Dear Members

Planning Committee

A meeting of the Planning Committee will be held in the Oak Room, County Buildings, Martin Street Stafford on Wednesday, 18 December 2019 at 6.30pm to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

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

I. Carson

Head of Law and Administration
PLANNING COMMITTEE - 18 DECEMBER 2019

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

A G E N D A

1 Minutes
2 Apologies
3 Declaration of Member’s Interests/Lobbying
4 Delegated Applications

Details of Delegated applications will be set out in Section 6 of Digest No 263 due to be published on 17 January 2020.

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MEMBERSHIP

Chairman - Councillor R M Sutherland

B M Cross       W J Kemp
M G Dodson      A Nixon
A P Edgeller    A N Pearce
A S Harp        M Phillips
A D Hobbs       R M Sutherland
J Hood

(Substitutes - F Beatty, A T A Godfrey, P W Jones, R Kenney)
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:-

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This application was called in by Councillor J M Pert

Officer Contact - Richard Wood Development Lead
- 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.
Reason for call in

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

"For the planning committee to assess the impact of the proposed change of use on the character of the surrounding area".

Context

Standon Hall is grade II listed and was constructed around 1910 in a Tudor style. The ‘L’ shaped building is three storeys in height and built in sandstone. The mansion is set in its own extensive grounds of 3.3 hectares. Vehicular access to the property is gained from Maer Lane along a 250m long drive. On the northern side of the mansion, there is a large hardstanding used for car parking and deliveries.

The main Hall was originally constructed as a family dwelling, but from 1925 to 1983 was used as a hospital, then as an NHS hospital. The separate buildings to the north-east, known as “The Beeches,” were originally constructed in the 1930s as additional ward accommodation and a treatment centre for tuberculosis patients.

From 1983 to 2016 the property was in private ownership with the main hall being used as a residential care home and the “Beeches” outbuildings being used as specialised accommodation for patients with dementia. The Hall and outbuildings have been vacant since 2016. However, the outbuildings are not part of the application in relation to the current proposals.

It is now proposed to host weddings, corporate and private events mainly on the ground floor of the Hall and it would contain a reception room, a dining room and ceremony
rooms. It is envisaged that the rooms will also double as event hosting rooms. A bar and dining area is proposed adjacent to the southern terrace, and it is envisaged that access from the bar to the terrace would be formed at a later date, subject to the outcomes of future applications.

The north wing of the house would contain a kitchen area with associated storage and preparation areas, office and administration areas, and further wc accommodation.

The first floor of the building would contain ten bedrooms, two of which would form a bridal suite and the others would serve as overnight guest accommodation, with associated dressing rooms, bathrooms and ensuites. There would also be some further office accommodation and service rooms including linen and storage rooms.

The second floor would contain a further thirteen bedrooms (twenty three bedrooms in total) and associated bathrooms. This floor would also include a living room and a separate kitchen dining room to enable the building to be used as a private residence by the applicants or a site manager or staff.

Weddings would be expected to generate between 60-85 guests during the day (plus 20 staff) and approximately 140 guests in the evening. The arrival and departure of these guests would be staggered out over the day. It is anticipated that these events would occur more often in the summer months on any day of the week and therefore the hours of operation are proposed as 9am to 2am, Monday to Sunday (including Bank Holidays). Corporate events would generate between 15-90 guests (plus 10 staff) and hours of operation are typically expected to occur between 8am and 6pm.

The proposals seek to locate 74 car parking spaces to support the proposed use of the Hall. A total of 57 new spaces would be introduced to the north and north east of the Hall, just off the main drive and 10 spaces for staff parking would be arranged to the rear of the former hospital buildings. Three disabled parking spaces and four overflow spaces would be located on the existing tarmac to the north of the Hall, but would not have any surface markings.

The new parking spaces would be spread out and set amongst the outbuildings. These areas would be laid with a porous/permeable bound surface. A new drive, accessed off the main drive, would be introduced to access the first group of 12 spaces. In order to obscure views of parked cars and the outbuildings, screening trellises have been or would be erected to the outbuildings, and it is proposed to plant 14 new shrubs and trees to the south of the first group of 12 spaces.

The submitted Statement of Heritage Significance, under “8.0 Impact of the proposed development”, concludes:-

8.1 The current application for a change of use to a wedding venue does not propose any internal or external alterations to Standon Hall itself. As such, the proposals will have a negligible impact on the principal listed building.

8.2 The application does, however, include landscaping works within the setting of the hall. The proposed works will seek to create ...small parking areas ... to the north, north east and east of the hall, chiefly within the environs of the former hospital pavilions...
These works are likely to have a low impact on the setting of the listed building and, ultimately, will have the positive effect of relocating parking away from … the hall, to areas that will largely be screened by proposed planting and/or existing trees/tree lines. The proposed parking area … located to the east of the hall will have some impact on views of the building from the main driveway. This will essentially extend the area of driveway along which only interrupted views of the hall are possible. A planted screen on the western edge of the proposed car park will not, however, be high enough to block views of the hall entirely from this approach.

8.3 Visual impact will be lessened within the new parking areas by the use of Grasscrete or a comparable system. The bounds of the proposed car parks immediately to the south east of each of the former hospital pavilions will be partly defined by planting and trellising.

8.4 Overall, therefore, the current proposals are likely to have a negligible to low impact on the significance of the hall or its contributory values. By facilitating future applications for the repair and refurbishment of the asset, the proposals have the potential to ensure the preservation of the hall’s significance in concordance with the principles outlined in the NPPF (S184) and the Stafford Borough Local Plan (Policy N9).

The agent has also confirmed that it is the applicant’s intention to use the Hall as a dwelling when it is not being used as an events venue. When events are occurring, the dwelling use would be limited to the upper floor areas shown on the submitted plans.

The application is for only the change of use of Standon Hall and not internal or external works to that building are being considered at this stage.

**Officer Assessment – Key Considerations**

1. **The principle of the development**

Paragraph 79 of the National Planning Policy Framework (NPPF) states that decisions should avoid new isolated homes in the countryside, unless (b) the development would represent the optimal viable use of a heritage asset and (c) the development would re-use redundant or disused buildings and enhance its immediate setting.

Paragraph 192 (a) of the NPPF also states that in determining applications, local authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to a viable use consistent with their conservation.

The proposed dwelling use would meet these objectives.

The site is located outside of a Settlement Boundary as defined by The Plan for Stafford Borough (PfSB) and within open countryside. Spatial Principles (SP) 6 and 7, and Policies E2, C4 and C5 of PfSB apply detailed criteria to more general new residential development and residential conversions in this location. In particular, Policy E2 (a) states that appropriate uses will be permitted for the sustainable re-use of rural buildings where priority is given to economic uses before residential use, and it has been demonstrated that every attempt has been made to secure a suitable commercial re-use. However, in this case, only a partial residential use is sought, and a permission was previously granted.
in 2016 for the use of the Hall as a dwelling, which was considered acceptable under Policy C4. Although this permission expired on 14 August this year, the Hall was originally built as a house and its partial use as this would meet the heritage aims of the NPPF stated above. No objection should therefore be raised in principle to such a residential use of part of the building.

In relation to the events venue use, it would be an acceptable economic use and, as well as support in paragraphs 79 and 192 (a), the NPPF places significant weight on the need to maintain economic growth and productivity (paragraph 80). It also seeks to promote a prosperous rural economy which enables the sustainable growth and expansion of all types of business in rural areas including through the conversion of existing buildings (paragraph 83). Paragraph 84 states that decisions should recognise that sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport as in this case.

The application explains that the proposal would result in the provision of approximately 20 jobs (ranging from catering/bar staff, event managers, cleaners, ground staff and external suppliers). It would thus provide a range of economic benefits in the form of employment of support staff (i.e. to cater and entertain guests) as well as supporting businesses in the local area (such as catering, event organising and local food/service providers) which would be utilised in delivering the events. This proposal would provide a range of jobs that would be available to local residents, thus improving the level of economic sustainability of this rural location.

SP6, SP7 and Policies E1 and E2 of PfSB can apply to the events venue use in this location; indeed, SP6 promotes the re-use of redundant buildings and Policy SP7 promotes new development on previously developed land, as is proposed. It further states that there should be no conflict with environmental protection and nature conservation policies, and that provision should be made for any necessary mitigation or compensatory measures to address any harmful implications.

Policy E1 encourages new economic growth including the reuse of rural buildings and Policy E2 again re-emphasises the need to support the rural economy particularly through making use of suitable existing buildings and previously developed land, through the sustainable re-use of existing rural buildings for appropriate uses. The proposal accords with these planning principles.

Policy E2 continues that appropriate uses will be permitted where (c) the buildings are structurally sound; and (g), in the case of a Listed Building, the proposals would not harm the significance of the buildings. Policy N9 (supported by Policy N1) also states that proposals are expected to sustain and where appropriate enhance the significance of heritage assets and their setting including by encouraging re-use. Works affecting the setting of the listed building are considered below.

Overall, it is considered that the proposal would constitute a sustainable form of development, satisfying the economic, social and environmental strands of sustainable development as set out in paragraph 8 of the NPPF and no objection is be raised in principle.
Policies and Guidance:-

National Planning Policy Framework - Paragraphs 8, 79, 80, 83, 83, 192

The Plan for Stafford Borough:
Spatial Principle (SP)1 Presumption in favour of Sustainable Development
SP 3 Stafford Borough Sustainable Settlement Hierarchy
SP6 Achieving Rural Sustainability
SP7 Supporting the Location of New Development
Policy E2 Sustainable Rural Development
Policy C4 Housing Conversions and Subdivisions
Policy C5 Residential Proposals outside of the Settlement Hierarchy
Policy N1 Design
Policy N9 Historic Environment

2. Character and appearance / heritage asset

No significant changes to the building itself are proposed in this application. The main proposals for the grounds of the Hall are the location of parking spaces and the erection of screen trellis fencing.

The applicant has submitted the following in support of the car parking proposals, in response to the observations of the Conservation Officer:-

“In summary, the proposals seek to introduce car parking areas adjacent to already developed areas within the setting of the listed building. The locations have been selected to avoid impact on the setting of the listed building and to preserve trees.

The key question is: would these proposals cause harm to the setting of the listed building? Whilst the presence of parking in these areas will alter the setting slightly (through the presence of cars), the presence of cars is temporary by nature, the surfaces will be visually unobtrusive and are confined to areas adjacent to the hospital annexes. Views on arrival from the drive and those from the building itself are at present occupied by these buildings - which detract from the listed building’s setting. The visual impact of the parking areas and new drive would be negligible due to careful placement and concealment by utilising existing and proposed planting. The currently scrubby areas of hardstanding and paths would be reordered and improved as part of these works. Further improvements to the landscaping of the existing carpark will be forthcoming as part of the wider proposals for the conversion of the Hall and its grounds.

Overall, these proposals would result in no harm and would create an arrival experience and facilities expected of a wedding venue of this type. Should the Council, as the decision-makers, consider harm to be caused, this would be considered very much ‘less than substantial,’ to adopt the terminology of the NPPF, and any perceived harm would be outweighed by the benefit of boosting the site’s economic viability and enhancing the options for the careful re-use of the listed building as a wedding venue.
In addition, the applicant’s agent has submitted the following:-

“We would also like to respond to the Conservation officers comments regarding the location of the car park in his correspondence dated the 8th October where (he) notes:

“Although it would still not be ideal I would have more sympathy for considering this location if there was no other potential location for siting the car park. However, as we have seen when on site there is ample opportunity to locate the parking in the woodland to the rear of the 1930s ward blocks. This could be achieved without causing harm to significant trees cover.”

This assumption is not correct, the location where (he) is envisaging siting the car park is with in protected woodland, positioning the car park here will result in loss of screening from the road and from neighbouring properties and create loss of ecological habitat and adversely affect the setting of the listed building.

As mentioned previously it is the intention that the spaces hidden within the trees to the side of the access road will only be used as overflow when the other car parks are full (most likely late on in the evening after the wedding has taken place when it is likely to be dark) and therefore will have minimal impact on the hall and it setting.

The position of the current car park is also closer to the hall than currently proposed and therefore the proposed location will not only have less impact, it will actually improve the setting of the listed building.

It is also worth noting the current proposed site layout plan 1080-21 (revision G option 4) has been developed following close correspondence with (the case officer), the client, the tree officer, the ecological consultant, the conservation officer and our clients heritage consultant.

In our view the proposed layout strikes a compromising balance between conserving the hall, its setting and the existing trees…”

Officer assessment

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving the setting of a listed building. However, the Court of Appeal case of Barnwell vs East Northampton DC 2014 made it clear that the intention of Section 66 of the Act was that decision makers should give considerable importance and weight to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise.

Paragraph 190 of the NPPF states in the context of the setting of the listed building:-

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal
on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.

The listing description explains the special architectural or historic interest of the main Hall building, and whilst it does not refer to the outbuildings, they are considered to be curtilage listed buildings. The grounds to the Hall are also not mentioned in that description and have no other special designation.

The overall parking layout shown is considered to achieve a suitable compromise between minimising the number of vehicle movements, and the consequent degree of noise and disturbance, on the north side of the site and within 40 m of adjacent dwellings, and minimising the visual impact of car parking on the setting of the listed building and the site.

Parking spaces have been located mainly around the existing outbuildings and away from the close environs of the Hall. The 12 spaces and access route on the east side would be visible on entry to the site but it is considered that a proposed tree and hedge screen would reinforce their separation from views of the Hall. The access route to this parking area would also be threaded through existing trees from the main driveway, which would serve to soften its appearance. An informal, porous surface treatment would be secured for the parking spaces and their access to also achieve this. Furthermore, the applicant’s agent states that the 12 spaces would be likely to be used only as overflow parking in the evenings.

This location is the preferred alternative to siting the 12 spaces adjacent to 10 staff parking spaces on the north side of the northern-most outbuildings, which would involve the loss of a tree screen covered by a Tree Preservation Order currently intervening between the main site and residential neighbours, and which would be much closer to those neighbours.

45 other parking spaces would be sited in the space between the two sets of outbuildings and whilst four trees would need to be removed, the Tree Officer raises no objection particularly as other trees of a higher quality would be retained, thereby serving to screen and enclose this parking area on the south side. 7 spaces are shown on the existing forecourt to the Hall but the applicant explains that these would be for accessibility needs or used as overflow at peak times.

Conditions on a consent would secure a detailed landscaping scheme with surface treatments and planting, along with the restricted use of the 10 northern-most parking spaces to staff only, in order to further limit noise.

The concerns of the Conservation Advisor are acknowledged but, in carrying out the balancing exercise referred to in the Court of Appeal case above, reference is made to paragraph 192(a) and (b) of the NPPF which states:

In determining applications, local planning authorities should take account of:
a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality.
Paragraph 196 is also relevant to this balance:-

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

It is considered that there would be less than substantial harm to the significance of the designated heritage asset with the car parking layout proposed and with the suggested landscape mitigation measures. Sections of the trellis screen to the outbuildings have been erected but the applicants indicate that they would contribute to the overall planting scheme that would mature and be supported by the trellis work. It has also been indicated that this fencing would be temporary whilst the viable future use of the outbuildings is considered.

Given that no other comprehensive proposals have come forward for the re-use of the building since 2016, the year the building became vacant, and that the parking layout is an important element of the viable proposals put forward by the applicant, the key public benefit of securing the re-use of the Hall advocated in paragraph 196 of the NPPF would be achieved. Social and economic benefits would also arise from the jobs that would be created and the business that would result for those individuals or companies servicing the proposed uses.

Other benefits would be the minimisation of the impact on amenity of neighbours to the north of the site from noise and disturbance from vehicles with the parking layout proposed, and the retention of trees on the north side which currently screen the site from views from those neighbours and from Maer Lane, and which would screen views of the proposed vehicle parking.

It is therefore considered that the less than substantial harm to the setting of the listed building would be outweighed by these benefits.

There are no public views of the site from the south side and it is not considered that the appearance of the countryside would be harmed by the proposals.

Policies and Guidance:-

National Planning Policy Framework:
Paragraphs 79, 190, 192,196

The Plan for Stafford Borough:
Policy N1 Design
Policy N8 Landscape Character
Policy N9 Historic Environment

3. Amenity

An Acoustic Report has been submitted concerning the event venue use. It considers that the most pertinent elements relating to potential noise disturbance are in relation to function room activities, kitchen extraction, activities contained within the garden and car movements. In section 8, the Report considers that the function room and music elements
can be mitigated through a range of measures which include appropriate noise insulation e.g. functioning windows that close fully and heavy curtains; limit the noise output of any sound system; a noise limiter that switches off music if windows are opened; and a Noise Management Plan. The Noise Management Plan would mainly ensure that the evening entertainment is restricted to internal, and suitably noise insulated, parts of the property, management of guests leaving the site, and ensuring staff are trained and on site to manage functions.

Section 8 of the Report also recommends a noise limit on kitchen extraction plant, restricting the use of the garden after 23.00 hours, and the Noise Management Plan to include means for the mitigation of noise from vehicle movement.

The Environmental Health Officer requires a condition to secure the implementation of the measures included in Section 8 of the Noise Report or alternatives that achieve the same level of noise attenuation. This would be in the form of the submission of a practical and comprehensive Noise Management Plan. She is also requiring a condition to prohibit the outdoor use of amplified sound and outdoor live music. She also wishes to secure details of external plant including extract equipment and data on noise levels and the means of attenuation, and details of external lighting. Other conditions she suggests relate to construction and demolition works but these do not form part of the application.

In relation to the proposed dwelling use, there would be well in excess of the 65 sq m private garden space within the site as required under Guideline 3 of the Council’s Supplementary Planning Document on residential design (SPDD).

No objection is therefore raised on residential amenity grounds subject to the conditions outlined above and a limitation on the hours of use of the events venue to between 09.00am and 02.00am on the following day.

Policies and Guidance:-

National Planning Policy Framework:
Paragraphs 170, 180.

The Plan for Stafford Borough:
Policy N1 Design

Supplementary Planning Document – Design

4. Highways

The submitted Transport Statement explains that the previous care home operation in recent years was limited to just 25 bed spaces. However, there is sufficient space to significantly increase this through the refurbishment of the outbuildings from the Hall. Using the conservative bed numbers of 25, it is estimated that the traffic attraction could be 33 two-way vehicular movements per day, every day of the year. Based on a first principles assessment of Standon Hall as a wedding and conferencing venue, it is estimated that 156 vehicular movements to the site could occur.
The Statement continues that it should be noted that these movements would be sporadic in nature and not occur every day of the week. Furthermore, a wedding event would not attract all arrivals in a certain defined period of time. The profile of arrivals is complicated and would vary from event to event. However, it is considered that the arrivals would not be focused on a single period as would be the case for a care home, which would also have coinciding shift changes and consistent visitor times. Records indicate that there are no accident clusters within the sphere of influence, and therefore the proposed change of use would not give rise to an increase in accidents.

The Statement concludes that it has demonstrated that traffic associated with the proposed change of use would be accommodated safely and efficiently by the immediate local highway network, and that therefore there are no highway capacity or safety reasons for an objection.

The Highway Authority concurs with this view and raises no objection subject to conditions to secure the provision of the vehicle areas on the site and the visibility splays shown on the approved plans. It is not therefore considered that the proposal would result in a reduction in highway safety.

In relation to access for refuse and waste recycling vehicles, the Transport Statement includes a swept path plan which shows that 10m long service vehicles can manoeuvre to access the rear of the existing service yard where bins are likely to be stored.

Policies and Guidance:-

National Planning Policy Framework:
Paragraphs 108, 109, 110.

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

5. Ecology

A bat/bird survey report has been submitted which identifies both bat and bird habitat within the Hall. However, this change of use application does not include any works to the building that would affect the habitat. However, Appendix C of the survey draws attention to the sensitivity of bats to external lighting and a condition would require details to be submitted for approval before it is constructed.

Policies and Guidance:-

National Planning Policy Framework:
Paragraphs 170, 175

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

The proposals would result in the appropriate re-use of the vacant, listed building which would be sustainable development. The setting of the listed building would not be significantly harmed given a landscaping scheme that would be secured by a condition on a consent which would show suitable means of planting and screening to car parking areas. The impact on residential amenity particularly in relation to noise would also be mitigated under the terms of other planning conditions. The level of traffic generation would not prejudice highway safety.

Consultations

Highway Authority:
No objection subject to conditions to secure the provision and retention of the access, parking, servicing and turning areas and the visibility splays shown on the approved plans. Note: Stafford Borough Council’s refuse collection team should be consulted to ensure that the access arrangements meet their requirements.

Stafford Borough Council Recycling and Waste Operations Officer:
As this is going to be an events venue it will need a commercial waste collection (ie) Veolia, Biffa etc.
The contractor would need to visit the application site and assess the area where the bins would be sited and that would help inform on bin size and quantity, frequency of collection etc.
I would imagine as it has been used as nursing home that there would be sufficient room and access for bins but I have no personal knowledge of the site.

Conservation Officer:
8 October 2019:
I have read the landscape assessment about siting the car parks.

I have objected previously to siting a car park adjacent to the drive where it will be visible and intrusive in views both approaching the hall and in views looking out from the main first floor suites at the east end of the listed building. I am still of this opinion and disagree with the consultant’s assessment. The adverse impact of a car park in this location and its harm to the setting of the listed building would be exacerbated rather than mitigated by the proposed erection of trellis screening and limited tree planting. While this may go some way to hide parked vehicles the screening will be an artificial intrusion (as opposed to a considered reconfiguration) which will itself look out of place in the landscape.

Although it would still not be ideal I would have more sympathy for considering this location if there was no other potential location for siting the car park. However, as we have seen when on site there is ample opportunity to locate the parking in the woodland to the rear of the 1930s ward blocks. This could be achieved without causing harm to significant tree cover.

I maintain my objections to the current car parking proposals and strongly recommend that the applicants give further consideration to locating the facility to the rear of the ward blocks.
19 September 2019:
Amended Plan – I consider the proposed car parking arrangements – in particular the bays adjacent to the drive, and those forward of the tree line in the courtyard in front of the former ward blocks - to be harmful to the setting of the grade II listed building. Although the drawings show reinforced planting alongside the drive the shrubbery itself will be intrusive in the open sweep of landscape whether viewed from the approach direction or from the hall. While some parking could be accommodated in the court between the ward blocks I remain of the view that this should not project forward of the tree line (which should be reinforced).

From the conservation point of view the parking should be concentrated out of sight to the rear of the ward blocks and in the scrubbier part of the woodlands.

17 July 2019:
No objection in principle to the uses proposed

Environmental Health Officer:
It should be a condition of a consent that the recommendations in Section 8 of the submitted noise assessment report are carried out or similar works are agreed to achieve the same level of noise attenuation specified.
- There should be no amplified or live music outdoors
- Details of any external plant or equipment not included in the noise assessment should be secured along with data on predicted noise levels and attenuation measures.
- External lighting should not cause a nuisance to neighbours and glare should be kept to a minimum.
- Conditions on a consent should restrict construction work hours including related deliveries; limit noise of equipment left running outside construction work hours; no burning; all demolition materials to be removed; facilities to be provided for road sweeping and damping down dust; noise screening to be provided.

Tree Officer:
The relocation of the 4 parking bays to the alternative location outside the main building resolves the issue I had and therefore I have no objection to the current layout.

Parish Council:
- Object due to additional noise and traffic particularly in the early morning.
- The suggested noise control measures cannot be enforced
- The location is very quiet and rural and activities should not occur after nightfall
- The traffic assessment does not consider the winding roads on the proposed preferred route to the A519 which has blind bends, no footpaths and is used by pedestrians, cyclists and horse riders.
- Also included on this route is the local first school and vulnerable youngsters, a single access bridge over the railway, immediately followed by a concealed crossroads hazardous to local users.
- The single file route through Cotes Heath due extensive parked cars and the rather hazardous Station Road - A519 junction, with a significant stretch of this route being covered with a 30mph speed restriction.
- The application only considers the Hall and immediate environs but the traffic, which could be 80 plus vehicles is likely to be funnelling through Cotes Heath and Standon at
about 2 am in the morning as a semi-continuous stream with a consequent serious noise impact on the residents.
- This has the potential of being doubled when the Standon Hall Farm events occur, with a considerable additional vehicle movements by events staff and service vehicles.
- This development would be contrary to Policy SP7 which supports rural development but only where it will not adversely affect the residential amenity of the locality.
- The potential job creation listed in the planning application seems unjustified as all catering will initially carried out by external companies using existing employees and only a minimal work force carrying out garden work and maintenance is actually expected
- Residential conversion of the Hall is preferred to maintain current amenity.

Neighbours (8 notified):
56 replies/representations received in support of the proposals; of these, 44 have been sent from addresses outside of the Borough; 66 replies/representations received from 22 addresses objecting; the material considerations are summarised below:-
- Excessive traffic and limited road safety
- Local roads too narrow
- Excessive noise especially late at night
- Noise mitigation measures would not be sufficient
- Harm to wildlife and plants
- Limited job creation and contribution to local economy
- Best use would be as single dwelling or apartments
- Traffic counts in transport statement are wrong
- Light pollution
- Conflict with national planning policy as site is not sustainable
- Visibility splays on access cannot be achieved
- Dangerous access
- Parking area too close to neighbouring residents
- Fireworks would frighten animals on adjacent land
- Parking would harm setting of Listed Building
- Noise assessment is invalid
- One-way system of access should be created

Site Notices:
Expiry date: 8 August 2019

Newsletter adverts:
Expiry date: 14 August 2019

**Relevant Planning History**

17/26577/FUL – Conversion into 16 one- and two-bedroom apartments and 3 three-bedroom apartments and conversion of outbuildings into 7 dwellings; B1office use; alterations; partial demolition of outbuildings – refused permission 16 November 2018 – Insufficient information submitted in detail to show the nature of the proposals and to establish that they involved acceptable enabling development and would not harm the character and setting of the listed building and the countryside; insufficient information submitted to show that the applicant has control over land to enable visibility splays to be provided; insufficient information submitted to show that bats would not be harmed.
16/24336/COU – Change of use of Hall from C2 residential institution to C3 dwelling - approved 15 August 2016; not implemented and now expired.

98/36711/FUL – Conversion of former nurses quarters building into detached dwelling – approved 18 November 1998.

83/15258/FUL – Change of use from hospital to nursing home – approved 2 November 1983; implemented.

**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. 1080-00A; -01A; -02A; -04A; -10A; -11A; -12A; -14A; -20A; -21G Opt 4; and 527-01/GA-02. The development shall be carried out in accordance with the approved plans except as required by other conditions of this consent.

3. The development shall not be brought into use until a scheme of hard and soft landscaping for the site has been submitted to and approved in writing by the local planning authority. The scheme shall include porous surfacing materials for the car parking areas adjacent to trees, climbing plants associated with the proposed trellis fencing, and tree and hedge screening. Thereafter, the approved hard landscaping works shall be carried out before the development is first brought into use and the planting shall be carried out within eight months of the commencement of the uses. Any plants which die, become diseased or are removed within 5 years of planting shall be replaced in the current or following planting season.

4. The proposed trellis fencing shown on the approved plans shall be constructed and completed before the development is first brought into use.

5. The ten parking spaces shown on the north side of the site shall only be used for the parking of vehicles of staff and employees.

6. The event venue use shall not be brought into use unless and until a Noise Management Plan based on the findings and recommendations contained in Section 8 of the submitted noise report and detailing the means of noise attenuation and a programme for implementation has been submitted to and approved in writing by the local planning authority. Thereafter, the event venue use shall not be brought into use until the approved means of noise attenuation have been implemented in accordance with the approved programme and that use shall not be carried out except in compliance with the terms of the approved Noise Management Plan.

7. There shall be no provision of external amplified sound or live music outside of the building of Standon Hall.
8. The development shall not be brought into use until details of the location, design and materials of any new or refurbished external plant including air handling equipment and its associated data on noise levels and the means of noise attenuation have been submitted to and approved in writing by the local planning authority. Thereafter, only the approved external plant shall be used or constructed. No other external plant shall be used or constructed without the written permission of the local planning authority.

9. The development shall not be brought into use until details of the location, design, materials and intensity of any external lighting have been submitted to and approved in writing by the local planning authority. Thereafter, only the approved means of external illumination shall be constructed and used. No other means of external illumination shall be constructed without the written permission of the local planning authority.

10. The development shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans. The parking, servicing and turning areas provided shall thereafter be retained for the life of the development.

11. The visibility splays shown on drawing number 527-01/GA-02 shall be provided before the development is first brought into use with nothing placed or retained forward of the visibility splays exceeding 600mm in height above the level of the adjacent carriageway. The visibility splays shall thereafter be retained for the life of the development.

12. The building shall only be used as an event venue and dwelling house as described in the application. It shall not be used for any other purposes including any other purpose described in Use Class D2 of the Town and Country Planning (Use Classes) Order 1987 as amended or as may be amended except ancillary uses.

13. The events venue use shall only be carried out between the hours 09.00am and 02.00am on the following day. It shall not be carried out at any other times.

14. Notwithstanding any information in the application, this permission does not grant or imply planning consent or listed building consent for any internal or external works to Standon Hall or its outbuildings.

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 ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
5. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1e of The Plan for Stafford Borough).

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

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

8. To ensure the satisfactory appearance of the works and to safeguard neighbouring residential occupiers from disturbance from noise (Policy N1 of The Plan for Stafford Borough).

9. To safeguard the rural character of the area and bat habitat (Policies N1 and N4 of The Plan for Stafford Borough).

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

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

12. To define the permission.

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

14. To define the permission.

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 and the Council’s Recycling and Waste Operations Officer on this application. All comments received can be viewed online through the planning public access pages on the Council’s website: [http://www.staffordbc.gov.uk/planning-public-access](http://www.staffordbc.gov.uk/planning-public-access).

3. The applicant is advised that an application for listed building consent is likely to be required for any external plant or external lighting proposed to be attached to or constructed on Standon Hall.

4. This consent does not grant or imply permission for any internal or external demolition or construction works to the building.
STAFFORD BOROUGH COUNCIL

PLANNING COMMITTEE - 18 DECEMBER 2019

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.

Decided Appeals

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<th>Application Reference</th>
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<td>18/28748/OUT Appeal Allowed</td>
<td>96 Grindley Lane Meir Heath Stoke On Trent</td>
<td>Demolish buildings; residential development (outline) with details of access for approval</td>
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<tr>
<td>19/30552/ADV Appeal Dismissed</td>
<td>Queensville Retail Park Silkmore Lane Stafford</td>
<td>Erection of a digital advertising display, display of illuminated static images on a 10 second sequential rotation. No special effects including animation, flashing, or fading. Illumination: Display will monitor and adjust to ambient light levels. Day max 600 candela/sqm. Night max 300 candela/sqm</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 8 October 2019
by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI
an Inspector appointed by the Secretary of State
Decision date: 19 November 2019

Appeal Ref: APP/Y3425/W/19/3226934
96 Grindley Lane, Meir Heath, Stoke-on-Trent ST3 7LP
- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Target Property Developments against the decision of Stafford Borough Council.
- The application Ref 18/28748/OUT, dated 14 June 2018, was refused by notice dated 30 January 2019.
- The development proposed is described as: ‘Outline application for redevelopment of a previously developed site for residential use’.

Decision

1. The appeal is allowed, and planning permission is granted for outline planning application for redevelopment of a previously developed site for residential use at 96 Grindley Lane, Meir Heath, Stoke-on-Trent ST3 7LP in accordance with the terms of the application, Ref 18/28748/OUT, dated 14 June 2018, subject to the conditions set out in the attached schedule.

Procedural Matters

2. Outline planning permission is sought, but with all matters reserved, except for access. A drawing showing possible layout has been submitted. However, given that layout, scale, appearance and landscaping are reserved matters, I have treated the plan solely as an indication of how the site might be developed. I have determined the appeal on this basis.

3. The Council has not cited any issues surrounding the Green Belt on its decision notice. However, in the Council’s Statement reference is made to the scheme having a harmful effect on the Green Belt. Thus, as both parties have had the opportunity to comment on this issue, I will not prejudice either party in taking it into consideration in the determination of this appeal.

Main Issues

4. The main issues of this appeal are:
   - Whether the proposed development is inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and the development plan, including the effect on the openness of the Green Belt and the purposes of including land within it, and;
   - whether the proposed development would conflict with local and national planning policies, which seek to achieve a sustainable pattern of residential development.
Reasons

Inappropriate Development

5. The appeal site currently accommodates a window company and its associated commercial buildings that provides approximately 5651m² of B1(c) (Light Industrial) and B8 (Storage and Distribution) floor space. The site has two accesses from Grindley Lane that are used individually for access and egress purposes. The site amounts to approximately 0.685 Hectares and is located in the North Staffordshire Green Belt. The proposal is to demolish the existing buildings and erect a residential scheme of up to 7no. dwellings, as outlined on the application form.

6. Paragraph 145 of the Framework states that the construction of new buildings within the Green Belt should be regarded as inappropriate, unless the development falls within certain listed exceptions. The relevant exception which is sought to be applied to the appeal site in this case is of partial or complete redevelopment of previously developed land, which would not have a greater impact on the openness of the Green Belt than the existing development. I note that no Development Plan Policies have been cited by the Council on this issue. I therefore have regard to the general provisions of the Framework on this matter, as appropriate.

7. The exceptions listed in paragraph 145 of the Framework reflect the fundamental aim of Green Belt policy listed at paragraph 133 of the Framework, to prevent urban sprawl by keeping land permanently open, openness and their permanence are identified as essential characteristics of the Green Belt. The outline status of the current appeal proposal means that the required assessment of the effect of a proposal on the Green Belt and character and appearance of the appeal site and surrounding area is more limited. Nevertheless, the submitted indicative drawings demonstrate how the appellant intends to provide the residential development, clearly setting out the relevant parameters.

8. It is common ground between the main parties that the proposed development would potentially result in a notable reduction in development when compared to the existing situation. Overall it is demonstrated that the proposed development could result in a reduction of hardstanding by approximately 44% and built volume of approximately 58%. Additionally, it is claimed that soft landscaping could be significantly increased. Whilst, these figures are based on an indicative approach of providing a residential scheme, I am satisfied that a successful scheme could be produced through a reserved matters submission which would avoid any harm to the Green Belt through the redevelopment of this site as proposed, and through the imposition of suitably worded conditions.

9. Both parties refer to and accept potential fall-back positions, through the conversion of the existing buildings on site. In order to establish the validity of the fall-back position it is necessary to first establish whether there is a greater than theoretical possibility that the fall-back may take place. Although, there are no schemes before me, I note that the appellant considers that the site would best be developed for bungalows and this approach is preferred to the other fall-back schemes. Additionally, I note that the appellant does confirm

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1 The Town and Country Planning (Use Classes) Order 1987 (as amended) (the UCO)
that these alternative schemes are options that would secure the residential re-development of the site should this appeal fail. This is not disputed by the Council. I find the proposed alternative development through the fall-back is therefore a realistic possibility.

10. Therefore, on the basis of the evidence before me, I consider that the proposed development would not have a greater impact on the openness of the Green Belt than the existing development. In addition, when taking account of the site and its surroundings, including the ribbon of residential properties along Grindley Lane, the proposed development would not have a harmful visual effect on the surrounding countryside.

11. For the reasons given above, I conclude that the proposal is not inappropriate development in the Green Belt with regard to the Framework. The proposed development complies with the exception listed at paragraph 145 g) of the Framework. As I have found that the proposal is not inappropriate development in the Green Belt and that no other potential harm to the Green Belt has been identified, it is not necessary for me to consider whether any very special circumstances exist.

**Sustainable Location**

12. Policy SP3 of The Plan for Stafford Borough 2011-2031 (Part One, 2014) (LP1) seeks for the majority of future development to be delivered through the Sustainable Settlement Hierarchy (SSH) based on the County town of Stafford, the market town of Stone and through numerous Key Service Villages. The appeal site is not situated in any of the named settlements in the SSH, and the Meir Heath does not benefit from any defined settlement boundary in The Plan for Stafford Borough 2011-2031 (Part Two 2017) (LP2). Policy SP4 of LP1, identifies the distribution in the SSH for new residential development accordingly: Stafford 70%; Stone 10%; Key Service Villages 12% and Rest of Borough Area (ROBA) 8%. The appeal site falls within the ROBA.

13. The Council confirm that they have 6.83 years of Housing Land Supply\(^2\) (HLS statement), and I note that the Council has met its Housing Delivery Target with a measurement of 224% in 2018. Additionally, I note that in the Council’s Monitoring Report 2018\(^3\) (AMR), the Council could demonstrate a 5.93 years HLS. This year’s HLS statement therefore demonstrates an increase on the figures produced in the AMR. However, whilst I do not have any other figures than those presented in Table 4.4 of the AMR, given the increase in the 5-year HLS that the Council can demonstrate, I am confident that the figures in the AMR relating to residential development in the SSH have also increased proportionally.

14. Policy SP7 of the LP1 apply to development in the countryside that includes compliance with Policy C5 of the LP1 in seeking to support rural sustainability. Policy C5A, includes a requirement that provision can not be accommodated within the settlement hierarchy in Policy SP3 and identification that it will meet defined needs via a Parish based Local Housing Needs Assessment, amongst other things. The supporting text of Policy C5\(^4\) indicates that the policy relates

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\(^2\) Statement of Five Year Housing Land Supply (at 31 March 2019)
\(^3\) Stafford Borough Authority Monitoring Report 2018 (covering the period 1\(^{st}\) April 2017 – 31\(^{st}\) March 2018) Published October 2018
\(^4\) Paragraph 11.17 of LP1

[https://www.gov.uk/planning-inspectorate](https://www.gov.uk/planning-inspectorate)
to residential development proposals (excluding gypsy and traveller pitches) outside of the settlement hierarchy including areas of Green Belt.

15. I note the Council’s concerns that the development would contribute to a disproportionate amount of development occurring outside the SSH. However, the proposed development is up to 7no. dwellings and I find this to represent a relatively modest number of units contributing to the number of dwellings located within the ROBA. Thus, the proposed development would only make a small contribution to the Council’s 5 year HLS. However, I am mindful that the 5 year HLS figure is not a maximum figure, and that the Framework seeks to significantly boost the supply of housing.

16. The appellant has referenced 2no. appeal decisions\(^5\) for residential development in the Council area. However, relatively little detail has been provided regarding the particular planning backgrounds to these schemes and I do not know what evidence was before the Inspectors at the time of their decisions. Additionally, both decisions are for sites not located in the Green Belt. Consequently, I cannot be sure that these are entirely representative of the circumstances in the appeal before me. In any event all appeals are judged on their own individual merits. Accordingly, that is how I have assessed this appeal scheme.

17. Although, Meir Heath is classified as being within ROBA, I find that the site is sustainably located with various shops and services located within walking distance. Additionally, I note the presence of 2no. bus stops, one on each side of the road, located a modest distance away from the site. However, I have not been provided with any substantive details of the service. On balance, the above factors lead me to conclude that the proposed development would be in a suitable location, with reference to the housing strategy for the area. The development of the appeal site would represent an accessible location and maintain the vitality of rural communities and based on this particular circumstance, would weigh in favour of the site being an appropriate location for residential development.

18. For the reasons given above, I find that the proposed development would not conflict with local and national planning policies, which seek to achieve a sustainable pattern of residential development. Although there would be minor conflict with LP1 Policies SP7 and C5A, I have found that there would be no conflict with the Council’s overall development strategy in LP1 Policies SP3 and SP4. Therefore, when the development plan is taken as a whole, I find the minor conflicts with LP1 Policies SP7 and C5A are clearly outweighed. Furthermore, the location of the proposed development can be considered sustainable as it would accord with guidance contained within Paragraphs 78 and 103 of the Framework.

**Other Matters**

19. I note representations from Fulford Parish Council and neighbouring occupiers who have also expressed a range of concerns on the application including, but not limited to the following: future development, wildlife, affordability, infrastructure, living conditions, amongst other things. However, I note that these matters were considered where relevant by the Council at the application

\(^5\) APP/Y3425/W/17/3181164 and APP/Y3425/W/17/3183468
stage and did not form part of the reason for refusal, which I have dealt with in
the assessment above. Whilst I can understand these concerns, there is no
compelling evidence before me that would lead me to come to a different
conclusion to the Council on these matters.

Conditions

20. The Council has suggested conditions which I have considered, making
amendments and minor corrections, where necessary, to ensure clarity and
compliance with the tests contained within Paragraph 55 of the Framework and
the Planning Practice Guidance (PPG). Conditions regarding reserved matters
and time limits are required by statute.

21. In addition to conditions relating to the time limit for implementation and the
approved plans, in the interests of the openness of the Green Belt and
class and appearance of the area, I also consider it reasonable and
necessary to impose a condition limiting the number of dwellings proposed.
Whilst, I contemplated including volume limitations, on reflection, I am
satisfied that a development of 7no. dwellings is highly unlikely to result in a
scheme, in excess of the volume of the existing buildings and structures
currently on site. Additionally, this aspect would be further controlled by the
Council through the submission and assessment of a more detailed future
Reserved Matters application.

22. In order to facilitate the proposal, and to ensure that it has an acceptable effect
on the character and appearance of the area, it is necessary to impose a
condition requiring the removal of the existing buildings on the site to enable
the proposed development. A condition is necessary for the access, footway,
surfacing materials and parking/turning arrangements in the interest of
highway safety. A condition is necessary, if piling methods are to be used in
the construction process in the interest of living conditions of neighbouring
occupiers.

23. A condition is necessary for the development to be constructed in accordance
with recommendations in the ecological report and survey in the interest of the
natural environment and protected species. Additionally, pre-commencement
conditions are necessary for the submission to, and approval by the Council of
a Construction Method Statement and Construction Environmental Management
Plan to ensure that the proposed development does not result in any adverse
effects on highway safety and the living conditions of existing neighbouring
occupiers.

24. I have included a condition for a vehicle charging point to be installed in the
dwelling to give future occupiers the option for using electric powered vehicles
to promote the use of alternative forms of transport.

Planning Balance and Conclusion

25. The provision of what is likely to be family homes would generate additional
social benefits. In addition, there would be economic benefits for the locality,
both during construction and occupation of the dwellings. I do not consider that
the 7 no. dwellings as proposed by the scheme would harm the rural nature of
the settlement or the aims of the SSH.

26. Although the proposal would conflict with LP1 Policies SP7 and C5A, it would
nonetheless be in an accessible location and would not conflict with guidance in
the Framework. It would also likely result in the reduction of development on this Green Belt site, resulting in a moderate improvement to openess, and would make a modest contribution to the housing stock in the Borough.

27. Overall, I consider that there would be no adverse effects resulting from the proposed development that would significantly or demonstrably outweigh the benefits associated with the development. Therefore, in this instance there are material considerations which indicate that the proposal should be determined otherwise than in accordance with the development plan and planning permission should be granted.

28. For the reasons given above, the appeal should be allowed.

W Johnson
INSPECTOR

Schedule of Conditions

1) Details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

3) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.

4) The development hereby permitted shall be carried out in accordance with the following approved plans: 5602-003D and 5602-004A.

5) No more than seven dwellings shall be constructed.

6) The existing buildings on the site shall be demolished in full before any construction of new buildings commences.

7) The development hereby permitted shall not be brought into use until the access and footway has been provided in accordance with the approved plans.

8) The development hereby permitted shall not be commenced until the following details have been submitted to and approved in writing by the Local Planning Authority: - Surfacing materials for the access road. - Layout of the site including disposition of buildings and provision of parking, turning and servicing within the site curtilage.

9) If piling work is proposed for the construction phase, in order to demonstrate the use of best practicable means, details shall be submitted to the local planning authority before construction commences to show sufficient justification for the use of driven piles over other piling methods.
10) The proposed development shall be carried out fully in accordance with the recommendations of the Preliminary Ecological Appraisal Report\(^6\) (PEAR) and The Bird and Bat Presence/Absence Survey\(^7\).

11) Prior to first use and occupation of the proposed dwellings bird boxes shall be installed in accordance with the recommendations and specifications outlined in the PEAR.

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

- a site compound with associated temporary buildings:
- the routing of construction vehicles to and from the site;
- the removal of demolition materials from site;
- the parking of vehicles of site operatives and visitors;
- the loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- measures to prevent the deposition of deleterious material on the highway including wheelwash facilities.

13) No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should 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, including demolition, site works and construction shall only take place between the hours of 8.00 am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays.
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- There should be no burning on site during development
- 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.

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\(^6\) Preliminary Ecological Appraisal (PEA) Report, undertaken by Evolution Ecology, dated 22 February 2018

\(^7\) Bat and Presence/Absence Survey Report, undertaken by Evolution Ecology, dated September 2018
• Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of occupied residential dwellings.

• 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 must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.

14) Details of an Electric Vehicle Charging Point (EVCP) at each dwelling (as specified in a future accompanying Reserved Matters application) shall be first submitted to and approved in writing by the Local Planning Authority. The EVCP’s shall then be implemented fully in accordance with the approved details prior to first use and occupation the dwellings, and thereafter maintained and retained for the life of the development.

End of Schedule
Appeal Decision
Site visit made on 14 October 2019 by Hilary Senior BA(Hons) MCD MRTPI
by J Whitfield BA (Hons) DipTP MRTPI
an Inspector appointed by the Secretary of State
Decision date: 6 December 2019

Appeal Ref: APP/Y3425/Z/19/3234976
Queens Retail Park, Old Rickerscote Lane, Stafford, ST17 4SU

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
- The appeal is made by Mr Richard Page, Insite Poster Properties Ltd against the decision of Stafford Borough Council.
- The application Ref 19/30552/ADV, dated 9 May 2019, was refused by notice dated 10 July 2019.
- The advertisement proposed is erection of a digital advertising display
  - Display of illuminated static images on a 10 second sequential rotation.
  - No special effects including animation, flashing, or fading.
  - Illumination: Display will monitor and adjust to ambient light levels. Day max 600 candela/sqm. Night max 300 candela/sqm.

Decision
1. The appeal is dismissed.

Appeal Procedure
2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue
3. The main issue is the effect of the advertisement on the amenity of the area.

Preliminary Matter
4. The Council have drawn my attention to Policy N1 of The Plan for Stafford Borough (2011-2031) (the LP) which they consider to be relevant to this appeal. Nevertheless, powers under the Regulations\(^1\) to control advertisements may be exercised only in the interest of amenity and public safety, taking account of any material factors. The National Planning Policy Framework and the Planning Practice Guidance reiterates this approach. I have therefore taken Policy N1 of the LP into account insofar as it is relevant to those matters.

Reasons
5. The appeal site is adjacent to the A34 on the Queensville Bridge on an open grassed bank which forms part of the landscaped setting of the Queens Retail Park. Whilst the access road to the retail park and the commercial buildings

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\(^1\) The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)
would form the backdrop to the proposed advertisement, this is some distance from the appeal site. The immediate vicinity is characterised by the openness of the grassed bank and the dense cover of trees.

6. The proposal is for a free-standing digital advertisement with static images on a 10 second sequential rotation. It would be supported by a monopole with an LED display measuring approximately 6m by 3m with an overall height of about 6.8m. As such, the advertisement display would be seen by traffic travelling along the A34 away from Stafford town centre.

7. Given the prominent location of the advertisement, the illuminated images would stand out, both during the day and at night. Whilst I recognise that the buildings and structures in the vicinity of the site are of a large scale, the size and regular changing of the display would draw the attention of road users and add to its prominence, even if the level of illumination was within recommended limits and if the speed and frequency of image transitions were controlled. As such the proposal would appear isolated from the closest commercial buildings and would thus dominate the street scene.

8. For the reasons set out, the proposal, by reason of its prominent location, illumination, height and size would be dominant and overbearing within the street scene. As such the proposal would harm the amenity of the surrounding area. In that respect the proposal is contrary to policy N1 of the LP which, although not decisive, seeks to ensure that new development takes account of the local context.

Conclusion and Recommendation

9. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector’s Decision

10. I have considered all the submitted evidence and the Appeal Planning Officer’s report and on that basis the appeal is dismissed.

J Whitfield

INSPECTOR
Ward Interest - Nil

Enforcement Matters

Report of Head of Development

Purpose of Report

To consider the following reports.

Page Nos

(a) Bungalow known as Dalderf, Stone Road, 36 Meaford, Stone, Staffordshire, ST15 OQT  33 - 36

(b) Land at Penfold Farm, Trentham Road, Stoke-on-Trent, Staffordshire, ST13 3DS  37 - 40

(c) Hillside, Milford Road, Walton on the Hill, Stafford  41 - 44

Previous Consideration

Nil

Background Papers

File available in the Development Management Section

Officer Contact

John Holmes, Development Manager Tel 01785 619302
Ward – Barlaston

WKS2/00035/EN19 – Bungalow known as Dalserf, Stone Road, Meaford, Stone, Staffordshire, ST15 0QT.

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

Purpose of Report

1. To consider the use of the land, originally part of the garden curtilage of the bungalow known as Dalserf subsequently incorporated as a vehicle parking area in conjunction with the commercial business operating adjacent to the bungalow, together with the erection of fencing without the benefit of planning permission.

Detail

Site and Breach of Planning Control

2. Dalserf is a detached single storey dwelling situated on the A34 between Barlaston and Stone and directly adjoins a commercial vehicle operation that is within the same ownership as the dwelling. The bungalow has suffered fire damage and its curtilage (forming part of the garden of the dwelling) has been significantly reduced in area by the introduction of a close boarded fence and this former garden area is being used to park commercial vehicles without the benefit of planning permission. Aside from the parking of vehicles the land has been resurfaced.

3. To the immediate south of Dalsert is Greengates a detached two storey dwelling. A substantive stand of trees separating the parking area from the rear garden of Greengates has been removed by the owner of the commercial business.

4. The site is within the designated Green Belt as shown on Inset Map 6 to The Plan for Stafford Borough 2011-2031.

Approach to Remedy the Breach of Planning Control

5. On 4 February 2019 a report was submitted to the Planning Service concerning the use of the garden area of a bungalow known as Dalserf being employed as a parking area for vehicles in conjunction with the vehicle, truck and trailer hire; vehicle sales; MOT and plant/equipment hire business
operating adjacent to the bungalow. The site was subsequently visited by an Enforcement Officer on 12 February 2019.

6. A site meeting was held with the Owner on 7 March 2019 who explained that the bungalow had suffered significant fire damage in December 2018. The owner was awaiting a response from the insurance company before weighing up the options as to what to do with the bungalow. In the meantime a number of the company vehicles had been parked in the curtilage of what had been the garden serving the bungalow.

7. The Owner was advised that the parking of vehicles associated with the neighbouring commercial operation within the curtilage of the bungalow was considered to constitute a change of use of the land and therefore planning permission was required. The Owner was further advised that should the bungalow be demolished and the land used as a parking area, then again planning permission would be required. In addition, the Owner was made aware that if the bungalow was repaired following the fire damage and used as an office in conjunction with, or separate from, the adjoining commercial undertaking, then planning permission would be required.

8. On 11 March 2019 an e-mail was sent to the Owner requesting the submission of a planning application to retain the use of the land for parking commercial vehicles or remove the vehicles from the land within 28 days. On 7 May 2019 a further e-mail was sent to the owner requesting a planning application for the unauthorised change of use of the land.

9. On 27 June 2019 and again on 29 November 2019 site visits were undertaken to determine if the vehicles had been removed from the land. The vehicles remain on the curtilage of the bungalow and no application has been received.

Planning Policy Framework and Material Considerations

The Plan for Stafford Borough 2011-2031

- SP6 Achieving Rural Sustainability
- SP7 Supporting the Location of New Development
- E1 Local Economy
- E2 Sustainable Rural Development
- N1 Design
- N2 Climate Change
- N8 Landscape Character

Supplementary Planning Document

- Design (2018)

National Planning Policy Framework (February 2019)

- Achieving sustainable development
- Decision-making (Enforcement)
- Delivering a sufficient supply of homes
10. The commercial vehicles have been introduced to the domestic curtilage without the benefit of planning permission and are therefore unauthorised. No planning application has been submitted for the retention of the parking of the commercial vehicles within the residential curtilage of the bungalow.

11. It is considered that the unauthorised introduction of commercial vehicles to the domestic curtilage of the bungalow is harmful to the openness of the North Staffordshire Greenbelt, and adversely harms the amenity afforded to both Greengates and Dalserf. The unauthorised development is therefore contrary to polices SP6 (Achieving Rural Sustainability), SP7 (Supporting the Location of New Development), E1 (Local Economy), E2 (Sustainable Rural Development), N1 (Design), N2 (Climate Change), and N8 (Landscape Character) of The Plan for Stafford Borough 2011-2031, together with advise within the National Planning Policy Framework (February 2019), Planning Practice Guidance and the National Design Guide.

Recommendation

12. That appropriate action be authorised to include all steps including the instigation of court proceedings and any work required to secure the cessation of the unauthorised use, removal of the unauthorised commercial vehicles parked within the domestic curtilage of the bungalow known as Dalserf, together with the fencing, and return the land to its original condition.

Background Papers

Relevant Planning History

<table>
<thead>
<tr>
<th>Reference</th>
<th>Proposed Development</th>
<th>Date and Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>87/19829/FUL</td>
<td>Change of use of existing bungalow to offices and ancillary accommodation</td>
<td>23.01.2001 Approved</td>
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<tr>
<td>05/05385/COU</td>
<td>Change of use – reversion to dwelling</td>
<td>26.01.2006 Approved</td>
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</table>

Contact Officer

Nicholas Lawrence – Deputy Development Manager - Direct No 01785 619732
COND2/00240/EN19 - Land at Penfold Farm, Trentham Road, Stoke on Trent, Staffordshire, ST13 3DS

Report of Head Development and Head of Law and Administration

Purpose of Report

To consider the unlawful development comprising of ground works and the erection of a steel framed structure, and associated works to create a dwelling without the benefit of planning permission.

Detail

The Site and Breach of Planning Control

2. The site comprises part of the former farmstead of Penfold Farm located to the east of the A5035 Trentham Road. To the north and west is the built up area of Blurton, which falls within the administrative governance of the Stoke-on-Trent City Council. Approximately 80 metres to the south of Penfold Farm is the Gables Public House.

3. The steel framed structure, which has been erected without the benefit of planning permission, is located some 15 metres to the north of the former farm house and occupies the location of a former timber barn (see background below).

4. The site lies within the open countryside and the designated Green Belt as shown on the Policies Map to The Plan for Stafford Borough Council 2011-2031.

Background

5. Conditional planning permission under application reference 18/29447/FUL was granted on 12 March 2019 for the conversion of a redundant timber barn to a dwelling.

6. The proposed development was deemed to comply with the relevant planning policies and their respective criteria of The Plan for Stafford Borough 2011-2031 (TPSB) and in particular policy E2. Policy E2 addresses the sustainable use and re-use of rural buildings that provides under criteria (d) whereby appropriate uses, incorporating residential, will be permitted where...the building is structurally sound and is capable of conversion without the need for extension, or significant alteration or rebuilding; together with guidance within the National Planning Policy Framework.
7. Subsequent to the grant of planning permission, an application was made to the Local Planning Authority (Reference No, 19/31379/DCON) to discharge conditions attached to the permission. Upon visiting the Site on 13 November 2019, the Planning Case Officer noted that the building that was to be converted, as per the permission, had been demolished. Development had commenced to construct a new dwelling (i.e. undertaking ground works, erection of steel frame and commencement of the roof structure).

8. The Planning Officer advised the Applicant that permission was for a conversion and not a demolition and rebuild and consequently there was no planning permission in place. The Applicant commented that the building was demolished on health and safety grounds as the building was not structurally sound.

9. It should be noted that the Applicant on 19 December 2014 (Reference 14/21263/FUL) was refused planning permission for the demolition of the timber barn, which occupied the same site as the steel framed structure, and its replacement with a new detached dwelling.

Action undertaken to remedy the breach of planning control

10. Upon visiting the Site on 20 November 2019 the Enforcement Office found that a steel framed building had been erected on the land formerly occupied by an agricultural outbuilding. The erected structure displays a dual pitched roof form with six roofing timbers laid on one pitch and eight roofing timbers laid on the opposite pitch. No further works had been undertaken since the site visit by the Planning Officer on 13 November 2019. At that time the owners of the land and buildings were advised that any further works undertaken were done at their own risk.

11. The owners have heeded this advice and have ceased work. Following the Enforcement Officers site visit, on 26 November 2019 a letter was sent to the Applicant requesting a planning application for the unauthorised works and that the matter was to be presented to the Planning Committee on 18 December 2019 seeking authorisation to commence enforcement action for the removal of the unauthorised development.

12. No planning application has been received.

Relevant Development Plan Policies and Material Considerations

The Plan for Stafford Borough 2011-2031

- SP6 Achieving Rural Sustainability
- SP7 Supporting the Location of New Development
- C5 Residential Proposals outside the Settlement Hierarchy
- N8 Landscape Character

Supplementary Planning Document

- Design (2018)

National Planning Policy Framework (February 2019)
• Achieving sustainable development
• Decision-making (Enforcement)
• Delivering a sufficient supply of homes (Rural housing)
• Protecting Green Belt land
• Achieving well-designed places

Planning Practice Guidance
• Green Belt
• Housing supply and delivery
• Rural housing
• Design: process and tools
• Enforcement and post-permission matters

National Design Guide (October 2019)

Conclusion and the planning balance

13. The ground works, erection of a steel framed structure, and associated works to create a dwelling have been undertaken without the benefit of planning permission and constitute unauthorised development. The works are considered to not represent a form of sustainable development and in turn will harm the green belt contrary to policies SP6 (Achieving Rural Sustainability), SP7 (Supporting the Location of New Development), C5 (Residential Proposals outside the Settlement Hierarchy), and N8 (Landscape Character) of The Plan for Stafford Borough 2011-2031; Supplementary Planning Document – Design; together with advise within the National Planning Policy Framework (February 2019), Planning Practice Guidance and National Design Guide.

Recommendation

14. That appropriate action be authorised to include all steps including the instigation of court proceedings and any work required to secure the removal of the structure, together with levelling and landscaping the ground.

Background Papers and History

Relevant Planning History

<table>
<thead>
<tr>
<th>Reference</th>
<th>Proposal</th>
<th>Date and Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>14/21263/FUL</td>
<td>Demolition of existing outbuildings and construction of new detached dwelling</td>
<td>19.12.2014 Refused</td>
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<tr>
<td>18/29447/FUL</td>
<td>Conversion of redundant timber barn to dwelling</td>
<td>12.03.2019 Approved</td>
</tr>
<tr>
<td>19/31379/DCON</td>
<td>Discharge of Conditions 4, 5 and 7 on application 18/29447/FUL</td>
<td>Yet to be determined</td>
</tr>
</tbody>
</table>

Contact Officer
Nicholas Lawrence – Deputy Development Manager - Direct No 01785 619732
Ward – Milford

WKS3/00163/EN16 - Hillside, Milford Road, Walton On The Hill, Stafford

Report of Head of Development and Head of Law and Administration

Purpose of Report

1. To provide the Planning Committee (the Committee) with the opportunity to review its resolution of 28 of March 2018; namely, that is was considered expedient not to take enforcement action with regard to the construction of the retaining wall (i.e. plinth) and storage room associated with the unauthorised erection of a conservatory to the rear elevation of a rear extension at Hillside, Milford Road, Stafford.

Detail

Background

2. Planning permission was granted in November 2015 (Reference 15/22909/HOU) for a rear single storey extension to provide a kitchen/dining room, with an external staircase leading down to the garden.

3. A subsequent application (Reference 16/24406/HOU) was submitted for the retention of a conservatory that had been erected without planning permission to the rear of the approved kitchen/dining room extension. Planning permission was refused on the 24 of August 2016 on the basis of that the developments height, mass and length would harm the residential amenity afforded the occupiers of the adjoining property (Willow Cottage).

4. In August 2017 a further application (Reference 17/26911/HOU) was submitted seeking permission for unauthorised works comprising; the conservatory; kitchen/dining extension that had not be been built in accordance with the 2015 approval (i.e. increased in length by some 0.90 of a metre); and raised decking area. The description of the proposed development was amended to only address the “Retention of single storey rear kitchen extension”. Permission was granted on the 29 of November 2017.

5. The Applicant subsequently submitted the same set of drawings as originally lodged with the 2017 application, for the conservatory and this application (Reference 18/29347/HOU), which is the subject of an ongoing enforcement appeal was refused planning permission due to the harm it would cause to the amenity to the occupiers of Willow Cottage.
Basis for Review

6. The Presentation to Committee in March 2018 included a series of photographs taken from the rear of Hillside dated the 5 of July 2016. No images were presented to the Committee of the kitchen/dining room extension from the adjoining Willow Cottage.

7. Since the granting of planning permission for the kitchen/dining room extension in 2017 and area to the rear of Willow Cottage secured planning permission on the 7 of March 2018 (Reference 18/27956/HOU) for a raised patio area.

8. Photographs dated the 2 of September 2016 showed significant vegetation within the garden of Willow Cottage bounding the kitchen/dining room extension and unauthorised retaining wall / plinth and conservatory.

9. Allowing for the works undertaken facilitating the construction of the conservatory (i.e. retaining wall and plinth), the previous vegetation within the grounds of Willow Cottage as died back and the conservatory and plinth is clearly visible from the private amenity area of Willow Cottage. The removal of the conservatory would result in a plinth area that would allow users of this area to have direct views into the patio area of Willow Cottage. The originating report writer did not include images from Willow Cottage post 7 of March 2018.

10. It is considered that the change to visibility and the use of the conservatory and its substructure (plinth/retaining wall) is materially different from that presented to the Committee in March 2018 and allowing for its impact upon residential amenity it is considered prudent and expedient to enforce against the retaining wall/plinth structure.

Relevant Planning Policies and Material Considerations

The Plan for Stafford Borough 2011-2031

- N1 Design

Supplementary Planning Document

- Design

National Planning Policy Framework

- Enforcement
- Achieving well-designed places
Concluding Comments and the Planning Balance

11. The retaining wall/plinth with storage room below, raised decking; fencing and stairway were installed without planning permission and as no further planning applications have been forthcoming the works undertaken remain unauthorised.

12. The retaining wall / plinth with the storage room and associated stairway and fencing result in an addition to the building that adversely affects the living conditions / residential amenity afforded to the occupiers of the adjoining property. As such these unauthorised development are contrary policy N1(e) of The Plan for Stafford Borough 2011-2013, Supplementary Planning Document on Design, together with advice within the National Planning Policy Framework, Planning Practice Guide, and the National Design Guide, and its removal should be enforced.

Recommendation

13. That appropriate action be authorised to include all steps including the instigation of court proceedings and any work required to secure the removal of the unauthorised substructure (including the storage room), stairs and fencing.

Background Papers

Relevant Planning History

<table>
<thead>
<tr>
<th>Reference</th>
<th>Proposal</th>
<th>Date and Decision</th>
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<tbody>
<tr>
<td>15/22909/HOU</td>
<td>Rear single storey extension to provide kitchen/dining room</td>
<td>02.11.2015 Approved</td>
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<tr>
<td>16/24406/HOU</td>
<td>Retention of conservatory to rear</td>
<td>24.08.2016 Refused</td>
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<td>17/26911/HOU</td>
<td>Retention of single storey rear kitchen extension</td>
<td>29.11.2017 Approved</td>
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<tr>
<td>18/29347/HOU</td>
<td>Glazed conservatory / lean-to</td>
<td>31.01.2019 Refused</td>
</tr>
</tbody>
</table>

Contact Officer

Mr Nicholas Lawrence – Deputy Development Manager - Direct No 01785 619732