identified the presence of a small roost of pipistrelle bats. In that respect, the mitigation works identified would be suitable, including replacement roost opportunities within the new building and the installation of bat boxes on retained trees. Full details in that respect are capable of being secured by condition. I also consider it necessary that due to the possibility of nesting birds within the site that alternative nest sites should be provided in accordance with bird box details that can also be secured by condition. I, therefore, find that the development would not have an adverse impact upon ecology and biodiversity, subject to the imposition of the aforementioned conditions.

**Planning Balance**

30. The Framework does not change the statutory status of the development plan as the starting point for decision making. I have found conflict with Policy C2 and limited conflict with Policies C5A and SP7 of the LP-Part 1. However, the proposal is not inappropriate development in Green Belt and I have found that there would be no conflict with or harm to the overall development strategy of Stafford Borough in Policies SP2, SP3 and SP4 of the LP-Part 1. Furthermore, when having regard to the PPG, the eligibility of the development for the vacant building credit removes the need for an affordable housing contribution which outweighs the conflict with Policy C2.

31. The development of seven houses on previously developed land in a relatively accessible rural location would make a positive contribution to meeting local housing needs in Tittensor that otherwise could not be met within its built-up area, with associated social and economic benefits that weigh significantly in favour of the development. I am also satisfied that subject to the imposition of appropriate conditions, there would be no harm with respect to any other matter. Consequently, in the particular circumstances of this case, I find that there are material considerations which indicate that the proposal should be determined otherwise than in accordance with the development plan and planning permission, therefore, should be granted.

**Conditions**

32. I have had regard to the planning conditions that have been suggested by the Council. Where necessary I have reordered the conditions and amended the wording to ensure consistency with paragraph 206 of the Framework.

33. Conditions 1 and 2 relate to the time limit for the planning permission and require compliance with the submitted details which are necessary to provide certainty of the planning permission hereby granted. Condition 3 relates to the agreement of full details and samples of materials for external buildings which is necessary in the interest of the character and appearance of the development. Conditions 4 - 5 are also imposed in that respect to secure the implementation of the approved landscaping scheme and tree protection measures as set out in the Arboricultural Implications Assessment and Arboricultural Method Statement. Condition 6 is necessary to prevent the uprooting, felled, lopped, topped, or cut back of trees, large shrubs or
hedgerows until a scheme has been approved to prevent any harm to bats and birds which may be present. Condition 7 secures an agreed ecology mitigation scheme to supplement the recommendations in the Ecological Appraisal and Bat and Nesting Bird Mitigation Strategy and is necessarily a pre-commencement condition to ensure that the mitigation is in place before works on site begin.

34. Conditions 8 - 11 are the highways conditions relating to the reconstruction of the existing access, provision of parking areas, provision of the footpath link within the site to Winghouse Lane, provision of visibility splays and retention of integral garages which I previously indicated are necessary with respect to highway and pedestrian safety.

35. Condition 12 relates to the agreement of boundary treatments between the dwellings which is necessary to preserve the living conditions of future occupiers of each dwelling. Condition 13 imposes controls on demolition and construction to only between the hours of 0800 and 1800 on Mondays to Fridays, and between 0800 and 1400 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays, together with controls on activities taking place, which is required to preserve suitable living conditions for occupiers of neighbouring properties.

36. The Framework advises that conditions should restrict national permitted development rights only where there is clear justification to do so. Based on the particular circumstances of this case, it is appropriate to remove permitted development rights for the dwellings relating to Classes A, B, C, D and E of Schedule 2 (Part 1) and in Classes B, H and I of Schedule 2 (Part 14) of the Town and Country Planning (General Permitted Development Order) 2015. Condition 14 is necessarily imposed in that respect in the interest of the openness of the Green Belt, character and appearance of the area, to preserve the living conditions of future occupiers of the dwellings and to ensure adequate private outdoor amenity space for each individual dwelling.

Conclusion

37. For the reasons given above and taking all other matters into consideration, I conclude that the appeal should be allowed and planning permission granted as set out in the formal decision and subject to the conditions in the attached schedule.

Gareth Wildgoose
INSPECTOR
SCHEDULE

CONDITIONS

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans:

   1:1250 scale OS based red edged location plan; 8482-27F; 8482-32; 8482-33; 8482-34; 8482-35; 8482-36; 8482-37; 8482-38; 8482-39; 8482-40 (Plan and Section); 8482-40 (Elevations); M17/1288/01D; M17/1288/p02E; K650-100 A; K650-101 A; K650-102 A; K650-103 A; K650-104 G; K650-105 B; K650-106 A; K650-107; and K650-108 A

3) Notwithstanding condition 2 and the details submitted with the application, before any above ground development hereby permitted takes place, excluding demolition, full details or samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and samples.

4) All soft landscaping works shall be carried out in accordance with the approved landscaping scheme as set out in drawing numbers M17/1288/01D and M17/1288/p02E in accordance with a programme of implementation to be submitted to and approved in writing by the local planning authority before any above ground development hereby permitted takes place, excluding demolition. Any trees or plants which within a period of 5 years from substantial completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the same location in the next planting season with others of similar size and species to those originally planted, unless any variation has otherwise been agreed in writing by the local planning authority.

5) All trees, shrubs, hedges and bushes which are to be retained in accordance with the approved plans and particulars shall be protected in accordance with BS5837:2012 "Trees in Relation to design, demolition and construction, recommendations". Tree protection measures shall be installed in accordance with the Arboricultural Method Statement dated 22 October 2017, unless otherwise agreed in writing by the local planning authority, and their installation undertaken before any equipment, machinery or materials are brought on to the site for the purposes of the development. A Root Protection Area (RPA) shall be established around each tree, shrub, hedgerow or bush, in accordance with the recommendations of BS5837:2012. All RPAs must be enclosed by suitable fencing as specified by BS5837:2012, or, where specifically approved, protected using ground protection measures to the satisfaction of the local planning authority. No works or alterations to existing ground levels or surfaces shall be undertaken within the RPAs without the prior written approval of the local planning authority. No materials, equipment or vehicles are to enter or be stored within the RPAs. No materials that are likely to have an adverse effect on tree health such as oil, bitumen or cement are to be stored or discharged within the RPAs. No fires are to be lit within 20 metres of the trunk of any tree to be retained.
The tree protection measures shall remain in place until the development is complete and all associated equipment, machinery and surplus materials have been removed from the site.

6) Notwithstanding condition 2, no trees, large shrubs or hedgerows shall be uprooted, felled, lopped, topped, or cut back in any way until a detailed scheme for those works has been submitted to and approved in writing by the local planning authority. The works shall then take place in accordance with the agreed scheme unless the local planning authority gives written consent to any variation.

7) Notwithstanding the submitted details, before any development hereby permitted takes place, a scheme including full details of the provisions to ensure the protection of wildlife and protected species with respect to artificial bird nesting boxes and artificial bat roosting sites shall have been submitted to, and approved in writing by the local planning authority. For the avoidance of doubt, those details should supplement the recommendations set out in Section 5 Constraints and Recommendations of the Ecological Appraisal undertaken by Leigh Ecology Ltd dated 5 June 2017 (reference: Plant/17-001) and with the Bat and Nesting Bird Mitigation Strategy also undertaken by Leigh Ecology Ltd dated 15 August 2017. The details shall include plot numbers and the numbers of artificial bird nesting boxes and artificial bat roosting site per individual building/dwelling and those to be located in retained trees. The details shall also identify the precise wall and roof elevations of the dwellings into which the above provisions shall be incorporated.

The agreed measures to ensure the protection of wildlife and protected species within retained trees shall be installed before any development takes place and retained thereafter. The agreed measures to be incorporated during the construction of the individual dwellings identified on the approved plans shall be available for use before each such dwelling is occupied and retained thereafter. The development shall be carried out in strict accordance with the approved scheme and the recommendations set out in Section 5 Constraints and Recommendations of the Ecological Appraisal and any works undertaken to hedgerows and trees during the bird nesting season (March to August) shall only be undertaken in full accordance with the measures set out in the Bat and Nesting Bird Mitigation Strategy.

8) Before any above ground development hereby permitted takes place, excluding demolition, full details of a new footway link between the development and the existing footway network on Winghouse Lane shall have been submitted to and approved in writing by the local planning authority. The footway shall be provided in accordance with the approved details prior to the first occupation of any dwelling hereby permitted.

9) Prior to the first occupation of any dwelling hereby permitted, the existing site access shall be reconstructed and completed within the limits of the public highway in accordance with full details that shall have been submitted to and approved in writing by the local planning authority. The details should include visibility splays to be provided to the south of the access. Any foliage or other obstruction falling within the visibility splay approved by the local planning authority should be cut back / re-planted behind the visibility splay or maintained at / not exceed 0.6m in height relative to the adjacent carriageway level thereafter.
10) Prior to the first occupation of any dwelling hereby permitted, the roadway and parking areas within the development shall have been provided in accordance with the approved details. The parking areas shall be provided in a porous bound material and retained, thereafter, for the life of the development hereby permitted.

11) The integral garages hereby permitted shall be kept available at all times for the parking of motor vehicles by the occupants of the dwellings and their visitors and for no other purpose.

12) Notwithstanding condition 2, prior to the first occupation of any dwelling hereby permitted, full details of the height and type of screen fencing to be erected along the side boundaries of each dwelling shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details before each such dwelling is occupied, and thereafter retained.

13) Demolition or construction works shall take place only between 0800 and 1800 on Mondays to Fridays, and between 0800 and 1400 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.

   In addition, all demolition materials shall be removed from the site and properly disposed of; any equipment that must be left running outside the permitted hours of work shall be inaudible at the boundary of any occupied residential properties; facilities shall be provided for damping down to prevent excessive dust; road sweeping shall be carried out both on the site and on the access to Winghouse Lane to prevent excessive dust; and there shall be no burning on site during demolition or construction works associated with the development.

14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement, improvement, addition, building, structure or alteration permitted by Classes A, B, C, D and E of Schedule 2 (Part 1) and in Classes B, H and I of Schedule 2 (Part 14) of that Order shall be undertaken to the dwellings hereby permitted or within their curtilage without the grant of planning permission.
Costs Decision

Site visit made on 5 June 2018

by Gareth Wildgoose  BSc (Hons) MSc MRTPi
an Inspector appointed by the Secretary of State

Decision date: 22 June 2018

Costs application in relation to Appeal Ref: APP/Y3425/W/18/3197933
Groundslow Grange, Winghouse Lane, Tittensor, Stoke on Trent  ST12 9HJ

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The application is made by Mr Andy Plant on behalf of Plant Developments Ltd for a full award of costs against Stafford Borough Council.
- The appeal was against the refusal of planning permission for demolition of a former care home (C2) and construction of 7 detached bungalows (C3) with associated shared access and car parking.

Decision

1. The application for an award of costs is refused.

Reasons

2. The Government’s Planning Practice Guidance (PPG) advises that, irrespective of the outcome of the appeal, costs may be awarded against a party that has behaved unreasonably and thereby, caused the party applying for costs to incur unnecessary or wasted expense in the appeal process. The application needs to clearly demonstrate that this is the case, as parties in planning appeals normally meet their own expenses.

3. The PPG provides examples of unreasonable behaviour by local planning authorities. This includes procedural matters during the appeal and substantive matters relating to the matters under appeal. The substantive matters include preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and other material considerations. Other substantive matters include failure to produce evidence to substantiate each reason for refusal on appeal and vague, generalised or inaccurate assertions about a proposal’s impact, which are unsupported by any objective analysis. The application for costs relates to each of the substantive matters listed as examples.

4. The Council’s decision notice relates to a single reason for refusal which is specific to the application and the harm identified by the Council in terms of conflict with policies of The Plan for Stafford Borough 2011 - 2031 (LP-Part 1). The Council has chosen not to submit a statement of case to the appeal and therefore, has sought to rely upon the officer report. However, in that respect, the extent to which the Council choose to address the appeal submissions remains at their discretion when seeking to substantiate the reason for refusal.

5. It will be seen from my appeal decision that similarly to the applicant and the Council I find that the proposal would not be inappropriate development in

https://www.gov.uk/planning-inspectorate
Green Belt. In that respect, I also assess the proposal against other relevant policies of the development plan which I consider to be a necessary and reasonable approach so as to accord with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990. In doing so, I found limited conflict with some policies of The Plan for Stafford Borough 2011 - 2031 (LP-Part 1), which included Policies C5A and SP7 as referred to by the Council in its decision notice.

6. Notwithstanding the above, it will be seen in my decision that I find that the conflict with those policies is outweighed by other material considerations including the absence of harm to the objectives relating to the location and supply of housing and the overall development strategy. In reaching that view, the evidence in Table 4.4 of the Authority Monitoring Report 2017 as drawn to my attention by the applicant as part of the appeal is an influential factor. In that context, the assessment of compliance with Policy SP4 of the LP-Part 1 and its annual targets is influenced by my reasoned preference for inclusion of forecasts relating to sites with planning permission and plan allocations, rather than reliance upon previous completions alone. Nonetheless, such matters reflect a matter of planning judgement. Consequently, irrespective of the outcome of the appeal, given the subjectivity of such judgements made and the planning balance which it influenced, I cannot find that the Council behaved unreasonably in reaching a different view to my own.

7. Having regard to the above and based on the evidence before me, I cannot conclude that an appeal was unnecessary in this case. The individual circumstances of the proposal necessitated assessment on its own merits given the subjectivity of issues in dispute and the judgements involved. The applicant, therefore, did not suffer unnecessary or wasted expense in pursuing the appeal, despite its outcome.

Conclusion

8. I conclude that, on the basis of the evidence before me, it has not been demonstrated that the Council behaved unreasonably or that the applicant suffered unnecessary or wasted expense in the appeal process in so far as an award of costs could be justified. I, therefore, determine that the costs application should fail and no award is made.

Gareth Wildgoose
INSPECTOR