

Dear Members

Please note Date,  
Time and Venue  
for Meeting.

### **Special Planning Committee (Additional Meeting)**

A special meeting of the Planning Committee will be held in the **Oak Room, County Buildings, Martin Street, Stafford on Tuesday 26 March 2019** to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

The Committee will meet at the rear of the Civic Centre and depart at **9.30am** to visit the site as set out in the agenda and re-convene at the **County Buildings** at approximately **11.15am** to determine the application.

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.



Head of Law and Administration

**SPECIAL PLANNING COMMITTEE**

**(ADDITIONAL MEETING)**

**26 MARCH 2019**

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

**A G E N D A**

- 1 Apologies**
- 2 Declaration of Member's Interests/Lobbying**

	<b>Page Nos</b>
<b>3 Planning Application(s)</b>	<b>3 - 25</b>

**MEMBERSHIP**

**Chairman Councillor R M Sutherland**

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

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

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SPECIAL PLANNING COMMITTEE (ADDITIONAL MEETING) - 26 MARCH 2019

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**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**:-

		<b>Page Nos</b>
<b>17/27029/FUL</b>	<b>Land South of Creswell Grove/Junction 14 M6, Stafford</b>	4 - 25
	This application was called in by Councillor R M Sutherland	
	Officer Contact - Richard Wood, Development Lead (Large Scale) - Telephone 01785 619324	

**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.

<b>Application</b>	17/27029/FUL	<b>Case Officer:</b>	Mark Alford
<b>Date Registered</b>	25 August 2017	<b>Target Decision Date</b>	24 November 2017
		<b>Extended to</b>	30 March 2019
<b>Address</b>	Land south of Creswell Grove/Junction 14, M6, Stafford	<b>Ward</b>	Seighford and Church Eaton
		<b>Parish</b>	Creswell
<b>Proposal</b>	Petrol filling station/shop and drive through coffee shop with pedestrian access, access road, parking and landscaping		
<b>Applicant</b>	Strawson Holdings Ltd		
<b>Recommendation</b>	Approve subject to the applicant entering into a section 106 agreement/Unilateral Undertaking to secure the travel plan monitoring fee and subject to conditions		

## REASONS FOR REFERRAL TO COMMITTEE

- 1) This application has been called in by Councillor R M Sutherland (Ward Member for Seighford and Church Eaton) for the following reasons :
  - "1). The increase in traffic will have a detrimental effect to local road users and residents who already have to queue for significant lengths of time to exit Creswell Grove.
  - 2). The potential overspill from Primepoint 14 and Valley Drive of HGV's parking overnight and depositing unmentionable waste at the side of the roads.
  - 3). Noise and light pollution which naturally goes with a petrol station operation open 24/7."

## Context

The site is about 1.33 hectares in size and is greenfield. The M6 motorway runs along the east side on an embankment and its Junction 14 lies to the north-east. Creswell Grove adjoins to the north and a row of dwellings face the site on its opposite side. Dwellings lie adjacent to the site to the west.

The layout shows a coffee shop with drive thru facility of 204 sq m floor area and 49 parking spaces. It would be 5.3m high to the top of a mono-pitched roof, 21m long and a maximum of 13.5m wide. The finishes would be white render, horizontally laid red cedar timber cladding and grey aluminium fascias. It is stated that the facility would be open from 05.00 to midnight.

The petrol filling station building/shop would have 524 sq m total floor area and be served by 28 parking spaces. It would be a maximum of 5.3m high to the top of a mono-pitched roof, 33m wide and 18m wide. The building would be finished in metallic silver horizontal microrib cladding panels with a grey steel clad roof and metallic silver verge and eaves. This facility would operate 24 hours per day, 7 days per week.

The pump canopy would be 7m high but no information has been provided on finishes. There would be self car valeting and washing equipment to the south of the canopy.

A landscaping scheme and detailing has been submitted which includes provision for a central pedestrian route from Creswell Grove and an embankment and fence to limit headlight glare from the drive thru access road spreading across Creswell Grove.

The application is accompanied by an outline application (reference 17/27028/OUT) for a mixed use development behind it and the access to Creswell Grove which it would share.

## **Officer Assessment – Key Considerations**

### **1. The principle of the development**

The site is located outside of the settlement boundary for Stafford under The Plan for Stafford Borough (TPSB). Creswell is also not shown within that boundary and nor is it a Key Service Village under the settlement hierarchy defined in Spatial Principle (SP) 3.

The site is not within a Strategic Development Location for employment nor is it within a Protected Employment Area under TPSB.

SP7 of TPSB states that development of a scale and nature appropriate to secure the sustainability of each settlement will be supported within the settlement boundaries. Development in other locations will only be supported where:-

- ii) It is consistent with the objectives of SP6 and Policy E2 in supporting rural sustainability;
- iii) It does not conflict with the environmental protection and nature conservation policies of the Plan; and
- iv) Provision is made for any necessary mitigating or compensatory measures to address any harmful implications.

SP6 promotes a sustainable rural economy and it is considered that the scheme would achieve this. However, there is no apparent criteria in Policy E2 that applies to the uses. Also, 8 hectares of employment land per year should come forward over the plan period and SP5 of TPSB requires that no more than 32% of this should be outside of the Stafford and Stone settlement boundaries. Nevertheless, the planning policy advice is to approve the proposals in principle; the site is adjacent to Stafford's settlement boundary and it is not considered that the extent of development would result in a disproportionate amount taking place outside of it. Nor is it considered that the scheme would undermine the function of the employment Strategic Development Locations (SDL) of TPSB.

No objection is thus raised in principle to the proposed land uses.

Policies and Guidance:-

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

The Plan for Stafford Borough:

Spatial Principle 1 Presumption in favour of sustainable development  
Spatial Principle 3 Stafford Borough Sustainable Settlement Hierarchy  
Spatial Principle 5 Stafford Borough Employment Growth Distribution  
Spatial Principle 6 Achieving Rural Sustainability  
Spatial Principle 7 Supporting the Location of New Development  
Policy E2 Sustainable Rural Development

## **2. Stafford town centre**

Given the interrelationship of this application, that accompanying it, and their proposed uses, issues based on any effects on the town centre or local centres have been examined comprehensively for both applications in the report to 17/27028/OUT. It was concluded that there would be no significant impact on the vitality and viability on Stafford town centre and that indeed sustainable development would result. However, a condition would limit the type of goods that can be sold from the shop to those typical of a convenience store, as the application intends, and another would define the coffee shop use.

Policies and Guidance:-

National Planning Policy Framework:  
Paragraphs 85, 86, 87, 89, 90.

The Plan for Stafford Borough:

Policy E8 Town, Local and Other Centres

## **3. Character and appearance**

A landscape and visual appraisal of the site (along with that of the adjoining application to the south and west) has been submitted which highlights that it is on the north western edge of Stafford and that the elevated M6 motorway runs alongside the eastern site boundary. This is seen as a strong urban influence upon the local landscape and the site has no special designation.

The appraisal continues that from the detailed site analysis of local landscape character a number of conclusions are drawn:

- The site is urban fringe in character and strongly influenced by the M6 motorway. Other urban developments within the surrounding area include residential development along Creswell Grove A5013 and The Mount and the West Coast Main Line railway. Residential development at the outskirts of Stafford and Prime Point 14 Business Park are located to the immediate east of the M6.
- The site lies adjacent to the A5013 and M6 junction 14 and is therefore potentially well connected to the wider road network.

- The River Sow floodplain is situated to the south of the site. Areas of floodplain to the east of the M6 include the Doxey Marshes Nature Reserve, a designated Site of Special Scientific Interest (SSSI) providing valuable wildlife habitat as well as informal recreation uses.
- The site comprises a single grass field and contains few features of landscape value. There are established tree belts and hedgerows which occur along or adjacent to the site perimeter including by Wilke's Wood, along a minor watercourse to the south and also the M6 corridor to the east.
- The elevated M6 features within local views; embankment and overbridge occur at junction 14 and the M6 is also bridged over the floodplain to the south of the site.
- The wider area contains gently undulating agricultural landscape with low hills and locally increased tree cover. These areas contrast with the flatter more open floodplain along the River Sow.
- The site has very limited intervisibility with the wider landscape due to the screening effects of the elevated M6, Wilke's Wood, low hill by The Mount and tree belt along the site's southern perimeter.
- Overall the site is assessed as having a low landscape sensitivity to change.

This site is smaller than that of the adjoining proposals and would not have a rural fringe when overall development is completed. Nevertheless, an amended landscaping scheme would be secured to maximise wildlife habitat creation and enhanced biodiversity based on the advice of consultees. This would also enable the reservations of the Tree Officer on the landscaping scheme to be addressed, and his tree protection conditions would be added to a consent.

The designs of the buildings are, and the use of external materials is, modern and contemporary and it is considered that they would appear as distinctive structures. However, the substantially unrelieved back wall of the filling station/shop would face Creswell Grove and more landscape screening would be secured for the road frontage section of the site. Another condition would secure details of the materials and finish of the pump canopy.

Policies and Guidance:-

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

The Plan for Stafford Borough:  
SP7 Supporting the Location of New Development  
Policy N1 Design  
Policy N4 The Natural Environment and Green Infrastructure  
Policy N8 Landscape Character

#### **4. Amenity**

An air quality report has been submitted which concludes that the presence of pollutants will change with the development. However, concentrations at all the monitored receptors for the site are expected to remain below the air quality standards. The findings are the

same in relation to any impact on the prospective users of the site following an assessment of the proximity of the M6 motorway.

The submitted noise report explains that the noise climate for the site is primarily determined by the traffic flows on the M6 motorway, and observations have found the noise to be significant throughout the day and night.

The report continues that a noise level limit would be set for all mechanical services used on the buildings in order to achieve the attenuation standards at the nearest dwellings and the adjacent, proposed noise sensitive uses. Otherwise, the noise levels generated on the completed site would not be excessive and the study concludes that the proposals would not result in significant increase in noise or loss of amenity at the adjoining residential properties.

The Environmental Health Officer is satisfied with the submitted air quality assessment and requires no further action. He requires a condition on a planning consent to secure the implementation of the mitigation measures in the noise report. He also requests conditions to cover the means of any foundation piling and associated noise minimisation, and to secure a management plan for the construction process to limit its impact on residential amenity.

A lighting assessment was received with the application. It describes how the external lighting proposed would generally consists of high energy efficient, white, LED building mounted and column mounted light fittings. All column mounted light fittings have a flat glass angled perpendicular to the ground. The upward light ratio of the luminaires would be designed for approximately 0% and therefore no contribution is expected to be made to 'sky-glow'. The column mounted fittings are to be 4m high to ensure the luminaires do not impact on the sight line of the neighbouring properties.

The report confirms that the external lighting design has considered the current surrounding and existing light levels and would provide effective lighting to meet its operational requirements without appearing too overpowering. The Institution of Lighting Professionals guidance on the reduction of obtrusive light has also been adhered to. In determining acceptable levels, the site's environmental zone has been assumed to be E2 – low district brightness.

The Environmental Health Officer raises no issues with the lighting submission. The layout plan includes positions for lighting columns, but no detail of their design or finishes nor of the luminaires has been submitted, and nor has any light spread or glare data. A condition on a consent would secure this information to ensure that the terms of the report are complied with. The Environmental Health Officer has not commented on any issue of light spread from vehicle headlights when using the drive thru facility. However, the condition covering the amended landscaping scheme would highlight the need to carry such mitigation forward in its design.

Policies and Guidance:

National Planning Policy Framework:  
Paragraphs 180, 181

The Plan for Stafford Borough:  
N1 – Design

## 5. Highways and parking

A Transportation Assessment has been submitted which states that consideration has been given to the use of the site (and the accompanying application site) as an informal motorway service area (MSA), with traffic distributed to the M6 motorway Junction 14 (J14), in line with observations of other roadside services sites close to motorway junctions. The applicant does not consider that the proposed development will in fact function as an informal MSA mainly because of the limited range of facilities offered and the relationship to, and the absence of, signage on the M6 motorway. Nevertheless, the analysis has been undertaken to ensure a robust assessment.

The study establishes that an assessment year of 2031 has been tested using data provided by Highways England taking into account development traffic. This shows that J14 would operate over capacity both with and without the development proposals. Furthermore, parking accumulation has been undertaken which shows that sufficient car parking should be available in the unlikely event that the site is used for extended stop overs. This is so because provision for passing heavy goods vehicle (HGV) parking has (been deleted and) not been made at the site; the internal layout has also been redesigned to discourage visiting HGVs lingering on site before or after undertaking deliveries/collections.

Updated capacity assessments at J14 and on the local roads have been carried out and accident statistics analysed. This demonstrates that there is no correlation between the site being utilised as an MSA and an increase in accidents.

There are pedestrian and cyclist facilities shown within the vicinity of the site and the closest bus stop to the proposed development is located approximately 200m west of the site on Creswell Grove, providing services into Stafford and Stone.

Access to the proposed development would be taken from a new priority controlled T-junction to Creswell Grove, which forms part of the accompanying application. It would have two exit lanes, left and right, and a pedestrian refuge between the 'in' and 'out' lanes. Also, off-site would be a 2m wide signal controlled pedestrian crossing to Creswell Grove to the west of the access, and a 2m wide shared foot/cycleway along the Creswell Grove frontage to the site, with a dedicated foot/cycleway branching into it.

The other off-site improvements would be an uncontrolled cycle/pedestrian crossing point to Creswell Grove as it enters J14; a relocated cycle/pedestrian crossing point to the northbound slip road to J14; additional warning signage to the existing shared foot/cycleway on the north side of the J14 roundabout which links to Mustang Drive (Primepoint 14) and Eccleshall Road; and an uncontrolled pedestrian crossing point on Eccleshall Road about 60m from J14.

Overall, the Transport Assessment demonstrates that development traffic increases would not have a detrimental impact on the surrounding highway network, in terms of capacity and highway safety, with the above new junction and the offsite mitigating works as shown on submitted drawing no. NTT2513-100-02-S2 Rev P4.

In terms of parking, TPSB requires 41 spaces for a café and 49 are shown. There is no standard for petrol filling stations but the net shop floor space of 452 sq m would require 23 spaces and 28 are shown.

A travel plan has also been submitted and the Highway Authority raises no objection to it nor to the access and parking provision subject to securing the payment of the travel plan monitoring fee by the applicants, and subject to conditions to secure the construction of the off site access, parking space and highway works. It has also accepted that one travel plan monitoring fee can be paid for this and the accompanying application.

The Highway Authority also comments that HGV`s except those servicing the site should be prevented from accessing the development. A condition would secure this.

Highways England, the motorway authority, recommends the addition of conditions to a consent to secure the implementation of the highway works, a construction management plan, details of any external illumination of the site and the construction of on-site drainage. However, the Lead Local Flood Authority (LLFA) has reviewed that same drainage strategy plans and require a more detailed submission. It is therefore considered that the drainage condition of the LLFA should be used in place of that of Highways England, and Highways England agrees to this subject to being a consultee on the details to be submitted.

Representations received on the application from one source suggest that the scheme would not comply with the terms of Department of Transport Circular 2/2013, entitled "Strategic road network and the delivery of sustainable development", which explains how Highways England will engage with the planning system. Their author considers that the development would in effect create an informal MSA. He considers that the Circular is clear that MSA`s will not be signed from the motorway unless the relevant elements of the service area are provided including parking for all classes of vehicles including HGVs. However, he believes that the current proposal only provides very limited parking for cars and accordingly would not qualify for signing from the motorway.

He continues that, due to the close proximity to the motorway, it will attract motorway users. There would be safety issues insofar as the site could be seen from the motorway and (presumably in the absence of signage) this would lead to drivers making manoeuvres very late at J14 to leave the motorway, increasing highway danger. He also considers that there would be a significant risk of queuing on the slip roads as there would be insufficient parking to accommodate demand for the hotel and other proposed uses in the accompanying application 17/27029/FUL.

Highways England is aware of these representations and maintains its stated position on the proposals particularly in terms of highway safety. Furthermore, the site includes space in excess of minimum parking standards.

The applicant has responded to the representations stating that Policy B17 of Annex B of the Circular demonstrates that not all facilities must be signed on the motorway to be acceptable in highway safety terms.

Policies and Guidance:-

National Planning Policy Framework:  
Paragraphs 107, 108, 109.

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

## **5. Surface Water Drainage**

The submitted Flood Risk Assessment explains that the built development area would be outside of the worst flood risk zones 2 and 3, and drainage would incorporate surface water attenuation and storage on the adjoining site in the form of a pond. Floor levels of buildings would be set at a minimum of 600mm above the 1 in 100 year + 20% climate change flood level. The ground levels would also be profiled to ensure that any drainage overflow would pass through the site from the Creswell Grove direction and not result in ponding elsewhere. A new drainage network would provide a modern standard of drainage and it would continue to drain at its present greenfield rate to avoid any downstream impacts. This new network would be designed using sustainable drainage principles (SUDS), which are appropriate in this location, and would include water quality control measures in particular to protect the Doxey Marshes SSSI downstream.

The Lead Local Flood Authority accepts the assessment and requires a condition to secure a detailed design for surface drainage based on the submitted strategy. The Environment Agency notes that the site lies outside of the flood plain and makes no further comments.

Policies and Guidance:-

National Planning Policy Framework:  
Paragraphs 150, 163, 165

The Plan for Stafford Borough:  
Policy N2 Climate Change  
Policy N4 The Natural Environment and Green Infrastructure  
Policy N5 Sites of European, National and Local Nature Conservation Importance

## **6. Ecology**

The submitted ecology report considers that as the M6 motorway visually separates the site from the SSSI, there would be unlikely to be any disturbance of the bird assemblages there. Noise from the site would also be unlikely to cause harm as the birds would be habituated to the noise from the motorway.

The report further states that any impacts on the local water quality potentially have implications beyond the site boundary to the SSSI. Therefore, it advises that surface water drainage and attenuation systems associated with the scheme must control surface water flow rates and seek to achieve a standard green field rate run off. It recommends that the

design of the drainage system would prevent siltation and pollution and there would be negligible change in the average water volume flow. A SUDS would be used to minimise impacts on the marshes and control surface run-off.

The report explains that the site itself is a species poor semi-improved grassland field and its loss as a habitat would not be significant. No evidence of protected species was found but it recommends control of artificial lighting with regards to bat foraging and the enhancement of hedge and tree planting as part of a landscaping scheme.

Otters have been recorded in the waterways to the west of the site and the report recommends a full otter survey being carried out before any works are carried out within 40m of the waterways.

The Biodiversity Officer's concerns over lighting affecting Bats, Badgers becoming trapped in excavations and the presence of Otters would be covered by conditions as would securing the implementation of the report's other recommendations. This would also apply to the landscape management plan, to implement biodiversity enhancement in the long term. The protection of nesting birds is more suitably covered by other legislation.

Natural England's issues related to the SSSI would be incorporated into drainage and lighting conditions.

#### Policies and Guidance

National Planning Policy Framework:  
Paragraphs 170, 175

The Plan for Stafford Borough:  
Policy N4 The Natural Environment and Green Infrastructure  
Policy N5 Sites of European, National and Local Nature Conservation Importance

### **7. Trees**

The tree report shows that four trees in the eastern corner and one small self set tree within the site would be removed. The Tree Officer raises no objection to these works but requires amendments to the submitted landscaping scheme and tree protection measures. These would be secured by conditions.

#### Policies and Guidance

National Planning Policy Framework  
Paragraph 170

The Plan for Stafford Borough  
Policy N1 – Design

### **8. Ground conditions**

The site investigation report states that no significant contaminants were found from investigations including boreholes. However, the Environment Agency requires a condition to secure remediation if any contaminants are found during construction.

## Policies and Guidance

National Planning Policy Framework  
Paragraphs 170, 178, 180

## Conclusion

The proposals would not result in a disproportionate amount of employment development taking place outside of the settlement boundaries nor would it undermine the role of the employment SDL's. There would also be no adverse impact on the vitality and viability of Stafford town centre from the small scale retail element. The designs of the buildings would be distinctive and any impacts from traffic have been shown to be mitigated by improvements to mainly pedestrian and cycle access across Creswell Grove. There would be no detrimental impact on the Doxey Marshes SSSI or other wildlife interests subject to the mitigation measures discussed above. Other means of environmental protection and enhancement would be secured by conditions as required by SP7.

## Consultations

### **Stafford Borough Council Forward Planning - Policy Response:**

The proposal is on a greenfield site adjacent to the M6 motorway and its Junction 14 which separates the site from Stafford, but it is adjacent to its settlement boundary. Having considered the criteria of SP7, the development is acceptable in principle. In terms of Policy E8, the development is less than the locally set threshold for Stafford Town of 1,000 sq m and does not require an impact assessment. It is not considered that the proposal would result in a disproportionate amount of development taking place outside of the Stafford settlement boundary nor that it would undermine the Strategic Development Locations. The planning policy advice is to approve the scheme.

### **Highway Authority:**

No objection subject to a s106 agreement to secure a travel plan monitoring fee of £11,900 and subject to conditions to secure the implementation of the submitted travel plan; the construction of the access shown on drawing no. NTH/244/TT100 Rev P3, its visibility splays, the off site pedestrian cycle/footways and crossings and the parking, turning and manoeuvring areas; the off site highway works; details of the layout of buildings, parking and vehicle manoeuvring space, drainage and the means of road construction; a construction method statement; and Stage 2 and 3 safety audits.

### **Note:**

HGV's should be prevented from using the filling station and service areas and only HGV's delivering to the facilities should be allowed.

### **Highways England:**

Recommend that conditions are added to a consent to secure a construction environmental management plan, the construction of the highway/Junction 14

improvement works shown on drawing no. NTT2513-100-02-S2 Rev P4, the construction of the submitted drainage scheme, and details of external illumination.

**Natural England:**

- No objection subject to appropriate mitigation being secured.
- We consider that without appropriate mitigation the application would damage or destroy the interest features for which Doxey and Tillington Marshes Site of Special Scientific Interest (SSSI) has been notified.
- In order to mitigate these adverse effects, the following mitigation measures are required or the following mitigation options should be secured:
  - 1) SuDS scheme, with reference to CIRIA Design Checklist RP992 including design of attenuation pool, with reference to Ciria Pond and Wetland Design Checklist.
  - 2) Agreed lighting scheme, designed to reduce light spill to SSSI.
  - 3) Suitable petrol interceptor (e.g. oil trap), designed to prevent runoff of pollutants from application site.
- We advise that an appropriate planning condition is attached to any planning permission to secure these measures.
- Other advice on sustainable drainage systems, recreation, green infrastructure, biodiversity enhancement, protected species, priority habitats, environmental enhancement.

**Environment Agency:**

- No objections in principle but recommends that if planning permission is granted a planning condition is imposed to in effect secure a watching brief for any ground contamination that may be found during construction.
- We note that a flood risk assessment has been submitted and that the site within the low risk Flood Zone 1.
- In the light of the fact that this development is a smaller parcel of land within the wider area assessed by the FRA, and lies outside the floodplain, we have no comments.

**Lead Local Flood Authority:**

- The Drainage Statement submitted with the application demonstrates that an acceptable Drainage Strategy can be achieved as part of the proposed development.
- The surface water discharge rate required by the Sow and Penk Internal Drainage Board is 20.3l/s for the whole site. The proposals include a detention basin to provide attenuation and some water quality treatment.
- Water quality treatment must be appropriate to the sensitivity of the downstream receptor and each phase must include additional SUDS components to ensure that the overall SUDS management train including the detention basin will provide adequate pollution mitigation.
- Add condition to consent to secure a detailed surface water drainage system.

**Environmental Health Officer:**

20 March 2018

- The air quality submission is satisfactory and takes into account the "smart motorway" alterations. No further action is required.

7 February 2019

No objection subject to conditions to safeguard nearby residents from undue disturbance; the conditions would secure:-

- a construction environmental management plan to demonstrate means to reduce the effects of noise, vibration, dust and lighting during construction;
- details of any piling methods if they are to be used; and
- the implementation of the recommendations in the submitted noise report.

### **Biodiversity Officer:**

- Extended phase 1 surveys were carried out in 2011, 2015 and 2016 and updated in 2017.
- Method statement for protection of nesting birds should be secured.
- It is recommended that the lighting design for the site is carefully planned in relation to bats to avoid light spill on hedgerows, scrub and landscape areas; any directional lighting to avoid general light spill; and lighting levels kept to a minimum.
- Any excavations left open overnight should be provided with a means of escape for badgers.

### Recommendations

- Trees and hedgerows should be retained where possible and any gaps in the hedges planted with appropriate native species. This will provide additional foraging for bats.
- SUDS is required to control water levels – this is particularly important due to the proximity of Doxey Marshes SSSI.
- Bat and bird boxes should be installed in appropriate locations – as decided by the ecological consultants.
- Any Giant Hogweed should continue to be identified and eradicated from the site.
- The submitted Landscape and Ecology Management Plan provides a suitable programme for habitat management and enhancement on site and should be carried out as stated

### **Tree Officer:**

- I have no objection to the proposed tree removals shown on the FPCR Tree Retention Plans 4749-A-04 and 4749-A-05
- The landscaping plan is currently below a standard that should be accepted for new developments. The use of Root Ball nursery stock for specimen tree planting is inappropriate, and the choice of species is unlikely to result in a high quality arboricultural landscape. In addition the use, for example, of such species as Tilia (Lime) in proximity to areas of car parking will result in future ongoing issues relating to 'Honeydew' deposits on vehicles. Issues such as this not being given due consideration will lead to the premature removal of trees before they reach maturity.
- In order to address the objections raised above the following actions should be taken:
  - The landscape plan should be revised to include the use of Container Grown nursery stock for all specimen tree planting, and consideration of such issues as species choice in the vicinity of car parking etc. that will result in future challenges to tree retention. In addition more consideration should be given to use of non-native ornamental species to raise the quality of visual amenity, which is another issue raised by FPCR in their recommendations.
  - All measures and recommendations specified in the FPCR survey and report should be employed in full. A tree protection plan showing the position and specification of all protective fencing should be submitted and, assuming it meets an appropriate standard,

adopted as the approved tree protection plan along with a general tree protection condition.

**Staffordshire Wildlife Trust:**

Expiry date for response 21 September 2017. No reply received

**Parish Council:**

Object; loss of residential amenity due to 24 hour operation; noise and light disturbance and anti-social behaviour; excessive traffic would cause congestion and delays for residents; large vehicles parking is still a concern; how would it be actively managed on the site as there are continuing problems at Valley Drive and Primepoint 14.

**Neighbours:**

49 notified; 28 replies/representations received from 23 addresses objecting. The material issues are summarised below:-

- No necessary motorway signage for the development shown but any signage would fail to meet the requirements of Highways Circular 02/2013.
- Highways England has failed to address this point and permission should be refused.
- If permitted, decision would be open to judicial review.
- Queuing on slip road and safety prejudiced on highway.
- No need for the commercial development in the area.
- Excessive traffic, congestion, delays and queuing
- No pedestrian improvements shown
- More noise, litter and light pollution including from overnight parking
- Existing motorway services and filling stations meet any demand
- Unstable land with poor drainage
- Harm to wildlife and adjacent Doxey Marshes SSSI
- Development out of character with area
- Inadequate sewerage
- Flood risk
- Shop not needed
- Conflict with local plan

**Site Notice**

Expiry date 22 September 2017

**Advert**

Expiry date 4 October 2017

**Other representations**

**Crime Prevention Design Advisor:**

Use Police approved Secured by Design features and fittings

**Relevant Planning History**

16/24863/FUL - Erection of Petrol Filling Station, Convenience Shop, Drive-through Coffee Shop, vehicular and pedestrian access, parking and landscaping – withdrawn 11 January 2017

Site and adjacent site

12/17167/OUT - Mixed use development (outline): public house; 60 bed hotel; convenience supermarket and two other shop units; day nursery; professional consulting rooms; a coffee shop/rest stop (Use Class A3/A5); a community (assembly/meeting) room; a nursing home; office units; and light industrial/warehouse/trade counter units; associated roads, car parking, footpaths, landscaping and open space - details of access submitted – approved; decision issued 23 September 2013; expired 22 September 2016.

31083 – Renewal of permission 23391 – approved 17 January 1996; expired.

23391 – 143 bed hotel and conference facilities – approved 23 October 1989; expired.

Adjacent site

16/24862/OUT - Mixed use comprising public house, hotel, day nursery, community (assembly/meeting) room, nursing home, professional consulting premises, offices and light industrial/storage/trade counter units; associated works (outline but with access details) – withdrawn 11 January 2017

17/27028/OUT – Mixed use development (outline) with access to be considered – to be determined

**Recommendation**

Approve, subject to the applicant entering into a section 106 agreement/Unilateral Undertaking to secure the travel plan monitoring fee and subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. The approved plans are drawings nos. 002A; M17-28-01 Rev 06; -02; -03; -04; -05; and -06. The development shall be carried out and completed in accordance with the approved plans before it is brought into use except as required by other conditions of this consent.
3. The petrol filling station/convenience shop shall be restricted to Class A1- 'Shop' of the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, and the floorspace of the shop shall only be used predominantly for the sale of convenience goods, with no more than 10% of the net shop floorspace to be used for the sale of only the following comparison goods:- clothing, tools and accessories, glassware and tableware, non-prescription pharmaceutical products, games and toys, plants and flowers, books and stationary, and jewellery and giftware. The premises shall only be used ancillary to the petrol filling station.

4. No vehicles over 7.5 tonnes shall access or be present on the site at any time except those necessary for servicing the development.
5. Notwithstanding any details in the application, before the development is first occupied a landscaping scheme shall be submitted to and approved in writing by the local planning authority. The design of the landscaping scheme shall be informed by the submitted fpcr landscape management plan, the submitted fpcr ecological appraisal and by the observations of Natural England and Stafford Borough Council's Biodiversity and Tree Officers. It shall also include provision to screen headlight glare of vehicles using the drive thru facility and significant planting on the frontage to Creswell Grove. Thereafter, any approved hard landscaping shall be constructed before the development is first used and the approved soft landscaping scheme shall be implemented within 8 months of the development being first used. Any plants which die, are removed or become diseased shall be replaced within the next planting season.
6. The development shall not be first used unless and until proof of the approval of Stage 2 and 3 Safety Audits for the proposed new access junction to Creswell Grove and the associated off-site highway works has been submitted to and acknowledged in writing by the local planning authority; and unless and until the proposed new access and off-site highway works approved under application 17/27028/OUT (including a loop connection within the site access to the proposed signalised pedestrian/cycle crossing, the crossing to Creswell Grove, and the 3m wide pedestrian/cycle path along with connections to existing networks and proposed routes shown on the south side of Creswell Grove along the frontage of the development) have been constructed in accordance with the approved drawings nos. NTH/244/TT100 Rev P3 and NTT2513-100-02-S2 Rev P4.
7. The development hereby permitted shall not be brought into use unless and until visibility splays of 2.4m x 90m have been provided to the proposed access to Creswell Grove, and they shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.
8. The development hereby permitted shall not be brought into use unless and until the access, parking, servicing and turning areas have been provided in accordance with the approved plans.
9. A) No development for the provision of infrastructure, services and utilities, including the creation of a site access, internal access roads, works to the public highway and drainage works, shall take place until a construction management plan or construction method statement relating to those works has been submitted to and approved in writing by the Local Planning Authority.  
B) No development for the erection of buildings including construction of below-ground (footings/foundations) and above-ground (frames, walls, roofs and canopies) structures shall take place until a construction management plan or construction method statement relating to those works has been submitted to and approved in writing by the Local Planning Authority.  
C) The approved plans/statements relating to A) and B) above shall provide for:
  - routes for construction traffic going to and departing from the site;
  - proposed temporary traffic restrictions;

- pedestrian and cyclist protection;
- arrangements for turning vehicles on the site;
- the loading and unloading of plant and materials;
- the storage of plant and materials;
- parking of vehicles of site operatives and visitors;
- the location and nature of the site compound and associated temporary buildings;
- hours of operation (including hours of construction working and of deliveries);
- method of prevention of mud and other materials being carried onto and deposited on the public highway;

D) The approved plans/statements shall be adhered to throughout the construction period.

10. The development hereby permitted shall not be brought into use until the submitted Travel Plan Framework is implemented in accordance with the approved details the subject of this consent and thereafter retained for the life of the development.
11. The development shall not be commenced 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 and Highways England. The design shall be in accordance with the overall strategy and key design parameters set out in the Drainage Statement (collinshallgreen Ltd, 16/02/2018). 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 storm so that discharge from the whole site will not exceed 20.3l/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 on any attenuation system, and the outfall arrangements. Calculations shall 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. Site layout and levels shall 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 shall include a schedule of required maintenance activities and frequencies, and contact details for the organisation responsible for carrying out these duties.
- The design shall have regard to the CIRIA Design Checklist RP992 including the attenuation pond and the CIRIA Pond and Wetland Design Checklist.
- Suitable petrol interceptor (e.g. oil trap), designed to prevent runoff of pollutants from application site.

12. 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 and obtained written approval from the local planning authority for an addendum to the Method Statement. The addendum shall detail how this unsuspected contamination shall be safely dealt with.
13. Notwithstanding any information in the application, the development shall not be first used until details of the location, design, intensity and light spread of artificial lighting has been submitted to and approved in writing by the Local Planning Authority. The designs shall reduce light spill affecting the Doxey Marshes Site of Special Scientific Interest, adjacent residential occupiers and minimise impact on bats. Thereafter, the development shall not be first used until the approved lighting has been constructed and is operational, and it shall be retained. No other external lighting shall be constructed.
14. No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan shall include, but not be limited to:

Procedures for maintaining good public relations including complaint management, public consultation and liaison arrangements for liaison with the Council's Pollution Control Team

All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 8 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 14 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site shall only take place within the permitted hours detailed above.

Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.

Procedures for emergency deviation of the agreed working hours.

Control measures for dust and other air-borne pollutants. This shall also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.

Measures for controlling the use of site lighting whether required for safe working or for security purposes.

15. No phase of development shall be carried out until a specification for the best practical means for carrying out any piling work in that phase, to limit noise and disturbance, has been submitted to and approved in writing by the local planning authority. In the event of driven piles being proposed sufficient justification shall be submitted to the Local Planning Authority demonstrating the use of use of driven piles over other piling methods. Thereafter only the approved piling method shall be used in that phase.

16. The recommendations outlined in the noise report (Ref: Stafford Gate, Stafford - REP-1006178-AM-020617-5) shall be implemented in full prior to the first occupation of the relevant development.
17. Prior to commencement of development, a Construction Environmental Management Plan shall be submitted to and approved by the Local Planning Authority, in consultation with Highways England. The approved Construction Environmental Management Plan shall be adhered to in relation to all construction works.
18. The highway improvement scheme, as defined on drawing reference NTT2513-100-02-S2 Rev P4 entitled "Proposed M6 Junction 14 Mitigation Works", shall be completed to the written satisfaction of the Local Planning Authority in consultation with Highways England prior to the occupation of the development.
19. No external means of illumination of the site shall be provided installed or operated except in accordance with a detailed scheme which shall provide for external lighting that is in accordance with DfT Circular 02/2013 and the Obtrusive Light GN01:2011, and has been submitted to and approved in writing by the Local Planning Authority in consultation with Highways England. The scheme shall be implemented in accordance with the approved details and maintained in perpetuity.
20. A means of escape for badgers shall be provided from all open excavations outside of construction work hours
21. The recommendations in the submitted fpcr ecological appraisal and landscape management plan shall be implemented.
22. No above ground construction shall commence until samples of the external materials including colour finishes of the buildings have been submitted to and approved in writing by the local planning authority. Thereafter only the approved materials shall be used unless alternatives have been agreed in writing with the local planning authority.
23. The drive thru coffee shop shall only be used for the purposes described in the application and shall not be used for other uses including any other purposes within Use Classes A1 or A3 of the Town and Country Planning (Use Classes) Order 1987, as amended.
24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 or as it may be amended, no fences, walls or other means of enclosure shall be constructed without the written permission of the local planning authority.
25. No above ground construction shall commence until details of the materials and colours of the fuel pump canopy have been submitted to and approved in writing by the local planning authority. Thereafter, only the approved materials shall be used unless alternatives have been agreed in writing with the local planning authority.

26. This permission does not grant or imply consent for any advertisements shown on the submitted plans.
27. No above ground construction shall commence until details of the design and external materials to be used in the construction of the sub-station, the drive thru bin enclosure and the enclosures to the jet wash bays have been submitted to and approved in writing by the local planning authority. Thereafter the structures shall only be constructed in accordance with the approved details.
28. All measures within the approved FPCR Tree Retention Plans (Ref. 4749-A-04 and 4749-A-05) and FPCR Arboricultural Report shall be implemented and maintained throughout development until completion of all construction related activity, unless agreed in writing with the Local Planning Authority.
29. Notwithstanding any information in the application, no construction shall commence unless and until a tree protection plan showing the position and specification of all protective fencing has been submitted to and approved in writing by the local planning authority, and the approved tree protection measures have been implemented. Thereafter they shall be retained for the whole construction period.

The reasons for the Council's decision to approve the proposal subject to the applicant entering into a section 106 agreement/Unilateral Undertaking and subject to the conditions listed above are:

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.
3. To maintain the vitality and viability of Stafford town centre (Policy E8 of The Plan for Stafford Borough)
4. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
5. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).
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10. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
11. To minimise flood risk and enhance biodiversity (Policies N2 and N4 of The Plan for Stafford Borough)
12. To ensure that the development will be protective of Controlled Waters at all times, notably the shallow groundwater in the superficial geology and the nearby wetlands (Paragraph 180 of the National Planning Policy Framework)
13. To safeguard the appearance of the locality and to enhance biodiversity (Policies N1 and N4 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 amenities of the area (Policy N1e of The Plan for Stafford Borough).
17. To ensure that the safety and free flow of traffic on the M6 motorway is not compromised
18. In the interest of Highway Safety and to ensure that the M6 motorway continues to serve its purpose as part of the national system of routes for through traffic in accordance with section 10 (2) of the Highways Act 1980.
19. To ensure that the safety and free flow of traffic on the M6 motorway is not compromised.
20. To enhance biodiversity (Policy N4 of The Plan for Stafford Borough)
21. To enhance biodiversity (Policy N4 of The Plan for Stafford Borough)
22. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
23. To define the permission.
24. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
25. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
26. To define the permission.

27. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
28. To safeguard the character and appearance of the area (Policy N1h of The Plan for Stafford Borough).
29. 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 complies with the provisions of the National Planning Policy Framework.
- 2 The attention of the applicant is drawn to the observations of the Highway Authority, Highways England, the Environment Agency, the Council's Biodiversity and Tree Officers and Natural England 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](http://www.staffordbc.gov.uk)).

**17/27029/FUL**  
**Land South of Creswell Grove Adjoining M6**  
**Creswell Grove**  
**Stafford**  
**St18 9QP**

