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, 26 September 2018 at 6.30pm to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

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

A. R. Well

Head of Law and Administration
PLANNING COMMITTEE - 26 SEPTEMBER 2018

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

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. 247 published on 5 October 2018

5 Planning Applications

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6 Planning Appeals

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MEMBERSHIP

Chairman Councillor R M Sutherland

C A Baron                  W J Kemp
G R Collier                D B Price
B M Cross                  J K Price
I E Davies                 G O Rowlands
M G Dodson                 R M Sutherland
A S Harp                   C V Trowbridge
E G Harp                   (Substitutes - F Beatty, R J Draper, A P Edgeller, J Hood, S Learoyd)
PLANNING COMMITTEE - 26 SEPTEMBER 2018

Ward Interest - Nil

Planning Applications

Report of Head of Development

Purpose of Report

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

<table>
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<th>Planning Application</th>
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<tr>
<td>18/28138/FUL</td>
<td>Land at Corner of Lammascote Road and Riverway, Stafford</td>
<td>-Richard Wood, Development Lead (Large Scale) - Telephone 01785 619324</td>
<td>5 - 25</td>
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<td>18/28342/FUL &amp; 18/28344/LBC</td>
<td>Chetwynd Centre, 10 Newport Road, Stafford</td>
<td>-Richard Wood, Development Lead (Large Scale) - Telephone 01785 619324</td>
<td>26 - 50</td>
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<tr>
<td>18/28901/FUL</td>
<td>Former Police Headquarters, Cannock Road, Stafford</td>
<td>-Richard Wood, Development Lead (Large Scale) - Telephone 01785 619324</td>
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<tr>
<td>18/29090/HOU</td>
<td>40 Crab Lane, Trinity Fields, Stafford ST16 1SA</td>
<td>-Sarah Poxon, Development Lead (Small Scale) - Telephone 01785 619507</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 18/28138/FUL
Case Officer: Mark Alford

Date Registered 7 March 2018
Target Decision Date 14 September 2018

Address Land at corner of Lammascote Road and Riverway, Stafford
Ward Forebridge
Parish -

Proposal Erection of four storey building with 80 apartments; access; parking and landscaping

Applicant Panacea Property Developments Ltd

Recommendation Approval subject to the applicant first entering into a Section 106 obligation within one month of the Committee resolution, or an alternative period to be otherwise first agreed in writing by the Local Planning Authority, to secure the affordability of the dwellings, the financial contribution towards the Cannock Chase Special Area of Conservation, and the travel plan monitoring fee, and subject to conditions.

Reason for referral to Committee

Committee resolved to approve the following recommendation for the above proposal at its meeting on 30 May 2018:-

“Approval subject to the applicant first entering into a Section 106 obligation within one month of the Committee resolution, or an alternative period to be otherwise first agreed in writing by the Local Planning Authority, to secure the affordability of the dwellings and financial contributions towards the Cannock Chase Special Area of Conservation, off site recreation and open space provision, and the travel plan monitoring fee, permit subject to conditions.”

However, the applicants subsequently submitted a financial appraisal of the scheme on 22 June 2018, to review whether it would be viable under these terms. This was referred to the District Valuer for assessment on behalf of the Council and his representative has concluded that the scheme would not be viable if the contribution towards recreation and open space was paid.

Conclusion

The findings of the District Valuer are reflected in the amended recommendation above. A copy of the report to Committee of 30 May on the application follows this item.
Recommendation

Approve subject to the following conditions:

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

2. The approved plans are drawing nos. 1132/01-01 PL5; /02-01 PL5; /02-00 PL5; /03-01 PL5; /03-02 PL5; /03-03 PL5; /03-06 PL5; /05-06 PL5; /05-08 PL5; /05-09 PL5; and /05-10 PL5.

3. Notwithstanding any information in the application, no development shall be carried out unless and until samples of the materials to be used in the construction of the external walls and roofs of the building have been submitted to and approved in writing by the Local Planning Authority. Thereafter only the approved materials shall be used unless alternatives have first been agreed in writing by the Local Planning Authority.

4. No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the design parameters and proposed strategy set out in the Flood Risk Assessment & Outline Drainage Strategy (Reference: CS091894-FRA-01, Rev 02, April 2017). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:

   Surface water drainage system(s) designed in accordance with the Non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).
   Infiltration testing to BRE365 to determine whether infiltration will be feasible, in accordance with the drainage hierarchy.
   SuDS design to provide adequate water quality treatment (see Simple Index Approach, CIRIA SuDS Manual), including permeable paving for all parking spaces and sufficient attenuation storage.
   Limiting the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm to 5l/s for the main area and 2l/s to the west.
   Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
   Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.
   Provision of an acceptable management and maintenance plan for surface water drainage to ensure continued performance of the system for the lifetime of the development. This should include a schedule of required maintenance activities and frequencies, and contact details for the organisation responsible for carrying out these duties.
5. Notwithstanding any information in the application, no development shall take place until full details of soft landscaping works have been submitted to and approved in writing by the local planning. The soft landscape details shall include planting locations, species, specification of nursery stock type, planting methodology and a schedule of landscape maintenance for a minimum period of 5 years. 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.

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

7. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: i) a site compound with associated temporary buildings: ii) the routing of construction vehicles to and from the site; iii) the removal of demolition materials from site; iv) the parking of vehicles of site operatives and visitors; v) the loading and unloading of plant and materials; vi) storage of plant and materials used in constructing the development; vii) measures to prevent the deposition of deleterious material on the highway including wheel wash facilities.

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

9. No development shall commence until details of the location, design, light spread and intensity of the means of external illumination of the building and its site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, only the approved lighting scheme shall be constructed and be maintained as such.

10. No development shall be carried out unless and until the results of additional intrusive ground investigations and an informed remediation strategy and programme in accordance with the recommendations of the submitted Phase 1 Geo-Environmental Desk Study - June 2017 have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved remediation strategy shall be carried out in accordance with the approved programme.
11. All construction works, including site works and associated deliveries shall only take place between the hours of 8.00 am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank/public holidays.

12. No burning shall take place on site during development.

13. Any equipment left running outside of the approved working hours shall not be audible at the boundary of any occupied dwelling.

14. Facilities shall be provided for damping down to prevent excessive dust.

15. Road sweeping shall be carried out to prevent excessive dust.

16. Screening shall be provided to the site to protect residential dwellings from exposure to excessive noise. Details of such work shall be agreed with the Local Planning Authority and carried out before other works begin.

17. The acoustic mitigation measures shall be implemented in accordance with the recommendations set out in the submitted Noise Impact Assessment. Details of any external plant shall also be submitted for approval in writing by the Local Planning Authority prior to the first occupation of the building and shall be in accordance with the recommendations set out in the submitted Noise Impact Assessment. The external plant shall thereafter be installed in accordance with the approved details prior to the first occupation of the building.

18. The building shall not be first occupied until three Bat roost bricks have been incorporated into its structure and three Schwegler-style woodcrete bird nest boxes have been installed on the site.

19. No development shall commence until a scheme of mitigation of the impacts on air quality from the construction phase of the development, based on the methodology in the submitted Air Quality Assessment - 2018 has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme of mitigation shall be carried out.

20. All hard and soft landscape works including maintenance schedules shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority, unless the local planning authority gives written consent to any variation.

21. 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 BS 5837: 2012. This shall include establishing a Root Protection Area (RPA) around each tree, shrub, hedgerow or bush. All RPAs shall be enclosed by suitable fencing, as specified by BS 5837: 2012 or as agreed in writing with the local authority 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 shall be stored or discharged within the RPAs. No fires shall be lit within 20 metres of the trunk of any tree that is to be retained. All tree protection measures shall be agreed in writing with 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, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

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

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.
3. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
4. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site (Policy N2 of The Plan for Stafford Borough)
5. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
6. 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. To safeguard the amenities of the area and to enhance biodiversity (Policies N1 and N4 of The Plan for Stafford Borough)
10. To minimise harm from the effects of pre-existing ground conditions and ground gas (Section 11 of the National Planning Policy Framework)
11. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1e of The Plan for Stafford Borough).
12. To safeguard the area from fumes, smoke and smells (Policy N1e of The Plan for Stafford Borough).
13. To safeguard the occupiers of nearby residential properties from undue noise. (Policy N1e of The Plan for Stafford Borough).
14. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).

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

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

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

18. To enhance biodiversity (Policy N4 of The Plan for Stafford Borough)

19. To minimise air pollution (Section 11 of the National Planning Policy Framework)

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

21. To safeguard the character and appearance of the area (Policy N1h of The Plan for Stafford Borough).

Informative(s)

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

2. The attention of the applicant is drawn to the advice of the Police Crime Prevention Design Advisor and Cadent submitted as part of the consultation responses to the planning application. These can be viewed via Public Access on the Council’s web site:- www.staffordbc.gov.uk.

Appendix – previous committee report
Application | 18/28138/FUL | Case Officer: | Mark Alford
---|---|---|---
Date Registered | 7 March 2018 | Target Decision Date | 6 June 2018
Address | Land at corner of Lammascote Road and Riverway, Stafford | Ward | Forebridge
| | | Parish | -
Proposal | Erection of four storey building with 80 apartments; access; parking and landscaping
Applicant | Panacea Property Developments Ltd
Recommendation | Approval subject to the applicant first entering into a Section 106 obligation within one month of the Committee resolution, or an alternative period to be otherwise first agreed in writing by the Local Planning Authority, to secure the affordability of the dwellings and financial contributions towards the Cannock Chase Special Area of Conservation, off site recreation and open space provision, and the travel plan monitoring fee, permit subject to conditions.

Reason for referral to Committee

This application has been called in by Councillor C A Baron (Ward Member for Forebridge) for the following reason:-

"To allow committee to consider the impact on the street scene design of proposed dwelling".

Context

The development is for affordable accommodation for those aged 55 and over. Once built, the apartments would be managed by a social housing provider and be occupied for rent or through shared ownership. The scheme shows 56 x 1 bedroom and 24 x 2 bedroom apartments. The layout includes a resident’s lounge, kitchen/servery and manager’s office on the ground floor, and there would be pedestrian access from Lammascote Road and the car parks to the rear.

The building would be a maximum of 14.8m high to the ridges of the gablet features on the front roof (16.35m on refused scheme) and have a T-shaped floor plan. The rear section would be a maximum of 12.6m high to a flat roof (13.2m on refused scheme). The building would be a maximum of 47 m wide (42m on refused scheme) and a maximum of 62m deep (61m on refused scheme). The external finishes are shown to be mainly facing brick which would be relieved by feature windows, balconies and recesses. (Details of the
bricks have not yet been submitted but would be secured by a condition). A resident’s garden is shown located on the east side.

Vehicular access would be via the existing entrance serving the Entrust offices along Riverway. Parking areas to the west and east sides would contribute to a total of 72 spaces overall.

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

“This revised application seeks to address the (previous) reason for refusal. Although the number of residential units sought remains the same as the previous application, the scheme has been reviewed in terms of its height, scale and massing. The overall form and design of the building has also been reviewed to present a scheme which reinforces local distinctiveness whilst being in-keeping with its surroundings…

The building footprint takes a similar format as that of the previous application (with the) massing of two joined blocks in a T-shape arrangement. The previous 5 storey block at the front has in this revised application been reduced by a complete floor so both blocks are now 4 storeys in height. The scheme needs to deliver 80 units to be viable, and to enable the loss of the floor, units have had to be redistributed across the 4 floors. The rear block has subsequently been extended towards the southern boundary, made possible by realignment of the access road and reworking of the car parking layout that provides 72 spaces. The resulting gross internal area of building has reduced because the mix of units is now 56 one bedroomed units and 24 two bedroomed units (a loss of two 2 bedroomed units from the previous scheme)."

**Officer Assessment – Key Considerations**

1. **Principle and policy**

The site is within the Settlement Boundary of Stafford which is at the top of the sustainable settlement hierarchy as set out in Spatial Principles 3 and 4 of the Plan for Stafford Borough and on this basis the development is considered to be acceptable in principle.

Policies and Guidance:-

National Planning Policy Framework:
Paragraph 17 – Core Principles
Section 6 – Delivering a wide choice of high quality homes

Plan for Stafford Borough – Part 1:
Spatial Principle 1 – Presumption In Favour of Sustainable Development
Spatial Principle 3 – Stafford Borough Sustainable Settlement Hierarchy
Spatial Principle 4 – Stafford Borough Housing Growth Distribution
Stafford 1 – Stafford Town

Plan for Stafford Borough - Part 2:
SB1 Settlement Boundaries
2. Design and appearance

The current building is shown reduced in height compared to the previous proposal refused permission. With the absence of a fifth floor, the overall mass and scale of the structure has also been reduced. The predominant brick finishes would also provide the opportunity to secure brick types and colours that would tie-in with the character of the area and compliment local distinctiveness. This enables the scheme to meet key Urban Design Principle A and the Architectural Design Principles in Section 4 of the new Design Supplementary Planning Document (SPD). A condition would require the submission of details of the specific type and colour of bricks before development commences.

Guideline 2 of the Residential Guidelines of the SPD seeks to secure a minimum 21m separation distance between the principal frontages of existing and proposed dwellings for reasonable degrees of privacy to be achieved. Whilst “principal frontage” is not defined in the SPD, the position of the building is such that windows would not directly face the nearest dwellings across Riverway, which would also be in excess of 21m distant at 34m. Facing windows of dwellings across the road junction on Weston Road would be over 50m distant. In excess of 40m would intervene between the building and the Pennycrofts tower block opposite.

In terms of Residential Guideline 3 of the SPD, some of the apartments would have balconies to meet the guidance on private garden space and the communal garden shown would be suitably landscaped and screened. A condition would secure the implementation of the submitted landscaping scheme subject to the observations of the Tree Officer which would be available at the Committee meeting.

The building would appear offset on the west side of Weston Road in long views of the site looking towards the town centre, and offset on the east side of Lammascote Road looking away from the town centre. It would therefore not look overly prominent in these view points. The building should also be considered in comparison with Pennycrofts on the opposite corner of Lammascote Road which is considerably higher at sixteen storeys. Views of the site south along Corporation Street and north along Riverway are currently dominated by Pennycrofts and the building now proposed would consequently not look out of proportion.

The Design Advisor on the refused scheme referred to the potential upgrading of the existing road junction to a roundabout arrangement whereby the landscaped frontage setting of the development would be substantially reduced and would place the principle elevation of the building in much closer proximity to the back of the highway. The proposed building is shown set back from the Lammascote Road footpath by a minimum of 7.5m, and set back from the Riverway footpath by 9m, the distances that were the resulting increases on the previous scheme. The Design Advisor remains comfortable with the development.

The observations of the Crime Prevention Design Advisor would be added to any consent as an informative.

Overall, it is considered that the reason for refusal has been addressed with the amended design and detailing shown.
Policies and Guidance:-

National Planning Policy Framework:
Paragraph 17 – Core Principle – seek to secure a good standard of amenity and high quality design; Section 7 – Requiring good design.

Plan for Stafford Borough – Part 1:
N1 – Design

SPD

3. Trees

There are existing trees to the north, west and east sides of the site but mainly on the Lammascote Road frontage. Two trees are shown to be removed from this frontage and one from the rear of the site, the same as in the previous scheme. There is no Tree Preservation Order on the site. In the assessment of the refused scheme the Tree Officer considered that the trees on the site did not have a high amenity value, but required the physical protection of any retained during construction as well as landscaping conditions. The siting of the building has not changed significantly since then and his observations on this new layout would be available at the meeting.

Policies and Guidance:-

National Planning Policy Framework:
Paragraph 17 – Core Principle – secure high quality design
Section 7 – Requiring good design

Plan for Stafford Borough – Part 1:
N1 – Design

4. Environmental Health issues

Noise and air quality reports have been submitted. The Environmental Health Officer raises no objection on noise, air quality, residential amenity or ground contamination subject to conditions to limit construction work hours and other impacts during the building phase, the implementation of noise attenuation measures for plant, and requiring further ground investigations and a remediation strategy.

Policies and Guidance:-

National Planning Policy Framework:
Paragraph 17 – Core Principles
Section 11 – Conserving and enhancing the natural environment
Plan for Stafford Borough – Part 1:
N1 – Design
5. Highways

A Transport Statement has been submitted which states that the site was previously in use as a school, offices for the County Council and as long stay car parking. These previous uses can be considered as an established fallback position against which the traffic impact of the proposed residential use is measured.

The trip generating potential of the proposed use has been estimated using trip rates from the industry-standard TRICS database. The analysis demonstrates that the proposed development would generate around 34 two-way vehicle movements in the weekday AM peak and 22 two-way vehicle movements in the weekday PM peak hour. This equates to an additional vehicle movement every two to three minutes in the weekday AM and PM peaks. It is considered that the effect of this traffic would be negligible.

Also, when considered cumulatively with the existing traffic flows generated from the wider site, it has been shown that the trip generation potential is comparable to those for the previous uses stated above.

In terms of parking spaces the relevant standard in the Plan for Stafford Borough requires 1.25 spaces per dwelling unit which would total 100 spaces. 72 spaces are shown and it is acknowledged that the site is in a sustainable location within walking distance of town centre facilities and close to bus stops for buses serving the town centre and the rest of the town.

The Highway Authority has no objection to this issue nor to traffic and access circumstances subject to a £6,430 Travel Plan monitoring contribution and to conditions.

Policies and Guidance:
National Planning Policy Framework:
Section 4 – Promoting sustainable transport

Plan for Stafford Borough – Part 1:
T1 – Transport
T2 – Parking and Manoeuvring Facilities

6. Drainage

The submitted Flood Risk Assessment (FRA) confirms that the development lies within flood zone 1, with a less than a 1 in 1000 annual probability of river flooding from the adjacent Pearl/Sandyford Brook. Taking into consideration the fact that the development is wholly in this flood zone, the site has been appraised by a sequential test to confirm that the proposal is ‘Appropriate’ under the criteria of the National Planning Policy Framework.

In accordance with the recommendations of the Stafford Strategic FRA, ground floor levels will be above the required minimum of 600mm above the 1 in 100 year flood level. The fundamental basis of the drainage strategy under this FRA would be to reduce surface water from the development to equivalent green field run off rates for all rainfall events up to the 1 in 100 year plus 40% climate change allowance event. Also, infiltration via a Sustainable Urban Drainage System (SUDS) is the preferred method of discharge of
surface water. However, existing ground conditions indicate that infiltration techniques are not feasible and thus discharge to a watercourse with the relevant number of treatment trains is the next preferred option.

Safe access and egress would be provided from the development site to the east above the maximum flood level. The drainage system will be designed to ensure that the proposed new drainage does not discharge for up to a 1 in 2 year event; ensure that no flooding occurs for up to a 1 in 30 year event; and to confirm that there will be no flood risk to buildings within the site or risk of off site overland flows for the 1 in 100 year event allowing for a 40% increase in rainfall.

As part of the previous development works a surface water outfall to the Pearl Brook/Sandyford Brook watercourse has been installed to serve this area. The proposed maximum discharge rate to the adjacent watercourse via this outfall connection would be restricted to 5 litres/second. An area of car parking and access road is proposed to discharge surface water to the Pearl Brook at a maximum discharge rate of 2l/second.

The Lead Local Flood Authority accepts these findings and states that the detailed drainage system should be secured by a condition.

Policies and Guidance:-

National Planning Policy Framework:
Paragraph 17 – Core Principles – take full account of flood risk
Section 10 – Meeting the challenge of climate change, flooding and coastal change.

Plan for Stafford Borough – Part 1:
N2 – Climate Change

7. Ecology

The submitted ecology report has to a certain extent been superseded as most of the site has been cleared and is of low ecological value. However, it highlights the potential for existing trees and shrubs to provide foraging and habitat opportunities although no features were found that supported bat roosts. The report recommends that as much existing vegetation as possible should be retained and any exterior lighting should be bat friendly. The submitted layout plan shows that many existing trees would be retained and the submitted landscaping scheme would provide considerable enhancement to the current state of biodiversity on the site. Its implementation would be secured by a condition and a further condition would cover the external lighting issue.

The Biodiversity Officer’s request for a method statement to cover the bird nesting season is considered to be covered more suitably by separate legislation. The submitted landscaping scheme retains most trees and some perimeter planting but its more formal treatment would better suit the amenity of the prospective occupiers. A condition would secure the erection of the bird nesting boxes and the inclusion of bat bricks in the building.

Prospective residents may use Cannock Chase for recreational visits and the applicant has confirmed that a contribution of £159 per dwelling would be paid as a Section 106
obligation for the mitigation of any impact on its Special Area of Conservation (SAC) under the terms of Policy N6 of the Plan for Stafford Borough.

Policies and Guidance:-

National Planning Policy Framework:
Paragraph 17 – Core Principles
Section 11 – Conserving and enhancing the natural environment

Plan for Stafford Borough – Part 1:
N4 – The Natural Environment and Green Infrastructure
N6 – Cannock Chase SAC

8. Open space and recreation

The Parks and Open Spaces Implementation Officer requests contributions totalling £82,770.29 for other off-site recreational and open space provision, which would be secured by the Section 106 agreement.

Policies and Guidance:-

National Planning Policy Framework:
Paragraph 17 – Core Principles
Section 8 – Promoting healthy communities

Plan for Stafford Borough – Part 1:
C7 – Open Space, Sport and Recreation

9. Education

Staffordshire County Council is not seeking an education contribution as apartment developments do not fall within its policy.

Policies and Guidance:-

National Planning Policy Framework:
Paragraph 17 – Core Principles

Plan for Stafford Borough – Part 1:
I1 – Infrastructure

10. Gas infrastructure

There is no significant gas transportation infrastructure on or near the site requiring formal consultations from the Council. However, the observations and advice of Cadent would be attached to any permission granted as an informative.
Conclusion

The site is appropriate for residential development as it is in a sustainable location within Stafford, close to the town centre for pedestrians and accessible by forms of transport other than the car. The design objections to the previous application have also been addressed and the scheme satisfies the relevant guidance in the new SPD.

Consultations

Highway Authority:
No objection subject to a s106 agreement to secure £6,760 travel plan monitoring fee and subject to conditions to secure the construction of the parking and vehicle manoeuvring space; a construction method statement; and a travel plan.

Design Advisor:
I am supportive of the height of the principle frontage building having been reduced to 4 storeys, this current design has undergone sufficient modification to ameliorate my previous concerns and I would summarise these changes as follows;

I had previously considered the addition of gablets to the roof-scape as an ill-conceived and misplaced attempt to introduce an element of local distinctiveness; however, the most recent version now incorporates them as functional space within the accommodation and additionally, the fenestration patterns have been extended into them. These changes now imbue these features with a far more convincing sense of functionality, which lifts them from merely being visual decoration to being an integral element of the overall architectural expression.

In addition, I had also previously expressed concern that the buildings fenestration patterns had been too regularised and that there had been a general loss of the contemporary approach to composition and detailing; this most recent iteration has substantively modified both of these aspects and is now far more commensurate with the quality of the original scheme submitted with 17/26530/FUL, and as such I am now comfortable in overall terms to support the design.

The only remaining concern that I have is that the approach to the elevational treatment of the original scheme was far more engaging and appropriate for the contemporary architecture and the most recent schemes appear to have replaced this approach with a far more conservative, and in my opinion less interesting and appealing approach. However, these aspects are yet to be agreed and confirmed and it is hoped that this aspect of the scheme will move towards an approach more in line with the original scheme. Ultimately, this aspect in not considered sufficient in itself to stand in the way of the proposal being considered acceptable.

Environmental Health Officer:
No objection subject to conditions to protect residential amenity; restrict hours of construction, demolition and related deliveries; no burning; provide facilities to damp down dust; sweep roads to prevent excessive dust; any equipment left running outside working hours shall not be audible at boundary to occupied residential properties; recommendations on acoustic mitigation and external plant noise limits in submitted report
to be implemented in full; additional ground investigations should be carried out and a remediation strategy prepared for any contamination.

**Tree Officer:**
Observations would be available at the meeting.

**Lead Local Flood Authority:**
The submitted Flood Risk Assessment, Drainage Strategy and additional information shows that an acceptable surface water drainage system can be achieved. No objection subject to a condition to secure the detailed surface water drainage scheme based on this information.

**Parks and Open Spaces Implementation Officer:**
The Council’s policy ensures that new developments contribute to enhancing or providing green space; due to the size of the development, the Council can require 30.81 sq m per person of open space; given the nature of the development, the Council is seeking a full off-site contribution; the capital contribution would be £73,245.88 and the maintenance contribution would be £9,524.41.

**Schools Organisation (Staffordshire County Council):**
No contribution for education provision is sought.

**Partnerships and Performance Officer (Health and Housing):**
We recognise that the development will deliver 100% affordable housing. There is evidence of an annual affordable housing shortfall of 210 dwellings and of 55 units of older person’s accommodation. The development would help reduce this shortfall.

**Biodiversity Officer:**
Whilst the submitted survey is out of date, the site remains unchanged and its recommendations are still valid; vegetation clearance should be carried out from September to avoid nesting birds unless it can be demonstrated that they will not be affected; condition should require a method statement; hedges and planting should be retained on the perimeter; where it is removed, compensatory planting should replace it; ephemeral vegetation that has emerged should be recreated on poor soil with rubble and stone and similar mixed annuals and perennials; amenity and semi-improved grassland should be retained and enhanced; install Schwegler bird nesting boxes.

**Neighbours:**
(123 notified) 13 replies/representations in total received from 13 addresses; 11 express support for the proposals; 2 state that they are neither objecting or supporting the scheme and the issues are summarised as follows:-
The design has not been improved by the pitched roofs; the flat roof should continue. Highways have still not investigated the extra traffic impact along Fairway and Riverway and its conflict with the Entrust access. The design is now contrived and mediocre; the original scheme was genuinely contemporary.

Any further replies would be reported at the meeting.
Other representations

Crime Prevention Design Advisor:
Use Police approved Secured By Design features and methods of security

Cadent:
There is operational gas apparatus within the site. We give advice on plant protection.

Relevant Planning History

17/26530/FUL - Erection of a part four and part five storey building comprising 80 residential apartments with associated access, parking and landscaping – refused permission on 3 January 2018 for the following reason:-

The proposed building by reason of its excessive height, scale and massing would appear as an over dominant and visually intrusive feature in the street scene. Furthermore, its overall form and design would fail to reinforce local distinctiveness and would not be in-keeping with its surroundings. The proposal therefore conflicts with Paragraphs 60 and 64 of the National Planning Policy Framework and Policy N1(g) and (h) of The Plan for Stafford Borough.

Wider site

11/15302/OUT – Outline consent for mixed use development of 118 apartments, care provision for the elderly and associated communal facilities - approved October 2012; not implemented.

Adjacent land

15/23103/FUL – 15 unit supported living building - approved February 2016; not yet built

14/20954/FUL – 15 unit supported living building – approved December 2014 and built.

Recommendation

Approve, subject to the following conditions:

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

2. The approved plans are drawing nos. 1132/01-01 PL5; /02-01 PL5; /02-00 PL5; /03-01 PL5; /03-02 PL5; /03-03 PL5; /03-06 PL5; /05-06 PL5; /05-08 PL5; /05-09 PL5; /05-10 PL5; and /L90-01 PL5.

3. Notwithstanding any information in the application, no development shall be carried out unless and until samples of the materials to be used in the construction of the external walls and roofs of the building have been submitted to and approved in writing by the Local Planning Authority. Thereafter only the approved materials
shall be used unless alternatives have first been agreed in writing by the Local Planning Authority.

4. No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the design parameters and proposed strategy set out in the Flood Risk Assessment & Outline Drainage Strategy (Reference: CS091894-FRA-01, Rev 02, April 2017). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:

Surface water drainage system(s) designed in accordance with the Non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015). Infiltration testing to BRE365 to determine whether infiltration will be feasible, in accordance with the drainage hierarchy. SuDS design to provide adequate water quality treatment (see Simple Index Approach, CIRIA SuDS Manual), including permeable paving for all parking spaces and sufficient attenuation storage. Limiting the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm to 5l/s for the main area and 2l/s to the west. Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods. Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system. Provision of an acceptable management and maintenance plan for surface water drainage to ensure continued performance of the system for the lifetime of the development. This should include a schedule of required maintenance activities and frequencies, and contact details for the organisation responsible for carrying out these duties.

5. The soft landscape details shown on drawing no. 1132/L90-01 PL5 shall be carried out within eight months of the first occupation of the building. 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.

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

7. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: i) a site compound with associated temporary
buildings: ii) the routing of construction vehicles to and from the site; iii) the removal of demolition materials from site; iv) the parking of vehicles of site operatives and visitors; v) the loading and unloading of plant and materials; vi) storage of plant and materials used in constructing the development; vii) measures to prevent the deposition of deleterious material on the highway including wheel wash facilities.

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

9. No development shall commence until details of the location, design, light spread and intensity of the means of external illumination of the building and its site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, only the approved lighting scheme shall be constructed and be maintained as such.

10. No development shall be carried out unless and until the results of additional intrusive ground investigations and an informed remediation strategy and programme in accordance with the recommendations of the submitted Phase 1 Geo-Environmental Desk Study - June 2017 have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved remediation strategy shall be carried out in accordance with the approved programme.

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

12. No burning shall take place on site during development.

13. Any equipment left running outside of the approved working hours shall not be audible at the boundary of any occupied dwelling.

14. Facilities shall be provided for damping down to prevent excessive dust.

15. Road sweeping shall be carried out to prevent excessive dust.

16. Screening shall be provided to the site to protect residential dwellings from exposure to excessive noise. Details of such work shall be agreed with the Local Planning Authority and carried out before other works begin.

17. The acoustic mitigation measures shall be implemented in accordance with the recommendations set out in the submitted Noise Impact Assessment. Details of any external plant shall also be submitted for approval in writing by the Local
Planning Authority prior to the first occupation of the building and shall be in accordance with the recommendations set out in the submitted Noise Impact Assessment. The external plant shall thereafter be installed in accordance with the approved details prior to the first occupation of the building.

18. The building shall not be first occupied until three Bat roost bricks have been incorporated into its structure and three Schwegler-style woodcrete bird nest boxes have been installed on the site.

19. No development shall commence until a scheme of mitigation of the impacts on air quality from the construction phase of the development, based on the methodology in the submitted Air Quality Assessment - 2018 has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme of mitigation shall be carried out.

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

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

2. To define the permission.

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

4. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site (Policy N2 of The Plan for Stafford Borough)

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

6. 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. To safeguard the amenities of the area and to enhance biodiversity (Policies N1 and N4 of The Plan for Stafford Borough)

10. To minimise harm from the effects of pre-existing ground conditions and ground gas (Section 11 of the National Planning Policy Framework)

11. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1e of The Plan for Stafford
12. To safeguard the area from fumes, smoke and smells (Policy N1e of The Plan for Stafford Borough).

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

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

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

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

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

18. To enhance biodiversity (Policy N4 of The Plan for Stafford Borough)

19. To minimise air pollution (Section 11 of the National Planning Policy Framework)

Informative(s)

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

2 The attention of the applicant is drawn to the advice of the Police Crime Prevention Design Advisor and Cadent submitted as part of the consultation responses to the planning application. These can be viewed via Public Access on the Council’s web site:- www.staffordbc.gov.uk.
18/28138/FUL
Land At Corner Of Lammascote Road And Riverway
Stafford
Application  18/28342/FUL and 18/28344/LBC  Case Officer  John Dolman

Date Registered  16 April 2018  Target Decision Date  Extended To  16 July 2018  28 September 2018

Address  Chetwynd Centre  10 Newport Road  Stafford  Ward  Forebridge

Proposal  Proposed change of use of former school to residential use and to a Performing Arts Centre with associated uses along with ten new build houses in a terrace

Applicant  Jonathan Lloyd Developments Ltd

Recommendation  Approve subject to Section 106 Agreement and subject to conditions

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor C A Baron (Ward Member for Forebridge) for the following reason:-

"The Style of buildings within the site adjacent to listed building use of performing arts section and associated parking".

Context

The Chetwynd Centre is a Grade II listed building located at the junction of Newport Road with Friars Road. The building comprises of five elements, the first element dating back to 1860-1862, with the most recent comprising some late twentieth century rear additions. For the purposes of these applications, however, it can be described as broadly comprising two wings, the first two-storey at its eastern end extending south along Friars Road and the other, three-storey, on northern boundary extending west along Newport Road. The two main blocks are linked by an octagonal shaped section at the Newport Road/Friars Road junction.

The site also has a lengthy western boundary with the Tesco Store car park and a much shorter southern boundary with the former Staffordshire County Catering Building now occupied by E. Quality Training Ltd on Friars Road.

The site also lies with the Stafford Town Centre Conservation Area.

There are residential properties to the east of the site on the opposite side of friars Road. There is existing commercial development to the north of the site on the opposite side of Newport Road including the large club ‘Couture’.

The site has an overall area of exactly one hectare, much of which is open and currently used for car parking. There is a single vehicular access to the site onto Friars road between the edge of the eastern wing and the southern boundary with the E. Quality Training Ltd premises. This access also serves the E. Quality Training Ltd building.

The Chetwynd Centre has always been used for educational purposes, originally as the King Edward VI Grammar School and most recently as a Sixth Form Centre.

The current proposal is for full planning permission (18/28342/FUL) and listed building consent (18/28344/LBC) for the conversion of the eastern Friars Road wing into 8 three-bedroom and 2 two-bedroom dwellings, the northern Newport Road wing into 10 two-bedroom and 2 one-bedroom apartments, the conversion of the octagonal section into a space to be used for performing arts and the construction of a new block of 10 three-bedroom terraced dwellings along the western boundary of the site with the Tesco car park.

The main octagonal area of performing arts centre will include a stage area and space to accommodate either up to 212 seats or 184 in a dining layout including a new gallery. The area to be converted to a performing arts centre will include a short two-storey section on Friars Road accommodating a dressing room and toilets at ground floor and kitchen and servery at first floor level. There will be a larger two-storey section of the Newport Road wing converted to the performing arts centre, accommodating a foyer bar/seating area and toilets at ground floor level, with a small conference room, toilets and store-room at first floor level and staff facilities in a small second-floor section.

The existing vehicular access will be utilised to serve the proposed development with the central section of the site providing access, parking, manoeuvring space together with landscaping.

**Officer Assessment - Key Considerations**

1. **Principle of Development**

In the Plan for Stafford Borough the majority of future development is to be delivered through the Sustainable Settlement Hierarchy (SP3), which includes Stafford Town, with 70% of the annual target to be in Stafford Town (SP4). The application site is located both within Stafford Town Settlement Boundary and within the Stafford Town Centre Inset in Map 3 Stafford Town Key Diagram (MM25). SP7 states that housing proposals that are consistent with the delivery of the proportions of development intended by SP2, 3 and 4 will be supported within Settlement Boundaries. In Policy Stafford 1 - Stafford Town housing requirements are to be met in part through the development of strategic sites allocated to the north, west and east and also through sites within the urban area of Stafford, which have good accessibility to services and facilities by walking, cycling and public transport.

There is existing residential development to the east and south of the site and the site is lies just within the southern boundary of Stafford Town Centre where a full range of services are available including a wide range of public transport links.
The housing element proposed is considered to constitute sustainable development in accordance with the core aims of the NPPF and specifically paragraphs 59 and 68. The Plan for Stafford Borough seeks to provide 500 dwellings per year, with 70% of housing development located in Stafford Town and designated sites around Stafford Town. Consequently, the current proposal is in accordance with Spatial Principles SP1, SP2, SP3, SP4, and SP7 and with Policy Stafford 1 in The Plan for Stafford Borough.

The proposed Performing Arts Centre is consistent with the provisions of the Employment Section of Policy Stafford 1, (v) which supports an enhanced range and diversity of educational, health, cultural and community services and facilities in the Town Centre.

Policies and Guidance:

National Planning Policy Framework
Paragraphs 59, 63, 68

The Plan for Stafford Borough
Policies: SP1 Presumption in favour of Sustainable Development, SP2 Stafford Borough Housing & Employment requirements, SP3 Stafford Borough Sustainable Settlement Hierarchy, SP4 Stafford Borough Housing Growth distribution, SP7 Supporting the Location of New Development, Policies Stafford 1 - Stafford Town, E8 Town, Local and Other Centres, C1 Dwelling Types and Sizes

2. Character, Appearance and Heritage

On submission of the current applications, the Council’s Conservation Advisor advised that although in broad terms the proposal was acceptable from the conservation point of view, there remained issues over the layout of the internal parking and landscaped area, the design of the new accommodation, and of the recladding of the rear of the Friar’s Terrace wing. The Council’s Design Advisor had similar concerns over the design of the proposed new dwellings and the layout of the internal area between the new and converted buildings.

Amended plans have subsequently been submitted to address these concerns. While the footprint and form of the new houses on the eastern boundary of the site has not been altered, the design of the new buildings has been altered significantly.

The Council’s Design Advisor now considers the overall form/massing, and elevational composition of the new terrace build buildings have been substantially redesigned to provide a much simpler and pleasing arrangement with this element of the scheme. He considers that revised design to now form an appropriately refined and mannered response to the existing architecture, overcoming the previous concern that the block was too fragmented and visually busy.

He has commented on the issue of bin stores and cycle stores, which had previously been overlooked and which he considered needed to be addressed prior to the determination of the application. He suggested that the area proposed as a Landlords Store in the apartment wing would be a convenient location for the bin store and avoid the addition of what would likely be an incongruous enclosure or structure within the external courtyard. Amended plans have now been submitted to show this area as a bin store.
With regard to the design of the internal courtyard, he has advised that the revised layout now appears as a far more rationalised and functional place that demonstrates a clear distinction, but appropriate balance between its movement and parking function and its role as attractive, useable amenity space that is a setting for the surrounding buildings.

The Council's Conservation Advisor has commented that the amended elevation drawings are much improved and very much in line with suggestions. And that he has no objection, subject to details, on conservation grounds.

No alterations are proposed to elevations fronting Newport Road and Friars Road. Only minor alterations are proposed too the rear internal elevation of the western wing. On the rear elevation of the eastern (Friars Road) wing, however, the proposal includes the removal of recently constructed building extensions and aluminium framed patent glazing that currently extends along almost its entire length. In the Heritage Asset Statement submitted with the applications, the impact of this glazing is described as harmful to the older buildings. The new external finish on this internal elevation will be a combination of brick faced cladding, white render and wood effect cladding.

While the Conservation Advisor initially requested that additional information be submitted regarding detailed alterations to be undertaken as part of the conversion of the buildings, it is considered that these matters can appropriately be dealt with by condition. The additional details required relate mostly to internal works and that satisfactory details can be submitted to comply with the requirement of such a condition.

The proposed development therefore is considered to be consistent with the provisions of Policy N9 of The plan for Stafford Borough.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs 124, 127, 128, 130, 184, 189, 190, 192, 193, 197

The Plan for Stafford Borough
Policies: N1 Design, N9 Historic Environment
Supplementary Planning Document (SPD) - Design

3. Amenity

The Council's Design Supplementary Planning Document (SPD) and Policy N1 Design Form (e) of the Plan for Stafford Borough require the design and layout to take account of noise and light implications, together with the amenity of adjacent residential areas or operations of existing activities.

The proposed new build units fully satisfy Design SPD guidelines with regard to minimum separation distances between proposed dwellings. Private amenity space areas are slightly below the minimum 65 sq m sought for 3-bedroom dwellings, but given the location and restricted nature of the site, this slight reduction is not considered unacceptable and will not significantly impact on the level of residential amenity provided for proposed occupiers.
With regard to the units to be provided within the buildings to be converted, a degree of flexibility with regard to minimum distances is normally applied.

Proposed converted dwellings will front onto Friars Road set back only 2 m from the pavement and will face existing houses on the opposite side of Friars Road at distances generally between 15 m and 16 m. The situation of the converted dwellings, however, in relation to Friars Road will be identical to that of the existing dwellings opposite. In this setting with Friars Road classed as a Secondary Residential Street a minimum distance of 16 m would be sought for facing new development. The separation distance provided in this conversion scheme, therefore, would be similar to that required for new build. With regard to amenity areas, 5 of the dwellings will have minimum areas of 50 sq m as sought for two-bedroom dwellings. While this will not be achieved for the remaining five it is considered that overall private amenity area provision is acceptable given that this is a conversion rather than new build scheme, with a restricted area available for such provision.

There are no minimum distances issues regarding the proposed conversion of the northern wing to apartments.

This is a mixed development with proposed residential accommodation and commercial uses in close proximity, with dwellings and apartments in the converted wings of the building adjoining the sections of the building to be converted to a Performing Arts Centre and its associated bar. Apartments in the northern (Newport Road) wing of the building will also face the long-established Club Couture premises on the opposite side of Newport Road. The site, however, is within the boundary of Stafford Town Centre Inset set out in The Plan for Stafford Borough.

Within The Town Centre it is not inappropriate to have residential and commercial uses in close proximity. A number of schemes have been undertaken in recent years in which buildings or upper floors of buildings within the Town Centre have been converted to residential accommodation. In addition the former bus depot at the nearby Espley’s Yard to the north of the current site was redeveloped with residential apartments and food and drink establishments within the same building. Policy Stafford 1 - Stafford Town encourages the residential re-use of upper floors and Policy E8 supports the retention and increase in the amount of residential provision in town centres through both new build and conversion. Policy E8 also supports the maintenance and enhancement of Stafford Town Centre, including its role as a vibrant night time economy including arts and cultural facilities.

Clearly, however, occupiers of residential accommodation within Town Centre locations cannot expect the same level of residential amenity as those within predominantly residential areas. Nevertheless, it is still considered that adequate levels of residential amenity can still be provided for occupiers of proposed residential units. Occupiers will of course also benefit from being located close to Town Centre facilities and services.

A condition can be attached to any approval requiring the submission and implementation of a detailed scheme for the protection of residential properties from noise.
In the case of the Chetwynd Centre, it is considered that given the size, layout and location of the building that a mixed residential use would appear to be an appropriate alternative use and a means of securing the renovation and re-use of large vacant heritage asset.

The Environmental Health Officer has no objections to the proposal subject to a number of conditions. He has requested that controls regarding construction activities, particularly hours of work to safeguard existing neighbouring residents.

In order to protect the residential amenity of the occupiers of the new flats and apartments, and the residents of Friar’s Road, he has also requested a condition requiring details of a scheme of acoustic mitigation to be submitted, approved and subsequently implemented. He also requires details of air handling equipment, which is will be covered in the condition requiring the submission of details of alterations.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs 127, 180

The Plan for Stafford Borough
Policies Stafford 1 - Stafford Town, E8 Town, Local and Other Centres, C4 Housing Conversions and Subdivisions, N1 Design,
Supplementary Planning Document (SPD) - Design

4. Access and Parking

The existing site access onto Friars Road will be utilised to serve the proposed development.

Two parking spaces are to be provided within the curtilages of the 10 three-bedroom terraced dwellings.

Within the central parking area proposed, there will be 28 spaces in the area fronting the 8 three-bedroom and 2 two-bedroom dwellings to be provided in the eastern wing.

A further 32 spaces will be provided in the area fronting the northern wing which is to be converted to 10 two-bedroom and 2 one-bedroom apartments.

The curtilage spaces for the 3-bedroom dwellings satisfies the Council’s Car Parking Standards.

The Council’s Car Parking Standards require 23 parking spaces will be provided, for the dwelling conversions and 15 spaces for the apartments. The requirements are comfortably satisfied, with a further 22 spaces provided above the requirement.

Clearly, the 60 communal spaces provided will accommodate some spaces available for use in connection with the Performing Arts Centre and bar, although specific provision has not been made for this element of the proposals.
The highway authority has raised no objections to the proposals subject to a number of conditions. These require that all proposed access, parking, servicing and turning areas be provided prior to the development being brought into use, that a travel plan be submitted and adhered to, that vehicular access the building to the south of the site be maintained at all times that a Construction Management Plan (CMP) be submitted and approved prior to the commencement of any construction, including demolition, with all site operations then to be undertaken in accordance with the approved CMP for the duration of the construction programme.

The Staffordshire Police Crime Prevention Design Advisor, however, has objected to the proposal referring to highway safety and traffic congestion, limited existing street parking and the lack of allocated bays for visitors to the Performing Arts Centre. Comments from the Police Crime Prevention Design Advisor, however are normally related to design details and how designs can be altered or measures included to deter crime. These comments, however, relate solely to highway safety issues, which it is considered are matters for the highway authority.

The highway authority, however, have raised no objections on highway safety grounds. On the issue of parking provision, in a note added to their comments, they have advised that the parking provision for the residential part of the development meets the Borough Council parking standards and while there is no parking provision for visitors to the Performing Arts Centre as this development is within the Town Centre, it is recognised that there is available public parking that can be used by visitors. The application site is located within the Town Centre boundary, within which parking spaces are not normally required for individual commercial developments. Furthermore, parking provision for new residential development and residential conversions is not normally required to meet residential parking standards applied elsewhere.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs 102, 103, 109, 110

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

5. Obligations

Ten new dwellings are proposed. This number falls just below the threshold limit which would trigger a requirement that 30% of the units provided be affordable. While a further 22 units are proposed, they will be provided in converted buildings. Paragraph 63 of the National Planning Policy Framework states that to support the re-use of brownfield land, where vacant buildings are to being re-used or redeveloped, any affordable housing should be reduced by an appropriate amount, equivalent to the existing gross floor space of the existing buildings.

As the element of the proposals involving the conversion of Chetwynd Centre buildings to residential use does not involve an increase in the building footprint, we consider that the
Vacant Building Credit Exemption should be applied in full. As such no affordable housing obligation is triggered by the residential conversion element of the proposals.

The Parks and Open Spaces Officer has requested a financial contribution of £31,038.86 to go towards the provision of off-site open space either at Victoria Park elsewhere within the Forebridge Ward and County Education are seeking a contribution of £83,901 for the provision of three additional secondary school places. Both can be secured through a Section 106 Agreement to be linked to any planning permission granted.

The site is also within the inner 8 km Zone from the Cannock Chase Special Area of Conservation (SAC). In line with the provisions of Policy N6 of The Plan for Stafford Borough a payment of £159.00 per dwelling is required to provide mitigation measures to avoid any adverse effects from increase in usage of the SAC. This can also be secured through a Section 106 Agreement.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs 63, 92, 94, 96, 176

The Plan for Stafford Borough
Policies: C7 Open Space, Sport and Recreation, N2 Climate Change, N6 Cannock Chase Special Area of Conservation

6. Other

A Flood Risk Assessment and drainage information have been submitted. Both the Environment Agency and the Staffordshire County as the Lead Local Flood Authority have raised no objections to the proposed development subject to conditions. These include minimum finished floor levels for dwellings both new build and conversions, flood resistance and resilience measures and the submission of a detailed surface water drainage design.

In accordance with ecological appraisal submitted with the applications, further Bat Surveys were undertaken in May/June. Common pipistrelles were found to have day roosts within the building. The Biodiversity Officer has advised that the recommendations made in the report submitted with the Survey Report be carried out as stated.

A number of representations have been received regarding the possible impact of implementing the Performing Arts Centre element of the proposals on other possible initiatives for similar type of development elsewhere in the Town Centre. These representations have also queried the viability of the proposals and the suitability of the location. It must be pointed out, however, that the current proposal for the Chetwynd Centre must be considered and determined on its merits in light of government guidance, relevant local plan policies and any other relevant planning considerations. There is no basis, therefore, to reject the current proposals because of any possible impact on initiatives to provide another similar facility elsewhere. Specifically, the possible conversion of the nearby former Stafford Carnegie Old Library has been referred to in representations. This building, however, is in private ownership. No application has been submitted for the conversion of the building to performing arts. Furthermore similar
criticisms of the suitability of the location of the Chetwynd Centre for a performing arts centre use could equally be applied to that building.

Policies and Guidance:-
National Planning Policy Framework
Paragraphs 149, 150, 153, 155, 157, 158, 163, 165, 174, 175

The Plan for Stafford Borough
Policies: N2 Climate Change, N4 The Natural Environment & Green Infrastructure

7. Conclusion

It is considered that the proposals will secure the renovation and re-use of an important heritage building and the redevelopment of associated land within the Town Centre and Conservation Area. The proposed uses for residential and assembly and leisure purposes are appropriate within the Town Centre location and in accordance with Policies Stafford 1 - Stafford Town, E8 Town, Local and Other Centres. The detailed proposals satisfy the requirements of Policy N9. Satisfactory parking facilities are proposed for development in this location.

Consultations

Highway Authority:
There are no objections on Highway grounds to the proposed development subject to the following conditions being included on any approval:-

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

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

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

Before construction works of any kind are commenced on site, including demolition a Construction Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The submitted Construction Management Plan shall include the following details:

- The routeing and operational characteristics of construction vehicles to and from the site;
- Parking facilities for vehicles of site personnel, operatives and visitors;
- Arrangements for the loading and unloading of plant and materials;
- Areas of storage for plant and materials used during the construction of the proposed development;
- Measures to prevent the deposition of deleterious material on the public highway during the construction of the proposed development.

The Construction Management Plan shall be adhered to for the duration of the construction phase.

Vehicular Access the Building to the South of the Site, (Occupied by E. Quality Training Ltd) that is accessed from the development site shall be maintained at all times, during and after development.

Note: The parking provision for the residential part of the development, meets the Borough Council parking standards. There is no parking provision for visitors to the Performing Arts Centre, however as this development is within the Town Centre, it is recognised that there is available public parking that can be used by visitors.

Conservations Advisor:

Initial Consultation:
This scheme has been extensively discussed at pre-application stage and in broad terms is acceptable from the conservation point of view. However there remain issues over the layout of the internal parking and landscaped area, the design of the new accommodation, and of the recladding of the rear of the Friar’s Terrace wing. Additional information will be needed on the following matters.

1. Means of ventilation from the new kitchen
2. Servicing of the kitchens *
3. Method of insertion of the new gallery in the assembly hall
4. Fire and acoustic separation between floors and apartments
5. Thermal upgrading of existing buildings
6. Fabric repairs to existing masonry and joinery (including windows) and rainwater goods *
7. Cross sections to retain evidence of former walls and partitions where removed
8. Details of new internal and external doors *
9. Provision of internal services and drainage runs
10. Details of artificial ventilation to bathrooms, kitchens etc
11. Details and location of central heating flues
12. Details showing insertion of new floors where they intercept windows.

The starred items (2, 6, 8) could be dealt with later by condition but all other matters should be resolved before determination of the application as it will be important to fully understand their impact on the significance of the listed building in coming to a final recommendation.

Additional comments in response to representations:
I am not aware of any specific commitment by the Borough Council that SCOLT will be consulted on any proposals which might affect their aspirations for the Former Carnegie
Library. I have previously advised SCOLT that there would be full public consultation on any planning and listed building consent applications affecting the Carnegie (as a matter of law) and they would have the opportunity to comment like all members of the public.

Regarding their concerns about the change of use of part of the Chetwynd Centre into a performance venue we have to judge the application which is before us. It is a commercial proposition and its viability as a venue is for the owner to determine. Whether it competes with or duplicates other similar venues are similarly commercial matters outside our remit. The only planning considerations, given that there are no specific national or local planning policies covering this use type or any relevant local strategy, are whether the proposed use will be harmful in any way to the listed building (aside from planning considerations such as noise, parking provision etc). In this respect conversion of the former assembly hall with its large void space to a performance venue seems an appropriate use in historic buildings terms. I see no reason for us to vary our normal consideration of the applications.

**Amended Plans:**
The amended elevation drawings are much improved and very much in line with suggestions - I have no objection (subject to details) on conservation grounds.
I support Design Advisor’s comments from the historic building point of view.

**Design Advisor:**
Having now reviewed the revised design proposals for the new-build terraced houses and the internal courtyard of the scheme I consider these latest proposals to be sufficiently reflective and accordant with the advice and recommendations offered during the application process to enable support for the scheme to be given.

With the focus of previous discussions being centred around the re-design of the new-build terrace and internal courtyard, the issue of bin stores and cycle stores has been overlooked. Given the nature of the development it is likely there will be a requirement for both of these elements, and I would highlight that these need to be addressed prior to the determination of the application. It is suggested that the currently proposed “Landlords Store” would be a convenient location for the bin store and avoid the addition of what would likely be an incongruous enclosure or structure within the external courtyard. In the same regard, if there is to be an external cycle store, its design and location need to be agreed prior to determination of the application.

In regard to the new build terrace, the overall form/massing, and elevational composition of the buildings have been substantially redesigned to provide a far more simplified and satisfying arrangement with this element of the scheme now being considered as an appropriately refined and mannered response to the existing architecture. This completely alleviates the previous concern that the block was too fragmented and visually busy.

With regard to the design of the internal courtyard, it now appears as a far more rationalised and functional place that demonstrates a clear distinction, but appropriate balance between its movement and parking function and its role as attractive, useable amenity space that is a setting for the surrounding buildings.

**Historic England:**
On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation advisor.
Theatres Trust:
We welcome the arts centre element of this proposal. The site is located within the designated boundary of Stafford Town Centre. Policy Stafford 1 – Stafford Town, Stafford Town Centre part v. of the Plan for Stafford Borough 2011-2031 (2014) supports “an enhanced range and diversity” of cultural and community services and facilities within the town centre. Policy E8 builds on this, supporting the enhancement of the function, vitality and viability of the town centre through measures including promoting a diversity of uses including the “provision of entertainment and cultural activities”. The Key Objectives for Stafford outlined in the Plan also include making Stafford “a significant sub-regional centre for retailing, leisure and cultural attractions”. Therefore a performing arts centre in this location can be considered an acceptable land use and would contribute towards achieving the Plan’s objectives.

We make no comment on the appropriateness of residential use at this site in general terms as it is outside of our remit, although we would highlight that noise-generating community and cultural uses and residential use in close proximity isn’t necessarily compatible. To manage potential conflict with neighbouring properties, in particular the new residential unit directly to the south of the arts centre, we would recommend that both the arts centre and the new units are appropriately soundproofed. It may also be appropriate to require a covenant on the new residential units preventing noise-complaints arising from new residents which could undermine the future use and viability of the arts centre. On a similar note, within the arts centre there seem to be no sound and light locks which will be important for preventing bleed to or from the foyer and other areas.

In terms of the design and layout of the arts centre, we have some further suggestions that the applicant may wish to consider in order to maximise the future sustainability of the facility. Such matters can be managed through subsequent amendments to the scheme and do not impact on the recommendation arising from our comments.

The plans show just one dressing room, but we would encourage the implementation of a further one to meet requirements if the centre is to be used by children. This could be achieved through reducing the current backstage toilet provision, with the indicative female toilet space becoming a second changing room. Consideration might be given to replacing the male toilets with one or two unisex toilets alongside the toilet for those with disabilities, and installing a shower which would be beneficial to the attractiveness of the space for hires. We note there is a bathroom at level 2, but there is no lift access to that floor.

There is also no space shown for storage, which will be important for keeping props, scenery, outfits and any other equipment required for the flexible use of the space. The existing floorplan show a store in the proposed location of the backstage lift and dressing room; given the constraints of utilising an existing building it may be of greater benefit to have appropriate storage rather than a backstage lift.

Overall, notwithstanding the residential element of this proposal, we support the proposed performing arts centre and recommend the granting of planning permission and listed building consent.
**Biodiversity Officer:**

Protected Species additional comment - Roy Leigh Ecology undertook surveys for Bats during May/June 2018.

Bats:  
Common pipistrelles were found to have day roosts within the building. The recommendations made in the report will therefore need to be carried out as stated. This will include:

- Two Schwegler 1FR bat tubes or two Ibstock “Bat Box C” should be installed in appropriate locations - as directed by the ecologist;
- External lighting should be designed to avoid light spill on bat tubes;
- Landscaping planting proposals should take account of bats and enhance existing foraging areas.

**Tree Officer:**  
No comments.

**Parks and Open Spaces Development Officer:**  
Contributions towards open space:  
Due to the size of this development the Council is reasonably entitled to request a quantitative provision of 30.81 sq m per person of open space provision under its current policy.  
All open space provision should be on onsite.  
In accordance with the financial contributions guide for new development provision of Open Space and commuted sums, the contribution required for this development should be: £27,467.21 capital cost towards the development of open space.  
In order for developers to calculate the open space requirements, the cost of open space per dwelling is: £915.57 (capital cost); £1,705.60 (on-site maintenance); and £119.06 (offsite maintenance).  
The contribution will go towards an offsite provision either, Victoria Park or an open space within the Forebridge Ward with a maintenance contribution of £3,571.65. Total contribution is therefore £31,038.86.

**Sports Provision:**  
The Councils Open Space, Sport and Recreation Assessment update identifies that there will be a need for an additional 6 ATP pitches required due to an increase in the population of the borough and demand.  
Sport England and the Open Space, Sport and recreation Assessment identifies there is currently as shortfall of 300 sq m of pool space and that that Stafford Leisure Centre is currently operating at capacity along with Alleyne’s. Any future developments will further increase the deficiency in swimming capacity.  
However due to the size of the development we will not be seeking sport contributions.

Adoption of footpaths and cycle ways and associated lighting:  
Sport and Outdoor Leisure will not be seeking the adoption of any footpath or cycle way and associated infrastructure including lighting as part of this development. These paths should be adopted by the County Council who are the highways authority for the Borough.
Flood Attenuation/Sustainable Drainage Systems:
Stafford Borough Council will not adopt any land forming part of a flood attenuation scheme as a result the Council will not be seeking adoption of any of the open space upon site and alternative management methods must be secured. This should be discussed with Severn Trent Water as we are aware they will be unlikely to adopt the drainage system on the development site.

Site planting:
All trees should be native to the UK. Sycamore should not be planted under any circumstances.
Where trees are planted adjacent to footpaths or hard standing, trees should be planted in tree pits and liner pavement protection should be installed.

Environment Agency:
We have reviewed the letter from Evans Rivers and Coastal, ref. 1917/RE/01, dated 08 May 2018, submitted in support of this application and are now in a position to withdraw our objection. We recommend if planning permission is granted the following planning condition is imposed.
The proposed development will only meet the requirements of the National Planning Policy Framework if the following measures as detailed in the Flood Risk Assessment submitted with this application are implemented and secured by way of a planning condition on any planning permission.

Condition
The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated September 2017 reference 1917/RE/09-17/01 undertaken by Evans Rivers and Coastal Limited and Flood Risk Addendum Letter dated 8 May 2018 and the following mitigation measures detailed within this letter:

1. Finished floor levels of the proposed housing development are set no lower than 75.96 m above Ordnance Datum (AOD).
2. Finished floor levels of the existing building are set no lower than 75.36 m above Ordnance Datum (AOD).
3. Flood resistance and resilience measures shall be incorporated into the development up to 75.96 m (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason
To reduce the risk of flooding to the proposed development and future occupants.

Staffordshire County Lead Local Flood Authority:
The Strategic Drainage Plan (C2C Drawing No: K723-104, 06/08/18) and supporting calculations demonstrate that an acceptable Drainage Strategy can be achieved as part of the proposed development.
We would recommend that the following conditions should be attached to any planning permission.
We ask to be consulted on the details submitted for approval to your Authority to discharge this condition and on any subsequent amendments/alterations. The proposed development will only be acceptable if the following measures are incorporated in an acceptable surface water drainage scheme, to be secured by way of planning conditions on any planning permission.

Condition
No development shall begin until a detailed surface water drainage design has been submitted to and approved by the Local Planning Authority in consultation with the Lead Local Flood Authority.
The design must be in accordance with the overall strategy and key design parameters set out in the Strategic Drainage Plan (C2C Drawing No: K723-104, 06/08/18). The design must demonstrate:

Surface water drainage system(s) designed in accordance with national and local standards, including the Non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015);
SuDS design to provide adequate water quality treatment, which can be demonstrated using the Simple Index Approach (CIRIA SuDS Manual 2015);
Limiting the discharge rate generated by all rainfall events up to the 100 year plus climate change critical rain, to ensure that there will be no increase in flood risk downstream;
Surface water discharge via infiltration where possible, in accordance with the drainage hierarchy;
Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods;
Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system, sewer flooding, and overland flow from off-site. Site layout and levels should provide safe exceedance routes and adequate access for maintenance;
Provision of an acceptable management and maintenance plan for surface water drainage to ensure continued performance of the system for the lifetime of the development. This should include a schedule of required maintenance activities and frequencies, and contact details for the organisation responsible for carrying out these duties.

Reason
To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development.

Seven Trent Water:
As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.
Cadent: 
Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent’s legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent’s Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent’s Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent’s Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Staffordshire County Education:
The development is scheduled to provide 32 dwellings. Excluding the 12 apartments from secondary only, a development of 20 houses could add 4 primary school aged children and 3 secondary school aged children.

St Paul’s CE (VC) Primary School is projected to have sufficient space to accommodate the likely demand from pupils generated by the development and therefore no primary education contribution would be sought.

There is already a known shortfall of secondary school places projected across the secondary schools which serve Stafford without taking into account the impact of this development. A contribution towards additional secondary school places is therefore necessary to mitigate the impact of the development.

As indicated above the mix of the development is expected to generate three secondary aged pupils and a secondary education contribution of £83,901 (3 x £27,967). The education contribution for additional secondary school places has been based on methodology used within the SKM report jointly commissioned by Staffordshire County Council and Stafford Borough Council.

The above is based on current demographics and the breakdown of dwellings provided and would therefore wish to be consulted should there be any proposed changes to the number and mix of dwellings for the development.

The trigger for payment of the total education contribution of £83,901 for this development site would be on commencement of the development.

Environmental Health Officer:
In order to protect the residential amenity of the occupiers of the new flats and apartments, and the residents of Friar’s Road, it is recommended that conditions are attached to any approval. The conditions cover the construction phase and also the operational stage involving the proposed kitchen, bar, and entertainment space.

Construction phase

1. All works, including demolition, site works and construction shall only take place between the hours of 08.00 am and 18.00 Monday to Friday; 08.00 to 14.00 Saturdays and not at all on Sundays or Bank Holidays. Deliveries to the site shall only take place between the hours of 08.00 and 18.00 Monday to Friday; 08.00 to
14.00 Saturdays and not at all on Sundays or Bank Holidays. Delivery vehicles shall not park on the access highways to the site.

2. There should be no burning on site during development.

3. Facilities shall be provided at the site and used when necessary for damping down to prevent excessive dust.

4. Road sweeping shall be carried out at regular intervals, both on the site and on the access highway to prevent excessive dust.

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

6. If piling work is proposed, in order to demonstrate the use of best practicable means under the provisions of the Environmental Protection Act 1990, there must be sufficient justification.

7. for the use of driven piles over other piling methods. Methods, equipment, measures to prevent disturbance, the nature and extent of the ground and construction work details should be submitted in writing to the Local Planning Authority and no piling work to be carried out until the details are approved.

Operational phase

1. The comments of the Conservation Officer in relation to air handling equipment are endorsed.

2. Details should be submitted in writing to the Local Planning Authority outlining a scheme of acoustic mitigation to prevent noise and vibration nuisance to the neighbouring residential properties.

Staffordshire Police Crime Prevention Design Advisor:
This proposal is located on a very busy thorough-fare opposite a night club, a taxi rank and a number of other smaller, late opening licensed premises. I note on some drawings that have been submitted with this proposal that mention is made of further use being made of the performing arts centre as a restaurant and wedding reception venue. Friars Road has terraced housing facing the proposals eastern elevation, double yellow lines and 1 hour time limited parking bays. Newport road has a bus-stop and pedestrian crossing adjacent the proposed houses, double yellow lines on both sides of the road, and already suffers from traffic congestion as vehicles wait at traffic lights to either turn left into Tesco’s car-park, continue towards Newport or access the turn right lane for the railway station at the next set of traffic lights or in the opposite direction wait to turn right into Friars Road or turn right towards the A449 and A34 to leave the town centre.

Whilst the proposed development has allocated parking bays for centre staff and residents there are no allocated visitor bays for people visiting residents or for people wishing to attend the performing arts centre to either practice or conduct a performance. The lack of parking bays for people visiting resident’s homes e.g. family social event, birthday, anniversary, Christmas party etc, will cause neighbour disputes when driveways
are blocked by visitors either parking in someone else’s allocated bay or parking on the pavement blocking residents’ driveways, especially if neighbours are not on friendly terms. The lack of parking will be exacerbated when a performance or function is held at the arts centre and those attending access the site via Friars Avenue and cannot park their vehicles resorting to blocking resident’s vehicles in or leaving vehicles on either Newport Rd or Friars Road causing traffic congestion and road safety issues. It is for these reasons that Staffordshire Police object to this proposal in its present form.

Neighbours (102 consulted):
10 responses: Material planning considerations summarised below:
- Concern that Friars Road is becoming increasingly dangerous because of usage by heavy vehicles and speeding motorists;
- Traffic calming measures should be undertaken near the entrance to the Chetwynd Centre;
- Concern over additional parking on Friars Road impacting on existing residents
- Understood that the Council has been considering providing parking facilities for existing residents;
- As Performing Arts Centre will require a sizeable quantity of parking spaces, there does not appear to be much space left for residents and visitors;
- Lack of nearby parking facilities;
- Difficult for larger vehicles to manoeuvre within the site;
- Consideration needs to be given to the needs of existing neighbouring businesses in the that require parking as well as the additional parking needs that will be created by this development;
- Concern over structural impact of construction works on neighbouring properties - problems were caused during the construction of the Tesco store;
- Concern over the potential impact of development on efforts by Stafford Carnegie Old Library Trust (SCOLT) to establish a Performing Arts, Community and Cultural Centre at the Carnegie Building;
- Carnegie Library or parts of the Shire Hall would be more suitably located for performing arts use;
- SCOLT should be involved in proposals such as this;
- Chetwynd Centre is not the best location in the town for this type of development;
- Performing Arts Centre incompatible with residential development due to noise nuisance from activities and disturbance caused by large volumes of visitors attending performances;
- Performing Arts Centre would impact adversely on privacy of neighbouring residential occupiers;
- There is a lack of inclusion of feedback from experts in the development of community/cultural facilities in the current plans - this part of the plan has not been properly scrutinised and may not be realistic;
- There have been no discussions about how the developer will work constructively with other similar projects in the same locality to ensure that all heritage and cultural projects are compatible and can survive through collaborative efforts;
- Disappointing if an ill conceived arts centre proposal were to put at risk other pipeline plans;
- Performing Arts Centre proposal has been put forward by a developer with no track record in such development;
- Stafford desperately needs a Performing Arts Centre/Space since the local theatre does not support ‘community theatre/arts’;
There are Swift nesting sites on the north side of the site. Request a condition to require developers insert several swift nesting bricks in the same area as the current nests. Swifts are suffering a drastic decline in numbers due to loss of nesting sites. They are clean nesters (unlike martins) and will not impact on any residents or users of the property.

Site Notice:
Expiry date: 17.05.2018

Newsletter Advert:
Expiry date: 16.05.2018

Relevant Planning History
13650 - Erection of 1.8m high chain link fence between playing field and Newport Road - Approved - 13.09.1982
41397 - Demolition and rebuilding of existing wall - Approved - 24.04.2002
04/03425/LBC - Removal of 4.2m wall to provide wider car park entrance with provision of two metal gates and posts - Approved - 28.02.2005
04/03555/SCG - Widen vehicular access, add new gates and enlarge car park - Approved by SCC - 06 December 2004
05/04487/SCLB - Retention of roof repair works - Approved - 14.07.2005
07/08743/SCLB - Addition of two names to war memorial - Approved - 07.11.2007

Recommendation

Approve, subject to the following conditions

0. Subject to the applicant first entering into a Section 106 obligation within one month of the Committee resolution, or an alternative period otherwise first agreed in writing by the Local Planning Authority, to secure financial contributions towards the provision of off-site open space, education places and the Cannock Chase Special Area of Conservation mitigation measures, permit subject to the following conditions:

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

2. The development authorised by this permission shall be carried out in complete accordance with the following submitted drawings numbers:

   3977 01; 3977 02; 17L30 P02 B; 17L30 P03; 17L30 P04; 17L30 P05 B; 17L30 P06; K723-100; K723-101; K723-102; K723-103; K723-104; K723-105; and K723-106 except insofar as may be otherwise required by other conditions to which the permission is subject.
3. Prior to the commencement of development details of the following shall be submitted to and approved by the local planning authority:
   a) Means of ventilation from the new kitchen;
   b) Servicing of the kitchens;
   c) Method of insertion of the new gallery in the assembly hall;
   d) Fire and acoustic separation between floors and apartments;
   e) Thermal upgrading of existing buildings;
   f) Fabric repairs to existing masonry and joinery (including windows) and rainwater goods;
   g) Cross sections to retain evidence of former walls and partitions where removed;
   h) Details of new internal and external doors;
   i) Provision of internal services and drainage runs;
   j) Details of artificial ventilation to bathrooms, kitchens etc;
   k) Details and location of central heating flues;
   l) Details showing insertion of new floors where they intercept windows.

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

5. All soft landscaping works shall be carried out in accordance with the approved scheme as set out in drawing number 3977 02 in accordance with a programme of implementation to be submitted to and approved in writing by the local planning authority prior to the commencement of development. 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.

6. All hard landscaping works including surfacing and boundary treatments shall be carried out in accordance with the approved scheme as set out in drawings number 3977 01 and 3977 02.

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

8. Before construction works of any kind are commenced on site, including demolition a Construction Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The submitted Construction Management Plan shall include the following details:
   - The routeing and operational characteristics of construction vehicles to and from the site;
   - Parking facilities for vehicles of site personnel, operatives and visitors;
   - Arrangements for the loading and unloading of plant and materials;
   - Areas of storage for plant and materials used during the construction of the proposed development;
- Measures to prevent the deposition of deleterious material on the public highway during the construction of the proposed development.

The Construction Management Plan shall be adhered to for the duration of the construction phase.

9. Vehicular access the building to the South of the Site (currently occupied by E. Quality Training Ltd) that is accessed from the development site shall be maintained at all times during and after development.

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

11. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated September 2017 reference 1917/RE/09-17/01 undertaken by Evans Rivers and Coastal Limited and Flood Risk Addendum Letter dated 8 May 2018 and the following mitigation measures detailed within this letter:

1. Finished floor levels of the proposed housing development are set no lower than 75.96 m above Ordnance Datum (AOD).
2. Finished floor levels of the existing building are set no lower than 75.36 m above Ordnance Datum (AOD).
3. Flood resistance and resilience measures shall be incorporated into the development up to 75.96 m (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

13. No development shall begin until a detailed surface water drainage design has been submitted to and approved by the Local Planning Authority in consultation with the Lead Local Flood Authority. The design must be in accordance with the overall strategy and key design parameters set out in the Strategic Drainage Plan (C2C Drawing No: K723-104, 06/08/18). The design must demonstrate:
Surface water drainage system(s) designed in accordance with national and local standards, including the Non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015);
SuDS design to provide adequate water quality treatment, which can be demonstrated using the Simple Index Approach (CIRIA SuDS Manual 2015);
Limiting the discharge rate generated by all rainfall events up to the 100 year plus climate change critical rain, to ensure that there will be no increase in flood risk downstream;
Surface water discharge via infiltration where possible, in accordance with the drainage hierarchy;
Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods;
Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system, sewer flooding, and overland flow from off-site. Site layout and levels should provide safe exceedance routes and adequate access for maintenance;
Provision of an acceptable management and maintenance plan for surface water drainage to ensure continued performance of the system for the lifetime of the development. This should include a schedule of required maintenance activities and frequencies, and contact details for the organisation responsible for carrying out these duties.

15. Prior to the commencement of the development, details shall be submitted to and approved in writing by the Local Planning Authority outlining a scheme of acoustic mitigation for the protection of the proposed residential properties from noise and vibration nuisance. Thereafter, the development shall only be undertaken in accordance with the approved details and no residential accommodation shall be occupied until the approved scheme has been completed.


17. All site works and construction together with deliveries to the site shall only take place between the hours of 08.00 and 18.00 on Mondays to Fridays inclusive and between 08.00 and 14.00 on Saturdays and not at all on Sundays or on Bank and other Public Holidays. In addition: all demolition materials shall be removed from 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 occupied residential properties; facilities shall be provided at the site and used when necessary for damping down to prevent excessive dust; road sweeping shall be carried out at regular intervals, both on the site and on the access highway to prevent excessive dust and during the development there shall be no burning on site during development.

18. If piling work is proposed, in order to demonstrate the use of best practicable means under the provisions of the Environmental Protection Act 1990, there must be sufficient justification for the use of driven piles over other piling methods. Methods, equipment, measures to prevent disturbance, the nature and extent of the ground and construction work details should be submitted in writing to the Local
Planning Authority and no piling work shall be carried out until the details are approved.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any other subsequent equivalent Orders no development within Classes A (enlargement, improvement or alterations), B (additions etc to the roof of a dwellinghouse), C (other alterations to the roof of a dwellinghouse) D (porches), E (buildings incidental to the enjoyment of a dwellinghouse, F (hard surfaces incidental to the enjoyment of a dwellinghouse), G (chimneys, flues etc on a dwellinghouse) and H (microwave antenna on a dwellinghouse) of Part 1 Schedule 2 of the Order shall be carried out to the dwellinghouses approved as part of this permission without the prior written consent of the local planning authority.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any other subsequent equivalent Orders no gates, fences, walls or other means of enclosure shall be erected other than those approved as part of this permission without the prior permission of the Local Planning Authority.

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

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

2. To define the permission.

3. In order to safeguard the architectural and historic character if this Grade II listed building which forms an important part of the Stafford Town Centre Conservation Area. (Policy N9 of The Plan for Stafford Borough).

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

5. To enhance the appearance of the development. (Policies N1 (g) and (h) of The Plan for Stafford Borough).

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

7. In the interests of the safety and convenience of users of the highway. (Policy T1(c) of The Plan for Stafford Borough).

8. In the interests of the safety and convenience of users of the highway. (Policy T1(c) of The Plan for Stafford Borough).

9. In the interests of the safety and convenience of users of the highway. (Policy T1(c) of The Plan for Stafford Borough).
10. In the interests of the safety and convenience of users of the highway. (Policy T1(c) of The Plan for Stafford Borough).

12. To reduce the risk of flooding to the proposed development and future occupants. (Policy N2 of The Plan for Stafford Borough).

14. To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development. (Policy N2 of The Plan for Stafford Borough).

15. To safeguard the occupiers of the approved residential accommodation from nuisance from noise and vibration. (Policy N1 (e) of The Plan for Stafford Borough).


17. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1 (e) of The Plan for Stafford Borough).

18. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1 (e) of The Plan for Stafford Borough).

19. In order to safeguard the architectural and historic character of this Grade II Listed building. (Policy N9 of The Plan for Stafford Borough).

20. In order to safeguard the architectural and historic character of this Grade II Listed building. (Policy N9 of The Plan for Stafford Borough).

Informative(s)

1. The local planning authority considers the proposal to be a sustainable form of development and therefore complies with the provisions of the National Planning Policy Framework.

2. The applicant's attention is drawn to the comments of the highway authority, the Lead Local Flood Authority, the Environment Agency and Cadent as submitted in response to consultations on this application. All comments received can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).
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<th>Application</th>
<th>18/28901/FUL</th>
<th>Case Officer</th>
<th>Ed Handley</th>
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</thead>
<tbody>
<tr>
<td>Date Registered</td>
<td>26 July 2018</td>
<td>Target Decision Date</td>
<td>25 October 2018</td>
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<tr>
<td>Address</td>
<td>Former Police HQ Cannock Road Stafford</td>
<td>Ward</td>
<td>Weeping Cross and Wildwood</td>
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<td>Parish</td>
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<tr>
<td>Proposal</td>
<td>Variation of conditions 13, 14, 15, and 16 on permission 18/27849/FUL to amend the trigger points from prior to first occupation to prior to the occupation of the 31st dwelling</td>
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<td>Applicant</td>
<td>Bellway Homes Ltd</td>
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<tr>
<td>Recommendation</td>
<td>Approve, subject to conditions and to the completion of a Deed of Variation</td>
<td></td>
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</tbody>
</table>

**REASON FOR REFERRAL TO COMMITTEE**

This application has been called in by Councillor J A Barron (Ward Member for Weeping Cross and Wildwood) for the following reasons:-

'It is most important that the infrastructure changes are in place prior to any occupation otherwise pedestrian/cyclist safety may be at risk: pedestrian crossing at Weeping Cross, upgrade of puffin crossing on A34, A34 corridor study, realignment of highway lanes, travel plan, and a traffic management scheme. Once the first 31 homes have been completed these conditions may never be implemented.’

**Context**

The application site comprises the former Policy HQ site at Weeping Cross where all original buildings have been cleared from the site.

The site lies to the south of Stafford town centre within a primarily residential area. Houses and bungalows adjoin the site boundaries to the east on Knowle Road and the south along Cremorne Drive. The site is subject to a number of Tree Preservation Orders.

This application is for the variation of conditions 13, 14, 15, and 16 on permission 18/27849/FUL.

Permission 18/27849/FUL, granted 20 June 2018, approved the construction of 141 houses including 42 affordable units.
The conditions to be varied relate to off-site highway works, the submission of a travel plan to promote travel by sustainable modes, and the implementation of a traffic management scheme. The requirements of the conditions are as follows:

- Condition 13: New signal controlled cycle/pedestrian crossing on Weeping Cross (north of site);
- Condition 14: Upgrade of existing puffin crossing on the A34 (north of the site entrance) to a signal controlled cycle/pedestrian crossing;
- Condition 15: Travel plan to promote travel by sustainable modes;
- Condition 16: A traffic management scheme to include road junction box markings on the A34 at Wildwood Drive and the proposed site entrance.

An application for the discharge of conditions is currently being considered by the Local Planning Authority for which a decision is likely to be made after this application has been determined.

**Officer Assessment – Key Considerations**

1. **Assessment**

Conditions 13, 14, 15, and 16 all require the above works to be carried out or information to be submitted before the first occupation of any dwelling.

The applicant proposes that these conditions are varied to allow thirty dwellings to be occupied before the requirements of the conditions are triggered.

There would be no amendment to the scheme itself other than the timing of the proposed highway works.

The Highway Authority raise no objection to the proposal on highway safety grounds. The applicant states that the variation would prevent any delays in resolving a Section 278 agreement with Staffordshire County Council for the works resulting in delays to occupation of the first dwellings to be completed.

The Transport Assessment submitted in support of application 18/27849/FUL proposed these off-site works to provide crossing points for pedestrians to access local facilities.

Concern is raised by the local ward councillor with regard to these conditions being complied with once the dwellings have been occupied. However, it is considered that varying the trigger point to 31 dwellings would not result in any impact on the enforceability of the conditions. Should the developer not comply with the proposed conditions the expediency of pursuing enforcement action would then be considered.

The Section 106 agreement would require amending through a Deed of Variation with regard to this application should it be approved.

**Policies and Guidance:**

National Planning Policy Framework
Paragraphs: 7, 8, 10, 11, 102, 103, 104, 108, 109, 110, 111
2. Conclusion

The conditions which the applicant proposes to vary were all recommended by the Highway Authority during consideration of application 18/27849/FUL in the interests of the safety and convenience of users of the highway and to ensure that sustainable transport methods are encouraged. It is not considered that the proposed variation of conditions 13, 14, 15, and 16 would result in any harm to the safety and convenience of users of the highway and the Highway Authority raise no objection to their variation. The application should, therefore, be approved.

Consultations

Highway Authority:
No objection.

Neighbours (85 consulted):
One representation received in objection, raising the following points:
- Increase in traffic.

Comments were also made relating to the overall development, rather than the proposed variation of conditions.

Site notice expiry date: 29 August 2018

Relevant Planning History

18/27849/FUL – Residential development of 141 dwellings, including balancing pond, play and open space, and associated infrastructure – Approved 20 June 2018

Recommendation

Approve, subject to the following conditions:

1. The development to which this permission relates must be begun not later than 20 June 2021.

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:-
3. The development shall be implemented in accordance with the approved phasing plan, Drawing Number WC/PHAS/01 'Proposed Phasing Plan', unless otherwise submitted to and approved in writing by the local planning authority.

4. The development shall be implemented in accordance with the recommendations of the approved Ecological Mitigation and Management Plan, reference 7356.EMMP.vf dated March 2018.

5. The vehicular access features, including flanking walls, railings, pillars or gates, as well as the internal site road gateways and boundary pedestrian (Weeping Cross) maintenance (Cannock Road) and lockable five bar (Cannock Road) access gateways, shall be implemented in accordance with the approved plan Drawing Number WC/GFD.01 'Gate & Fence Details (Condition 5)', subject to details of brick and stone materials, as indicated on the approved plan, that have been previously submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.

6. Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Planning (General Permitted Development) (England) Order 2015, as amended or any subsequent re-enactment of that Order or equivalent Order, no gates or barriers shall be provided within the external site boundaries or across internal estate roads or driveways, except as approved under this consent, without the prior written consent of the local planning authority.

7. Notwithstanding the details of tree specimens and sizes shown on the approved landscape scheme, as contained within Drawing Numbers GLO764 01D, GL0764 02B and GL0764 03B 'Soft Landscape Proposals', revised details for the proposed species mix of the tree plantings shown on the landscape layout, shall be submitted to and approved in writing by the local planning authority. The subsequently revised landscape scheme details shall thereafter be implemented within 8 months of the completion of the development, or the relevant phase of that development.

All tree plantings carried out as part of the approved landscaping will use container grown nursery stock only. Each tree will be planted using either a two stake and strap or ground anchor system. No use of single tree stakes or 'crossbar' supports will be employed.

Any failures, including specimens that are damaged, die or are otherwise lost, within five years of first planting shall be replaced with the same species and size of specimen in the first available planting season, unless otherwise previously agreed in writing by the local planning authority under the terms of this condition.

8. No development shall take place other than in accordance with the "Written Scheme of Investigation for Evaluation Trenching Baswich Park" prepared by Lanpro dated March 2018. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the approved plan.
with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

9. The development, or any relevant phase of the development, shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the relevant approved plans.

10. The development hereby permitted shall not be brought into use until the access to that part of the site, or phase, within the limits of the public highway has been completed.

11. No dwelling shall be occupied until the associated driveway and/or parking space has been surfaced in a bound material and sustainably drained in accordance with details to be first submitted to and agreed in writing by the Local Planning Authority.

12. The development hereby permitted shall not be brought into use until the visibility splays shown on Drawing Number 1000 rev S 'Planning Layout' have been provided. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

13. No more than 30 dwellings shall be occupied until the proposed signal controlled cycle/pedestrian crossing on Weeping Cross to the north of the site has been completed in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority.

14. No more than 30 dwellings on any phase of the development shall be occupied until the proposed upgrade of the existing Puffin Crossing on the A34, north of the site entrance, to a signal controlled cycle/pedestrian crossing, has been completed in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority.

15. No more than 30 dwellings shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including a timetable) to promote travel by sustainable modes which are acceptable to the Local Planning Authority. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning consent to the Local Planning Authority for approval for a period of five years from first occupation of the development permitted by this Consent.

16. No more than 30 dwellings on any phase of the development shall be occupied until a traffic management scheme, including Road Junction Box Markings on the A34 at Wildwood Drive and the proposed Site Entrance, has been completed in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority.
17. The development shall be implemented in accordance with the Construction Management Plan dated March 2018 and the accompanying Compound Location Plan, Drawing number WC/CL/01, received under email dated 22 March 2018 (scanned on 23 March 2018). The provisions of the Construction Method Statement and Compound Location Plan shall be adhered to throughout the construction period unless the development is implemented in accordance with alternative details previously submitted to and approved in writing by the local planning authority.

18. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

19. The construction and layout of the houses shall be in full accordance with the 'Recommendations' set out on page 11 of the submitted noise report by Hoare Lea Acoustics reference REP10/04619 - R4 -AM- Weeping Cross. Before construction of the houses begins details indicating the houses which will receive additional treatment together with the positioning of any acoustic fencing shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

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

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

22. Screening shall be provided to the site boundaries prior to commencement of development in accordance with details to have been previously submitted to and approved in writing by the Local Planning Authority.

23. The sub-station shall be constructed in accordance with Drawing Number WC-SUB-01, unless in accordance with alternative details previously submitted to and agreed in writing by the local planning authority. Details of any screening, including a time scale for implementation of the screening works, shall be submitted in writing to the local planning authority prior to the construction of the sub-station and the screening shall be implemented in accordance with the approved details.

24. No dwelling on any cul-de-sac or private drive served by a bin collection point, as shown on the approved plans, shall be occupied until the bin collection point for that cul-de-sac/private drive has been implemented in accordance with the details shown on the approved plans and as illustrated by the submitted photograph recorded as received on 23 March 2018.
25. The accommodation provided at first floor level in the Elite and Supreme detached garages shall be used for purposes wholly ancillary to the residential use of the dwelling on the corresponding plot and shall not be let, leased out, sold or otherwise occupied or disposed of separately from that dwelling.

26. No phase of development shall begin until a detailed surface water drainage design for that phase has been submitted to and approved by the Local Planning Authority in consultation with the Lead Flood Authority. The design must be in accordance with the overall strategy and key design parameters set out in the Flood Risk Assessment and Drainage Strategy (References 16061 Rev A 06/12/17 and Drawing Number 3 revision D).

The design must demonstrate:
- Surface water drainage system(s) designed in accordance with national and local standards, including the Non-statutory technical standards for sustainable drainage systems (DEFRA March 2015).
- SuDS design to provide adequate water quality treatment, which can be demonstrated using the Simple Index Approach (CIRIA SuDS Manual 2015).
- Limiting the discharge rate generated by all rainfall events up to the 100 years plus 40% climate change critical rain storm to 99.1 l/s to ensure that there will be no increase in flood risk downstream.
- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the design system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system. Site layouts and levels should provide safe exceedance routes and adequate access for maintenance.

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

The development shall not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with the approved details before the development, or any previously approved phase of the development, is first brought into use.

27. The development shall be implemented in accordance with the provisions of the Arboricultural Assessment and Method Statement dated December 2017 and the Addendum to Arboricultural Method Statement dated March 2018 as received and scanned on 16 January 2018 and 22 March 2018 respectively.

All measures within the approved Tree Protection Plans [Drawing numbers 8175-A-06 and 8175-A-07 'Updated Tree Protection Plan Rev B - Phase 1 Fencing]
Positions' and drawing numbers 8175-A-08 and 8175-A-09 'Updated Tree Protection Plan Rev A - Phase 2 Fencing Positions] attached to the Addendum to Arboricultural Method Statement shall be implemented and maintained throughout the development process until completion of all construction related activity, unless otherwise agreed in writing with the Local Planning Authority.

28. Notwithstanding any details shown on the approved plans no excavations, demolition of boundary walls and fences or above ground construction works shall commence until details of the proposed Cannock Road and Weeping Cross boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

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

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

2. To define the permission.

3. To define the permission.

4. In order to ensure that biodiversity value and natural environment of the site is maintained and enhanced (Policy N4 of the Plan for Stafford Borough).

5. To safeguard the character and appearance of the area and ensure highway safety is maintained (Policies N1 and T2 of The Plan for Stafford Borough).

6. In the interests of local amenity and the safety of highway users (Policies N1 and T2 of the Plan for Stafford Borough)

7. To safeguard the character and appearance of the area and ensure protection and enhancement of the natural environment and biodiversity features (Policies N1 and N4 of The Plan for Stafford Borough).

8. In order to afford proper archaeological investigation recording and protection. (Policy N9 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. To ensure the provision of adequate off-street facilities in the interests of the convenience and safety of users of the highway. (Policy T2d of The Plan for Stafford Borough).
12. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).

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


15. In the interests of encouraging sustainable transport methods and reduction in traffic generation (Policy T1b of the Plan for Stafford Borough).

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

17. In the interests of the safety and convenience of users of the highway and to protect residential amenity. (Policies T1c and N1 of The Plan for Stafford Borough).

18. To safeguard against pollution. (Policy N2 of the Plan for Stafford Borough).

19. To safeguard the occupiers of the approved dwelling(s) from undue noise. (Policy N1e of The Plan for Stafford Borough).

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

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

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

23. To safeguard the character and appearance of the area (Policy N1h of The Plan for Stafford Borough).

24. To safeguard the character and appearance of the development, protect highway safety and ensure that adequate facilities are available (Policies N1e and T2a of the Plan for Stafford Borough).

25. To define the permission and to ensure that adequate off-street parking is maintained to serve the development and protect residential amenity as harm could arise from subdivision of the plots. (Policies N1 and T2 of the Plan for Stafford Borough).

26. To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution. (Policy N2 of the Plan for Stafford Borough).

27. In the interests of protecting and maintaining adequate natural landscape features and protected trees. (Policies N1 and N4 of the Plan for Stafford Borough).
28. To protect the character and appearance of the site and its setting within the local urban landscape. (Policy N1 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.

2 The applicants attention is drawn to the comments of the Police Architectural Liaison officer, Environment Agency, Environmental Health Officer, Arboricultural Officer, Biodiversity officer, Severn Trent Water and the Highway authority with regard to application 18/27849/FUL. All comments can be viewed online through the planning public access pages of the Council's website at (www.staffordbc.gov.uk).
Proposed Development At Police Headquarters
Cannock Road
Stafford
Staffordshire
Application 18/29090/HOU  
Date Registered 15 August 2018  
Address 40 Crab Lane, Trinity Fields, Stafford, ST16 1SA  
Proposal Proposed two-storey side extension  
Applicant Mr Diouri  
Recommendation Approve, subject to conditions

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor B M Cross (Ward Member for Holmcroft Ward) for the following reasons:-

‘On the grounds of massing, overlooking, loss of light and impact on the local amenity’

Context

40 Crab Lane is a semi-detached dwelling located in the residential settlement boundary for Stafford.

The proposal is for a two storey side extension to form a garage on the ground floor and an additional bedroom with en-suite on the first floor. In addition the existing detached garage would be demolished.

Officer Assessment – Key Considerations

1. Character & Appearance

40 Crab Lane is a semi-detached dwelling located in the Trinity Fields area of Stafford. The property is of relatively modern construction, circa 1960’s. It is similar in appearance and age to other properties in the immediate vicinity although facing brickwork in the area varies between grey and yellow. The property is set back from the highway by approximately 30.8m, separated with an area of open space and access drives to the properties.

The proposed extension would be located off of the north-east facing side elevation of the existing dwelling and would be set back from the principal elevation by approximately 0.8m and set down from the overall ridge height of the main dwelling by 0.3m, making it a subservient addition to the main dwelling; the massing would be broken up by the 0.8m
set back from the front of the main house and the 0.3m set down from the overall ridge height.

The existing property comprises of grey facing brickwork and what appears to be concrete roof tiles. It is proposed that the extension would comprise of red facing brickwork and grey roof tiles. It is considered that the red facing brickwork proposed would be out of keeping with the host property and those in the surrounding area and as such, should planning consent be granted, a planning condition shall be included for the external materials to match the existing dwelling.

It is acknowledged that the proposal is of an unconventional footprint; however the subservient nature of the extension and the utilisation of materials that match the main dwelling by means of condition would make the proposal acceptable in terms of character and appearance. In addition the dwelling is set back 30.8m from the highway of Crab Lane and located in a discrete far corner, the extension would therefore have little impact on the visual amenity of the Crab Lane streetscene.

It is considered that it would be unreasonable to refuse the proposal on the grounds of its unconventional footprint alone as the proposed two storey extension is not considered to cause harm to the character and appearance or visual amenities of the area. The proposal is therefore considered acceptable in terms of design, scale and massing.

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

2. Amenity

The local ward councillor has raised concerns surrounding overlooking, loss of light and amenity of surrounding area.

The proposal has been assessed against the councils Design Supplementary Planning Document (SPD) and there would be no technical breach to neighbour amenity with regard to guideline 6, or the 45 degree and 25 degree rules set out in appendix 1 and 2 of the council’s Design SPD as a result of the proposed development.

Many of the neighbouring and adjacent properties are angled facing away from the proposed development and as such there is no breach of direct outlook or on the 45 degree sightline from neighbouring property principal windows:

- 42 Crab Lane (neighbour to the north) has no principal windows facing the proposed development, therefore there is no breach.

- 47 Harcourt Way (neighbour to north-east) has a conservatory and garage to the ground floor nearest the proposal (which are not considered principal) and a bedroom to the first floor. The bedroom window faces away from the proposed development as such there is no breach of amenity.
- 45 Harcourt Way (neighbour to the south east) has a first floor bathroom window facing the proposed extension (not a principal room) and is located some 13.2m away from the proposal as such there is no breach of outlook.

- 23 Harcourt Way (neighbour to the south) has principal windows on the first and ground floor of its rear elevation facing 40 Crab Lane. However, number 23 is located south-west of the applicant property at a distance of 23m and as such there is no technical breach of amenity.

In terms of the concerns raised with regards to overlooking, it is assumed that this is with regard to the proposed rear principal window to the first floor of the proposed two storey extension. It is considered that as this is an urban area, where the dwellings are positioned quite close to one another, that overlooking of garden areas is inevitable and to be expected from any form of two storey extension, whether it is this property or another in the area. The amenity areas that would be overlooked by the first floor bedroom window of the proposed extension would be the areas behind the existing garages of 45 and 47 Harcourt Way, it is not considered that these are prime areas for a patio or sitting out area, and as such the level of overlooking in this circumstance is not considered to cause an unacceptable level of harm to neighbour amenity.

Policies and Guidance:-
National Planning Policy Framework (NPPF) – Paragraph 127
The Plan for Stafford Borough (TPSB) 2011-2031 – Policy N1 Design
Supplementary Planning Document (SPD) - Design

3. Parking

The number of bedrooms at the property would increase as a result of the proposed development from three to four, therefore a minimum of three on site car parking spaces are required to meet the car parking standards set out in Appendix B of the Plan for Stafford Borough. The proposal has demonstrated that it can meet the required three car parking spaces by means of the proposed integral garage and the two spaces available on the existing driveway. The proposal would also gain an additional fourth car parking space with the demolition of the existing detached garage. The Highway Authority has raised no objection to the proposed development.

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

4. Conclusion

The proposed two storey side extension by means of its subservient nature, the conditioning of matching materials, and set back from the principal elevation would form a subordinate addition to the main dwelling that is acceptable in terms of design, scale and massing. There would be no unacceptable breach of neighbour amenity and adequate off street car parking provision has been demonstrated for a dwelling with four bedrooms. It is recommended that the application be approved subject to conditions.
Consultations

Highway Authority:
No objection.

Neighbours (9 consulted):
Consult expiry 11.09.2018 - No representations received.

Site Notice: ‘B’
Expiry date: 19.09.2018

Relevant Planning History

- 81/12250/FUL - extension to domestic dwelling - Permitted

Recommendation

Approve, subject to the following conditions

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

2. This permission relates to the originally submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-

   Location Plan Scale 1:1250 dated 09.08.2018
   Site Plan Scale 1:500
   Proposed Ground Floor Plan dated 26.06.2018
   Proposed First Floor Plan dated 26.06.2018
   Proposed Roof Plan dated 26.06.2018
   Existing and Proposed Side View dated 26.06.2018
   Existing and Proposed Front View dated 26.06.2018
   Existing and Proposed Rear View dated 26.06.2018

3. Notwithstanding the details and specifications submitted in the application documents, the external materials to be used in the construction of the extension hereby approved shall match those of the existing dwelling and shall thereafter be retained as such.

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

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

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

Informative(s)

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

Planning Appeals

Report of Head of Development

Purpose of Report

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

Notified Appeals

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<th>Application Reference</th>
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<tr>
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<td>Impstones Gnosall</td>
<td>Living room extension</td>
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<tr>
<td>18/28618/ANX</td>
<td>Casey Cottage The Casey Sandon</td>
<td>Proposed demolition of outbuilding and rebuild to form ancillary living accommodation</td>
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Decided Appeals

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<td>17/27646/HOU</td>
<td>Mill Farm Barns Mill Street Stone</td>
<td>Proposed single storey extension to rear, and raised decking</td>
</tr>
<tr>
<td>18/27816/HOU</td>
<td>The Cottage Eccleshall Road Great Bridgeford</td>
<td>Proposed conversion and extension of existing outbuilding for ancillary aged person</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 31 July 2018

by David Fitzsimon MRTPI
an Inspector appointed by the Secretary of State

Decision date: 15 August 2018

Appeal Ref: APP/Y3425/D/18/3203409
4 Mill Farm Barns, Mill Street, Stone ST15 8BA

- 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 Dr Jon Bingham against the decision of Stafford Borough Council.
- The application Ref 17/27646/HOU, dated 30 November 2017, was refused by notice dated 28 February 2018.
- The development proposed is a single storey extension to rear, changing the window serving the master bedroom to a set of patio doors and the installation of raised decking.

Decision

1. The appeal is allowed and planning permission is granted for a single storey extension to rear, changing the window serving the master bedroom to a set of patio doors and the installation of raised decking at 4 Mill Farm Barns, Mill Street, Stone ST15 8BA in accordance with the terms of the application, Ref 17/27646/HOU, dated 30 November 2017, subject to the following conditions:

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

   2) The development hereby permitted shall be carried out in accordance with the following approved plans: 4457-01-07 Rev A and 4457-01-03 Rev A.

   3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

   4) No development shall take place until details of rainwater goods to be fitted to the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved details.

   5) No development shall take place until the specification of all windows and external doors to be fitted to the extension hereby permitted have been
submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved details.

6) The development shall be carried out in accordance with the recommendations set out in the submitted Phase 1 Desktop Study dated February 2018. Within one month of the completion of the development, verification evidence of the installation in accordance with the Desktop Study shall be submitted to the Local Planning Authority for written approval.

Procedural Matter

2. The description of the proposed development contained within the Council’s Decision Notice is more accurate than that provided by the Application Form. However, the proposal includes changing the window serving the master bedroom to a set of patio doors and therefore I have added this to the description.

Main Issue

3. The main issue in this case is the effect of the proposal on the character and appearance of the host dwelling and the range within which it sits, its effect on the character and appearance of the Moddershall Valley Conservation Area and its effect on the special architectural and historic interest of several nearby Grade II Listed Buildings.

Reasons

Policy Context

4. Policy E2 of the adopted Plan for Stafford Borough (PSB) relates to sustainable rural development. It directs that the re-use of rural buildings for appropriate uses will be permitted where, amongst other considerations, it would not harm the historic fabric or character of any traditional building or historic farmstead (g) and the building is large enough to be converted without the need for additional buildings, new extensions or significant alterations (h).

5. Policy C5 of the PSB relates to residential extensions outside of settlement boundaries. This policy requires the design and appearance of such extensions to be proportionate to the type and character of the existing dwelling and the surrounding area.

6. Policy N1 of the PSB requires development to have regard to local context including heritage assets and historic views and sight lines and to preserve or enhance the character of the area. Policy N8 advises that development should conserve and where appropriate enhance the setting and views of or from heritage assets. Policy N9 explains that development proposals will be expected to sustain and where appropriate enhance the significance of heritage assets and their setting by, amongst other matters, promoting high quality design and avoiding unnecessary loss of historic fabric and details of significance.

7. These development plan policies pre-date the latest version of the National Planning Policy Framework (the Framework). Nevertheless, they broadly accord with its overarching aims and key principles.
The Proposal

8. The appeal dwelling sits within a courtyard of similar properties derived from the conversion of a U-shaped former agricultural building. The range has been converted in a manner which is sympathetic to its origins. However, it has been altered by the addition of a second floor extension on the south east wing and it is now unmistakably residential in terms of its character and appearance.

9. The appeal property sits on the edge of, but beyond, the defined settlement of Stone. It is located within the Moddershall Valley Conservation Area (CA) and the range within which it sits is noted as a 'positive building' within the CA Character Appraisal. Several Grade II Listed Buildings sit to the west; namely a mid-19th century railway bridge, a late 18th century corn mill which has been converted to a restaurant and hotel and a late 18th century/early 19th century former flint mill which has been converted to a dwelling. Whilst this part of the CA was originally dominated by operating mills and agricultural buildings, its character is now a mixture of commercial and residential. Just beyond the railway bridge to the west sits modern housing and a supermarket and these developments further emphasise the semi-urban surroundings of this part of the CA.

10. The proposed extension would be located to the rear of the appeal property, furthest away from the listed buildings, within its lawned garden. It would be an attractive gable structure which would sit at right angles to the main body of the host dwelling. It would have a blank brick north or ‘back’ elevation with extensive glazing to the south elevation facing onto the garden and also to the end gable (east) elevation. The ridge and roof slope would match that of the host dwelling and so too would the finishing tile. The extension would be connected to the dwelling by a shallow glazed link and this arrangement would see it viewed as something of a ‘stand alone’ structure, clearly distinguishable as new build. Although this approach would necessitate a change in the hipped roof of the end of the building to a gable, its footprint, scale, proportioning and origins would remain clearly evident.

11. The original U-shaped plan form of Mill Farm Barns is best appreciated from the front where the buildings are arranged around a yard which is now used for parking. The proposed extension would not impact on the historic plan form from this perspective. Further, only limited views of the proposed extension would be visible from the front courtyard of Nos. 1-3 Scotch Brook Cottages to the north which I understand are new build and they are very domestic in their appearance. Far reaching views of the proposed extension would be achievable from limited vantage points along Red Hill Road, but from here, the extension would be seen alongside other domestic paraphernalia such as sheds and against the context of the new build dwellings.

12. Policy E2 of the PSB directs that in order to grant planning permission for the re-use of agricultural buildings to an appropriate use, the building must be large enough to be converted without the need for additional buildings, new extensions or significant alterations. As a result, the Council asserts that subsequently introducing a domestic extension to a building converted to a dwelling conflicts with this principle. However, my reading of policy E2 is that although it requires the building to be capable of conversion without the need for new extensions or significant alterations, there is nothing within it which
explicitly prevents a future residential extension from being permitted. I note this is an interpretation shared by my colleague Inspector when considering proposals at the Old Malt House, Standon (Refs. APP/Y3425/W/16/3149181 and APP/Y3425/Y/16/3149212). Further, policy C5 of the PSB relates to residential extensions outside settlement boundaries and there is nothing within this policy which explicitly excludes dwellings created by the re-use of agricultural buildings. In the case before me, policies N1, N8 and N9 of the PSB are also relevant as they require high quality design which preserves the significance of heritage assets and their setting.

13. The site and its immediate surroundings have undergone considerable change in recent years due to the conversion of the former flint mill and agricultural buildings into dwellings and in the case of Stone Mill, into a restaurant and hotel premises. The proposed extension would be a modest addition to this phase of modern development and the evolving life of the complex. Given the scale and design of the proposed extension and its position at the rear of the appeal property, I am satisfied that it would not harm the character or appearance of the host dwelling, it would not impact on the character or appearance of the CA and it would not impact on the settings of either the designated or non-designated historic buildings nearby.

14. The proposal also includes changing the window serving the master bedroom to a set of patio doors. The Council raises no objection to this element of the scheme and I am satisfied that it would be an acceptable alteration which would not adversely impact on the character and appearance of the host dwelling. Nor would it have any discernible impact on the character or appearance of the CA or the special architectural and historic interest of the nearby listed buildings.

15. The Council does, however, object to the proposed decking area which, together with the proposed extension, would occupy almost half of the private rear garden of the appeal property. To my mind, this element of the scheme would not fundamentally alter the fabric of the host building, it would be seen in the context of garden sheds and other domestic paraphernalia and it would not be readily visible from the public domain. For these reasons, I am satisfied that this element of the scheme is acceptable and again, it would not harm the character or appearance of the CA, or the special architectural and historic interest of the nearby listed buildings.

Conclusion

16. In light of the above, I conclude that the proposal would not harm the character and appearance of the host dwelling and the range within which it sits, it would preserve the character and appearance of the CA and it would not adversely affect the special architectural and historic interest of several nearby Grade II Listed Buildings. In such terms, I find no conflict with the Framework or the development plan policies outlined above.

Conditions

17. In addition to the standard conditions which limit the lifespan of the planning permission and direct that the development should take place in accordance with the approved plans, the Council has suggested several conditions in the event the appeal succeeds. I agree that details of the external finishing
materials, including bricks, roof tiles, rainwater goods, windows and doors should be agreed by the Council to ensure a visually acceptable development. The Appellant has raised no objection to the Council’s suggestion that a condition should be imposed to ensure the development is carried out in accordance with the recommendations of the Phase 1 Desk Top Survey dated February 2018 submitted in support of the application. The Council’s Environmental Health Officer has recommended this condition in the light of the former use of the site and proximity to former potentially contaminating industries and for this reason, I am satisfied that it is necessary.

18. The Council has also suggested a range of conditions relating to construction works including hours of working, parking of delivery vehicles, prevention of burning on the site, control of demolition and removal of material, damping down to prevent excessive dust, road sweeping and measures to control construction noise. To my mind, such conditions are disproportionate to the scale of development proposed and these issues could be adequately controlled by other legislation if problems arose.

19. In allowing the appeal, I will impose suitably worded conditions to deal with the matters outlined above.

David Fitzsimon

INSPECTOR
Appeal Decision

Site visit made on 17 July 2018

by Jillian Rann  BA (Hons) MSc MRPI

an Inspector appointed by the Secretary of State

Decision date: 17 August 2018

Appeal Ref: APP/Y3425/D/18/3196920
The Cottage, Eccleshall Road, Great Bridgeford, Stafford ST18 9PS

- 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 Matthew Game against the decision of Stafford Borough Council.
- The application Ref 18/27816/HOU, dated 28 December 2017, was refused by notice dated 26 February 2018.
- The development proposed is described as: ‘conversion and extension of existing outbuilding for ancillary aged person accommodation’.

Decision

1. The appeal is dismissed.

Procedural Matters

2. Notwithstanding a discrepancy between drawing 1904/3 and drawing 1904/6 with regard to the labelling of the ‘north east’ and ‘south west’ side elevations, the drawings are sufficiently clear to allow me to consider the proposal.

3. Since the Council issued its decision, the Stafford Borough Council Design Supplementary Planning Document (the SPD) has been adopted, in April 2018. The Council has confirmed that the SPD replaces the Extensions to Dwellings Supplementary Planning Guidance (SPG) and the Space about Dwellings SPG. I have given both parties the opportunity to comment on this, and I have regard to the SPD, and to the further comments received.

4. The revised National Planning Policy Framework (the Framework) was published on 24 July 2018. I have given both parties the opportunity to comment on this, and both have confirmed they have no further comments.

Main Issues

5. The main issues are the effects of the proposed development on: the character and appearance of the appeal site and its surroundings; and local biodiversity, with regard to a protected species (bats).

Reasons

Character and appearance

6. The site is within a rural area, where Policy E2 of The Plan for Stafford Borough 2011-2031 permits the sustainable use and re-use of rural buildings, subject to
certain criteria. These include that the building is structurally sound and is capable of conversion without the need for extension, or significant alteration or rebuilding, and that the proposal will not harm the character of the countryside and the landscape setting.

7. During my visit, I observed that one of the smaller side wings of the appeal building had a crack in the brickwork to its front wall, and some unevenness to its roof, and access to this part of the structure was not possible. Whilst I was able to access the central part of the building, I nonetheless have no detailed evidence before me with regard to the structural condition of this or any other part of the building. In the absence of any such information, and on the basis of my own observations, I therefore cannot be satisfied that the building is structurally sound and capable of conversion without the need for significant rebuilding of at least some sections.

8. With its low eaves and its simple design, with limited fenestration, the appeal building has maintained its character and appearance as a relatively modest, traditional rural outbuilding. The site’s high hedges limit public views of the building to some degree. However, glimpses of its low slate roof against the skyline and the open fields and trees beyond are possible from Eccleshall Road, over the appeal site’s high gates, and across the neighbouring property, Merefield.

9. The two small ground floor extensions would be very limited in size and, subject to the use of appropriate materials, which could be controlled by planning condition, would not have significant implications for the character and appearance of the building.

10. However, the development would involve a significant increase in the eaves and ridge heights of the central part of the building. I note that these works are intended to allow the installation of an internal lift, and achieve a satisfactory head height above the staircase. Nonetheless, by raising the eaves and ridge to the extent proposed, and inserting windows at first floor level, the development would significantly alter the character of this traditional rural building, giving it a more domestic and suburban appearance. As a result of its increased height, the building would also be more prominent in public views across the site, and the more domestic appearance of its enlarged first floor would sit in stark contrast to the open rural landscape beyond.

11. I recognise the appellant’s wish to retain and re-use the existing building rather than demolish it and build a new structure. However, on the basis of the scheme before me, the extension works which are proposed in order to do so, together with any necessary rebuilding, would result in a building of a significantly different appearance to that which currently exists, and would cause significant harm to the character and appearance of this traditional rural building.

12. For the reasons given above, the proposed development would have a significant adverse effect on the character and appearance of the appeal site and its surroundings, in conflict with Policies N1 and E2 of The Plan for Stafford Borough 2011-2031. Amongst other things, these policies require high design standards which take account of local character, and that the change of use of buildings in rural areas does not harm the character of any traditional rural building.
Biodiversity

13. A preliminary bat roost assessment, provided by the appellant, identifies that the site's rural surroundings, which include open fields, wooded areas, hedgerows and water bodies, offer suitable habitats for feeding and commuting bats. The survey concludes that the appeal building offers multiple opportunities for bat access, including gaps in the walls and ridge tiles, and around some existing openings. It also identifies numerous possible roosting features for bats within the building, including below the roof tiles internally.

14. On the basis of the survey, and my own internal and external inspection of the appeal building and its surroundings, I consider that there is a reasonable likelihood of bats being present within the building. As the development would involve works to the roof of the building, there is a reasonable likelihood that this protected species could be adversely affected by the proposal.

15. In the light of the preliminary findings, the appellant's bat survey recommends the carrying out of further emergence and re-entry visit surveys, and a further activity survey, to fully establish the presence and activities of bats and how they may be using the building. Whilst I note the appellant's commitment to further surveys, none are before me. In the absence of such further surveys, I am unable to fully understand or assess the potential implications of the development for bats.

16. For the reasons above, I cannot be satisfied that the proposed development would not have a significant adverse effect on local biodiversity, with regard to a protected species (bats). The proposal would therefore conflict with Policies E2 and N4 of The Plan for Stafford Borough 2011-2031 which, amongst other things, refer to the protection of the natural environment, and require that proposals to convert rural buildings do not harm any protected species or habitats on site.

Other Matters

17. I have taken into account that the proposed development is intended to provide accommodation for an elderly relative. However, these personal circumstances are not sufficient to outweigh the significant harm to the character and appearance of the site and its surroundings, or the potential harm to biodiversity, that I have identified.

18. I have had regard to other matters raised by neighbouring residents, including in relation to the potential effect on their living conditions, and on drainage. However, I find the development to be unacceptable for other reasons, and these matters do not alter my conclusions above.

Conclusion

19. For the reasons given above, and having regard to all other matters raised, the appeal is dismissed.

Jillian Rann
INSPECTOR

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