Dear Members

Planning Committee

A meeting of the Planning Committee will be held in the Craddock Room, Civic Suite, Civic Centre, Riverside, Stafford on Wednesday, 3 July 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.

Interim Head of Law and Administration
PLANNING COMMITTEE - 3 JULY 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 are/will be set out in Section 6 of Digest No 257 due to be published on 5 July 2019.

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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)
Planning Applications

Report of Head of Development

Purpose of Report

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

<table>
<thead>
<tr>
<th>Planning Application</th>
<th>Page Nos</th>
<th>Officer Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>19/30348/HOU Almondbury, Puddle Hill, Hixon, Stafford</td>
<td>4 - 8</td>
<td>Sarah Poxon, Development Lead (Small Scale) - Telephone 01785 619507</td>
</tr>
<tr>
<td>19/30362/FUL Former Police HQ, Cannock Road, Stafford</td>
<td>9 - 22</td>
<td>Richard Wood, Development Lead (Large Scale) - Telephone 01785 619324</td>
</tr>
<tr>
<td>19/30501/HOU 17 Tullis Close, Castlefields, Stafford</td>
<td>23 - 27</td>
<td>Sarah Poxon, Development Lead (Small Scale) - Telephone 01785 619507</td>
</tr>
</tbody>
</table>

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.
<table>
<thead>
<tr>
<th>Application</th>
<th>19/30348/HOU</th>
<th>Case Officer</th>
<th>Steven Owen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Registered</td>
<td>5 April 2019</td>
<td>Target Decision Date</td>
<td>31 May 2019 TBC</td>
</tr>
<tr>
<td>Address</td>
<td>Almondbury Puddle Hill Hixon Stafford Staffordshire ST18 0NG</td>
<td>Ward</td>
<td>Haywood and Hixon</td>
</tr>
<tr>
<td>Proposal</td>
<td>Construction of first floor accommodation over existing bungalow and ground floor extension.</td>
<td>Parish</td>
<td>Hixon</td>
</tr>
<tr>
<td>Applicant</td>
<td>Mr J Ahearn</td>
<td>Recommendation</td>
<td>Refuse</td>
</tr>
</tbody>
</table>

**REASON FOR REFERRAL TO COMMITTEE:**

This application is reported to due to the agent being a Councillor of Stafford Borough Council and there is an unresolved objection.

**Context**

Almondbury is a detached 1970s bungalow located within the Hixon Settlement Boundary.

The site is surrounded by an established residential area characterised by two-storey dwellings. The eastern boundary is shared with a dwelling under construction, and a newly built dwelling, Honeybee Cottage (16/24280/FUL). To the north-west there is Mount Pleasant farm house; a 17th Century Grade II Listed dwelling.

The proposal involves two elements:

- A first-floor extension along the length of the dwelling forming a master bedroom, glazed Juliet balcony, two bathrooms and two additional bedrooms.
- A single-storey element to the side of the dwelling forming a hallway and study.
- Both elements would share a single dual pitched gable-ended roof.
- The roof space of the single storey element would provide storage space accessible from the first storey.

The materials include render, timber cladding, facing brick and plain grey tiles.

**Officer Assessment – Key Considerations**

1. **Character & Appearance / Conservation**
Almondbury is an ‘L’ shaped bungalow situated between a two-storey dwelling and a 17th Century farm house.

Due to the site's proximity to Mount Pleasant the Conservation Advisor was consulted and raised no historic building objection, commenting: ‘The proposed works are not considered to cause greater harm to the setting and significance of the listed building than the current situation.’

Overall is considered that the proposal would not cause adverse harm to the character appearance of the host dwelling or surrounding area. The extension would be concurrent with the density of existing development due to the prevalence of two storey dwellings. In addition, the proposals position 13m away from the public highway, and its location behind both neighbouring structures, would limit Almondbury’s impact upon the street scene.

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

2. Amenity

Policy N1 (e) requires developments to take account of light implications, together with the amenity of adjacent residential areas.

A neighbour has objected to the proposal due to concerns relating to the extensions impact upon the amenity of residents at No. 13 Ridgeway. Overlooking, privacy, visual impact and loss of light have been raised as issues. It is considered however that the 33m distance between the two dwellings would ensure adequate privacy and light.

Guideline 6 of the Council’s Design Supplementary Planning Document states that a distance of 21m is considered the minimum separation distance between facing/backing dwellings required to achieve a degree of privacy within conventional two storey accommodation. In this instance the proposed rear facing first-floor bedroom window would measure 18m from the front facing first-floor bedroom window of the dwelling currently under construction on plot 2. In this instance it is concluded that the separation distance, coupled with the angle of the windows, would mitigate any adverse harm and would provide adequate level of privacy.

It is also noted that the proposal includes 8 side-facing roof-lights. To prevent overlooking and protect the privacy of occupants at Mount Pleasant, a condition should be added requiring the use of obscure glazing for the walk-in wardrobe windows. The remaining roof-lights are considered high enough to prevent overlooking without the need for obscure glazing.

The proposed first-floor extension would however result in a breach of the amenity guidance within the Council’s Design Supplementary Planning Document. The first-floor extension would interrupt outlook from the rear kitchen window, and the first floor bedroom
window of Honeybee Cottage along a 45 degree plane of view, at a distance of 7m and at a projection of 6m.

In addition, the first-floor addition would appear overbearing because of its close proximity to Honeybee Cottage. Measuring 1.8m from the boundary fence, the 5m high side elevation would run along nearly the entire length of the dwelling’s rear garden. The proposal would therefore have an adverse effect upon the outlook from neighbouring principal windows and the enjoyment of the garden.

There are however a number of other factors to be taken into consideration; The glazed patio doors to the dining area provide an alternative source of natural light for the kitchen; The Almondbury’s impact upon the bedroom window would be equal to that of the kitchen window when Honeybee Cottage was originally approved; The rear garden of Honeybee Cottage is south-facing and would continue to enjoy direct sunlight all year round.

In consideration of the all above factors, on planning balance it is however considered that the Almondbury’s close proximity to the garden of Honeybee Cottage, coupled with the height, scale and massing of the proposed extension, would result in an unduly dominant development, with significant visual intrusion upon the residents at Honeybee Cottage. Therefore the proposal would result in adverse harm to the enjoyment of the neighbouring rear garden and the outlook from rear facing principal windows. This harm is considered substantial enough to warrant refusing of the application.

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

**3. Parking**

The proposal would add an additional fourth bedroom to the dwelling.

Three car parking spaces have been proposed in line with local parking policy detailed within Appendix B of the local plan for Stafford Borough.

The Highway Authority has been consulted on the proposal and no objection has been raised.

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

**4. Conclusion**

The proposals close proximity to the neighbouring dwelling, Honeybee Cottage, coupled with the scale and massing of the proposal would adversely harm the amenity of
neighbouring residents and is considered contrary to local design policy N1 and the Design Supplementary Planning Document.

Considering the above it is recommended that planning permission be refused for the reasons outlined.

**Consultations**

Design Advisor:  
No comments received

Conservation Officer:  
The application site adjoins Mount Pleasant, a grade II listed building of 17th century origin. The present bungalow is of undistinguished design: the proposed remodelling and enlargement will not be of any greater architectural merit. Nonetheless the building is set further into its site away from the road beyond the historic building. The proposed works are not considered to cause greater harm to the setting and significance of the listed building than the current situation. There is no historic building objection to this application.

Highway Authority:  
Surgery: No objection

Parish Council:  
No objection

Neighbours (10 consulted):  
One objection: Material planning considerations summarised below:
- Loss of light
- Privacy
- Visual Amenity

Site Notice:  
Expiry date: 23.05.2019

**Relevant Planning History**

None.
Application 19/30362/FUL  Case Officer Ed Handley
Date Registered 2 April 2019  Target Decision Date 2 July 2019
Extended To 5 July 2019
Address Former Police HQ  Ward Weeping Cross
Cannock Road and Wildwood
Stafford
Parish -
Proposal Variation of conditions 12 (cycle/pedestrian crossing), 13 (puffin
crossing), and 15 (traffic management scheme) on permission
18/29824/FUL (previously conditions 13, 14, and 16 on permission
18/28901/FUL)
Applicant Bellway Homes Limited
Recommendation Approve, subject to conditions and to the completion of a Deed of
Variation

REASON FOR REFERRAL TO COMMITTEE

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

“Increased occupation on this site without Highways infrastructure work completed could
lead to Highways safety issues.”

Context

The application site comprises the former Police HQ site at Weeping Cross where
development in accordance with permission 18/29824/FUL (variation of original
permission 18/27849/FUL) is well under way.

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

Permission 18/27849/FUL granted on 20 June 2018 approved the construction of 141
houses including 42 affordable units.

This application is for the variation of conditions 12, 13 and 15 on permission
18/29824/FUL which is the latest permission issued with regard to this site.

The conditions to be varied relate to off-site highway works and the implementation of a
traffic management scheme. The requirements of the conditions are as follows:
- Condition 12: New signal controlled cycle/pedestrian crossing on Weeping Cross (north of site);
- Condition 13: Upgrade of existing puffin crossing on the A34 (north of the site entrance) to a signal controlled cycle/pedestrian crossing; and
- Condition 15: Traffic management scheme, including road junction box markings on the A34 at Wildwood Drive and the site entrance.

Since the submission of this application the Local Planning Authority has approved the discharge of condition 14 on permission 18/29824/FUL under 19/30510/DCON and any approval should therefore refer to these approved details.

**Officer Assessment – Key Considerations**

1. **Assessment**

Conditions 12, 13, and 15 all require the above works to be implemented in accordance with details to have first been approved by the Local Planning before the occupation of the 31st dwelling within the development.

The applicant now proposes that these conditions are varied to allow 50 dwellings to be occupied before the requirements of the conditions are triggered. The reason for this is that delays in agreeing the detail for the off-site highway works with Staffordshire County Council have meant that progress on site is nearing the occupation limit. Furthermore, before the developer can implement any off-site highway works they need to have completed a Section 278 Agreement with Staffordshire County Council.

There would be no amendment to the scheme itself, other than the timing of the trigger points.

Concern has been raised about public safety measures not being implemented as quickly as initially required. However, the Highway Authority raise no objection to the proposed variation of the conditions on highway safety grounds.

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

It is not considered that varying the trigger point to 50 dwellings would result in any impact on the enforceability of the conditions. Should the developer not comply with the proposed conditions the expediency of pursing enforcement action would be considered.

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

**Polices and Guidance:**

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

The Plan for Stafford Borough
Policies: T1 Transport; I1 Infrastructure delivery policy
The Plan for Stafford Borough: Part 2
Policies: SB1 Settlement boundaries

2. Conclusion

The conditions which the applicant proposes to vary were all recommended by the Highway Authority during consideration of application 18/27849/FUL in the interests of the safety and convenience of users of the highway and to ensure that sustainable transport methods are encouraged. It is not considered that the proposed variation of conditions 12, 13, and 15 would result in any harm to the safety and convenience of users of the highway and the Highway Authority raise no objection to their variation.

Consultations

Highway Authority:
(Comments dated 14 June 2019):
No objection.
(Comments dated 2 May 2019):
No objection.

Environmental Health Officer:
No objection.

Neighbours
(54 consulted): Two representations received stating that no further dwellings should be occupied before the off-site highway works are completed.

Site notice expiry date: 17 May 2019

Newsletter advert expiry date: 15 May 2019

Relevant Planning History

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

18/28889/DCON – Discharge of conditions 5, 7, 22, 23, 26, and 28 of 18/27849/FUL – Conditions discharged 29 January 2019

18/28901/FUL – Variation of condition on 18/27849/FUL to amend trigger points in conditions 13, 14, 15, and 16 to change them from prior to first occupation to prior 31st occupation – Approved 19 November 2018

18/29715/AMN – Non-material amendment to 18/27849/FUL and 18/28901/FUL to reposition plots 95/98, 116 and associated car parking. Footpath increased in width to the front of plots 37, 95, 105, 116, and 123 – Approved 25 January 2019

18/29824/FUL – Variation of conditions 2, 7, and 27 on 18/27849/FUL and 18/28901/FUL – Approved 24 May 2019
Recommendation

Approve, subject to the following conditions:

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

- Drawing Number WC-RL-01 'Red Line Plan'
- Drawing Number WC/FEN/01B 'Boundary Treatments Plan'
- Drawing Number WC/MAT/01B 'Materials Layout - Bricks and Render'
- Drawing Number WC/MAT/02 revB 'Materials Layout - Roof Tiles'
- Drawing Number WC-SUB-01 'Proposed Sub-station Plans'
- Drawing Number WC/GFD/01 'Gate & Fence Details (Condition 5)'
- Drawing Number WC/PHAS/01 'Proposed Phasing Plan'
- Drawing Number GLO764 01L 'Soft Landscape Proposals (Sheet 1 of 3)'
- Drawing Number GLO764 02J 'Soft Landscape Proposals (Sheet 2 of 3)'
- Drawing Number GLO764 03H 'Soft Landscape Proposals (Sheet 3 of 3)'
- Drawing Number WC/CL/01 'Compound Location Plan'
- Drawing Number A/1550/v1/00/01 'Accacia (4b det) Planning Layouts'
- Drawing Number A/1550/v1/00/02 'Accacia (4b det) Planning Elevations'
- Drawing Number A/1550/v2/00/02 'Accacia (4b det) Planning Elevations'
- Drawing Number A/1550/v3/00/02 'Accacia (4b det) Planning Elevations'
- Drawing Number A/1591/v1/00/01 'Alder (4b Det) Planning Layouts'
- Drawing Number A/1591/v1/00/02 'Alder (4b Det) Planning Elevations'
- Drawing Number A/1591/v2/00/02 rev B 'Alder (4b Det) Planning Elevations'
- Drawing Number A/1591/v3/00/02 'Alder (4b Det) Planning Elevations'
- Drawing Number A/1591/v4/00/02 rev A 'Alder (4b Det) Planning Elevations'
- Drawing Number A/1290/v1/00/01 rev A 'Aspen (4b det) Planning Layouts'
- Drawing Number BWM/ASP/01- 'Aspen (4b det) Planning Elevations'
- Drawing Number AYL/PLA/01- 'Aylesmore (5b Det) Planning Layouts Floor Plans'
- Drawing Number AYL/PLA/02- 'Aylesmore (5b Det) Planning Layouts Country - Brick'
- Drawing Number AYL/PLA/03- 'Aylesmore (5b Det) Planning Layouts Town - Render'
- Drawing Number AYL/PLA/03- 'Aylesmore (5b Det) Planning Layouts Country - Render'
- Drawing Number BAS/PLA/01- 'Bascote (4b Det) Planning Layouts Floor Plans'
- Drawing Number BAS/PLA/03- 'Bascote (4b Det) Planning Layouts Country - Render'
- Drawing Number BAS/PLA/04- 'Bascote (4b Det) Planning Layouts Country - Render 2 sides'
Drawing Number BAS/PLA/05- 'Bascote (4b Det) Planning Layouts Country - Render 3 sides'
Drawing Number BRA/PLA/01- 'Bransford (5b Det) Planning Layouts Floor Plans'
Drawing Number BRA/PLA/02- 'Bransford (5b Det) Planning Elevations Country - Brick'
Drawing Number BRA/PLA/03- 'Bransford (5b Det) Planning Elevations Country - Render'
Drawing Number A/2349/v1/00/01 rev E 'CEDAR (5b det) Planning Layouts'
Drawing Number A/2349/v3/00/02 rev B 'CEDAR (5b det) Planning Elevations'
Drawing Number CED/PLA/01- 'CEDAR (5b det) Planning Elevations'
Drawing Number CHA/PLA/01- 'Chadwick (5b Det) Planning Layouts - Floor Plans'
Drawing Number CHA/PLA/02- 'Chadwick (5b Det) Planning Layouts Country - Brick (Ele 1)'
Drawing Number CHA/PLA/03- 'Chadwick (5b Det) Planning Layouts Country - Brick (Ele 2)'
Drawing Number CHA/PLA/04- 'Chadwick (5b Det) Planning Layouts Country - Render (Ele 2)'
Drawing Number A/802c/v1/00/01 rev B 'Cherry (3b semi/ter) Planning Layouts'
Drawing Number A/802c/v1/00/02 'Cherry (3b semi/ter) Planning Elevations'
Drawing Number A/802c/v1/00/02.1 'Cherry (3b semi/ter) Planning Elevations Town-Brick Front Gable Variant'
Drawing Number CHO/PLA/01- 'Chorley (3b Det) Planning Layouts'
Drawing Number CHO/PLA/02- 'Chorley (3b Det) Planning Elevations'
Drawing Number ELT/PLA/02- 'Elton (4bed) Planning Elevations'
Drawing Number ELT/PLA/02- 'Elton (4bed) Planning Elevations' [shows floor layouts]
Drawing Number HAZ/PLA/01- 'Hazel (3b det/semit) Planning Elevations'
Drawing Number A/948/v1/00/01 rev C- 'Hazel (3b det/semit) Planning Layouts'
Drawing Number A/986/v2/00/02 rev C 'Japonica (3b det) Planning Elevations'
Drawing Number A/986/v1/00/01 rev D 'Japonica (3b det) Planning Layouts'
Drawing Number BWM/KIN/01- 'Kineton (4b det) Planning Elevations' [shows floor layouts]
Drawing Number BWM/KIN/02- 'Kineton (4b det) Planning Elevations'
Drawing Number A/1087/v3/00/02 'Larch (3b semi/ter) Planning Elevations'
Drawing Number A/1087/v2/00/02 'Larch (3b semi/ter) Planning Elevations'
Drawing Number A/1087/v1/00/01 'Larch (3b semi/ter) Planning Layouts'
Drawing Number A/1336/v3/00/02 'Maple (4b det) Planning Elevations'
Drawing Number A/1336/v1/00/01 'Maple (4b det) Planning Layouts'
Drawing Number MAR/PLA/02- 'Marlbrook (5b det) Planning Layouts Country - Brick (Ele 2)'
Drawing Number MAR/PLA/03- 'Marlbrook (5b det) Planning Layouts Country - Render (Ele 2)'
Drawing Number MAR/PLA/01- 'Marlbrook (5b det) Planning Layouts Floor Plans'
Drawing Number MIL/PLA/01- 'Milverton (5b det) Planning Layouts Floor Plans'
Drawing Number MIL/PLA/02- 'Milverton (5b det) Planning Layouts Country - Render'
Drawing Number A/1199/v1/00/01 'Walnut (4b det) Planning Layouts'
Drawing Number A/1199/v3/00/02 'Walnut (4b det) Planning Elevations'
Drawing Number A/1199/v1/00/02 'Walnut (4b det) Planning Elevations'
Drawing Number BWM-SO2+-PLA02 'SO2+ Planning Layouts'
2. The development shall be implemented in accordance with the approved phasing plan, Drawing Number WC/PHAS/01 'Proposed Phasing Plan', unless otherwise submitted to and approved in writing by the local planning authority.

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

4. The vehicular access features, including flanking walls, railings, pillars or gates, as well as the internal site road gateways and boundary pedestrian (Weeping Cross) maintenance (Cannock Road) and lockable five bar (Cannock Road) access gateways, shall be implemented in accordance with drawing WC/GFD.01 'Gate & Fence Details (Condition 5)' and document WC/DOM/01 (as approved under 18/28889/DCON), unless otherwise agreed in writing by the Local Planning Authority.

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

6. The landscaping scheme shown in drawings GLO764 01L, GL0764 02J and GL0764 03H 'Soft Landscape Proposals' shall be implemented within 8 months of the completion of the development, or the relevant phase of that development.

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

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

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

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

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

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

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

12. No more than 50 dwellings shall be occupied until the proposed signal controlled cycle/pedestrian crossing on Weeping Cross to the north of the site has been completed in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority.

13. No more than 50 dwellings on any phase of the development shall be occupied until the proposed upgrade of the existing Puffin Crossing on the A34, north of the site entrance, to a signal controlled cycle/pedestrian crossing, has been completed in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority.

14. The Travel Plan comprising the following documents as submitted to and approved in writing by the Local Planning Authority under 19/30510/DCON shall been implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority:
   - Residential Travel Plan Action Plan;
   - Example Residential Travel Survey;
   - Drawing 1000 X;
   - Drawing Figures 4, 5, and 6; and
   - Residential Travel Plan.
Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning consent to the Local Planning Authority for approval for a period of five years from first occupation of the development permitted by this Consent.

15. No more than 50 dwellings on any phase of the development shall be occupied until a traffic management scheme, including Road Junction Box Markings on the A34 at Wildwood Drive and the proposed Site Entrance, has been completed in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority.

16. The development shall be implemented in accordance with the Construction Management Plan dated March 2018 and the accompanying Compound Location Plan, Drawing number WC/CL/01, received under email dated 22 March 2018 (scanned on 23 March 2018). The provisions of the Construction Method Statement and Compound Location Plan shall be adhered to throughout the construction period unless the development is implemented in accordance with alternative details previously submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

21. Screening shall be provided to the site boundaries for the duration of development in accordance with drawing PFEN-01 (as approved under 18/28889/DCON) unless otherwise approved in writing by the Local Planning Authority.
22. The sub-station shall be constructed in accordance with drawing WC-SUB-01 and shall be screened in accordance with drawing GL0764 01 E unless otherwise approved in writing by the local planning authority. The approved hedgerow screen shall be planted within the first planting season following commencement of development of the sub-station.

23. No dwelling on any cul-de-sac or private drive served by a bin collection point, as shown on the approved plans, shall be occupied until the bin collection point for that cul-de-sac/private drive has been implemented in accordance with the details shown on the approved plans and as illustrated by the submitted photograph recorded as received on 23 March 2018.

24. The accommodation provided at first floor level in the Elite and Supreme detached garages shall be used for purposes wholly ancillary to the residential use of the dwelling on the corresponding plot and shall not be let, leased out, sold or otherwise occupied or disposed of separately from that dwelling.

25. Unless otherwise approved in writing by the local planning authority, the development shall be carried out in accordance with the detailed surface water drainage design and drainage plans for the disposal of foul and surface water flows approved under 18/28889/DCON as detailed within the following documents. The drainage scheme shall be implemented in accordance with the approved details before any previously approved phase of the development is first brought into use:

- Drawing No. 16061_100
- Drawing No. 16061_101
- Drawing No. 16061_102 B
- Drawing No. 16061_103 B
- Drawing No. 16061_200
- Drawing No. 16061_201
- Drawing No. 16061_202
- Drawing No. 16061_203
- Drawing No. 16061_204
- Drawing No. 16061_205
- Drawing No. 16061_206
- Drawing No. 16061_207
- Drawing No. 16061_400
- Drawing No. BASWICH STORM 09.02.18.MDX 1yr & 30yr
- Drawing No. BASWICH STORM 09.02.18.MDX 100yr +40%
- Drawing No. Permeable Paving Specification Footway
- Drawing No. Permeable Paving Specification
- Micro drainage Calculations

Any amended design shall be in accordance with the overall strategy and key design parameters set out in the Flood Risk Assessment and Drainage Strategy (References 16061 Rev A 06/12/17 and Drawing Number 3 revision D)

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

26. The development shall be implemented in accordance with the provisions of the Arboricultural Assessment and Method Statement dated December 2017, the Addendum to Arboricultural Method Statement dated March 2018, and the Addendum to Arboricultural Assessment (Removal of T134 Lebanese Cedar) dated December 2018.

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

27. Notwithstanding any other description/details within the application documents the boundary treatments detailed on drawing WC/FEN/01C shall be provided unless otherwise approved in writing by the local planning authority.

28. Notwithstanding any detail/description within the application documents, and before the end of the first planting season following the date of this permission, tree T134 (Cedar) shall be replaced in accordance with the following specification unless otherwise approved in writing by the Local Planning Authority and it shall thereafter be protected throughout any remaining period of development in accordance with BS 5837: 2012.

Cedrus Deodara (Himalayan Cedar)
100L supply (container grown specimen)
200-250cm size.

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

1. To define the permission.
2. To define the permission.
3. In order to ensure that biodiversity value and natural environment of the site is maintained and enhanced (Policy N4 of the Plan for Stafford Borough).
4. To safeguard the character and appearance of the area and ensure highway safety is maintained (Policies N1 and T2 of The Plan for Stafford Borough).
5. In the interests of local amenity and the safety of highway users (Policies N1 and T2 of the Plan for Stafford Borough).
6. To safeguard the character and appearance of the area and ensure protection and enhancement of the natural environment and biodiversity features (Policies N1 and N4 of The Plan for Stafford Borough).
8. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
9. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
10. To ensure the provision of adequate off-street facilities in the interests of the convenience and safety of users of the highway. (Policy T2d of The Plan for Stafford Borough).
11. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
12. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
13. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
14. In the interests of encouraging sustainable transport methods and reduction in traffic generation (Policy T1b of the Plan for Stafford Borough).
15. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
16. In the interests of the safety and convenience of users of the highway and to protect residential amenity. (Policies T1c and N1 of The Plan for Stafford Borough).

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

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

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

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

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

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

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

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

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

26. In the interests of protecting and maintaining adequate natural landscape features and protected trees. (Policies N1 and N4 of the Plan for Stafford Borough).

27. To protect the character and appearance of the site and its setting within the local urban landscape. (Policy N1 of the Plan for Stafford Borough).

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

Informative(s)

1. The Local Planning Authority considers the proposal to be a sustainable form of development and that it complies with the provisions of the National Planning Policy Framework.
The applicant's attention is drawn to the comments of the Police Architectural Liaison officer, Environment Agency, Environmental Health Officer, Arboricultural Officer, Biodiversity officer, Severn Trent Water and the Highway authority with regard to application 18/27849/FUL. All comments can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).
19/30362/FUL
Proposed Development At Police Headquarters
Cannock Road
Stafford
Staffordshire
Application | 19/30501/HOU | Case Officer | Jessica Allsopp
--- | --- | --- | ---
Date Registered | 3 May 2019 | Target Decision Date | 28 June 2019
Extended To | 5 July 2019 |
Address | 17 Tullis Close Castlefields Stafford Staffordshire ST16 1AX | Ward | Rowley
Parish | Stafford MB |
Proposal | Constructing a first floor extension above a garage, utility and kitchen at ground floor level. |
Applicant | Mrs Fiona Dray |
Recommendation | Approve, subject to conditions |

**REASON FOR REFERRAL TO COMMITTEE**

This planning application has been called in by Councillor C V Trowbridge (Councillor for Rowley) for the following reason:-

The call in is for: the officer to establish if the 45 degree rule is being adhered to in the back garden of number 15. As the houses are staggered (see below) the back of number 17 protrudes approximately 5 metres further back than number 15. The principal windows will be over shadowed as will this small garden.

**Context**

17 Tullis Close is a detached dwelling located within the Stafford Settlement Boundary as set out in Spatial Principle 3 of The Plan for Stafford Borough (2011-2031). Tullis Close is defined by large detached dwellings that are of a variety designs and styles. The property has not previously been extended.

The proposal involves building a first floor extension over the existing store and utility. The proposed extension will provide a fourth bedroom and an en-suite bathroom.

**Officer Assessment – Key Considerations**

1. **Character & Appearance**

The proposal involves building a first floor element over the existing storage room and utility. The front elevation, ridge height and eaves of the proposed extension are to match those of the existing dwelling. This ensures that the extension does not dominate the dwelling and is a subservient addition to the dwelling. No 17 is separated from no 15 by a
2m gap, and the row of dwellings are set on a staggered row, thus the proposal would not result in any terracing effect.

The proposal indicates the use of materials that are to match the existing dwelling, this will assist in integrating the proposed extension with the existing dwelling and retain the character and appearance of the property.

As Tullis Close has a variety of large detached dwellings, the addition of the proposed extension would not harm the street scene or the character and appearance of the surrounding area.

Therefore in terms of character and appearance this proposal is considered to be acceptable.

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

2. Amenity

Concerns were raised over a breach of amenity to the neighbouring property of number 15 Tullis Close. As such this report will address the 45 degree rule set out in The Supplementary Document for Design. The 45 Degree rule is assessed to ensure that extensions or new dwellings do not cause an unreasonable loss of daylight or an unreasonable degree of overshowing to any habitable rooms in neighbouring properties or gardens.

The closest window in no 15 to the proposed extension serves a utility room and the second window in question serves the kitchen. It is not considered that a utility is a principle room and therefore is not subject to the 45 degree rule; however there is no breach of the 45 degree rule to either of these windows.

There is a 2m gap between the two properties, which increases to 2.8m at the rear of no 15, which is unchanged from the present ground floor situation.

It is not considered that the proposed extension will cause a significant level of overshadowing to the neighbouring property’s garden as a significant gap has been left between the two properties at the rear and the houses layout/relationship.

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

3. Parking

Three car parking spaces have been provided to meet the standards set out for a four bedroom dwelling.
Policies and Guidance:-
National Planning Policy Framework (NPPF) – Section 9. Promoting sustainable transport
The Plan for Stafford Borough (TPSB) 2011-2031 – Policies T1 Transport, T2 Parking and Manoeuvring Facilities, Appendix B – Car Parking Standards

4. Conclusion

The proposal is not considered to harm the character and appearance of the host dwelling or the wider area. It avoids negatively impacting visual amenity or neighbour amenity, and does not impact upon parking requirements and provision.

Considering the above it is recommended that planning permission be granted, subject to conditions.

Consultations

Highway Authority:
No objections

Neighbours (8 consulted):
No representations received.

Relevant Planning History

None.

Recommendation

Approve, subject to the following conditions:

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

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

   Drawing Numbers; 19-56-P01 Rev. A & 19-56-P02 Rev. B.

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.
Informative(s)

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

Planning Appeals

Report of Head of Development

Purpose of Report

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

Notified Appeals

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Location</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>18/29523/HOU</td>
<td>5 Parkfields Farm Rowan Barn Tittensor Road</td>
<td>Retrospective planning application for new door.</td>
</tr>
<tr>
<td>19/29860/HOU</td>
<td>131 Cannock Road Stafford ST17 0QL</td>
<td>Garage extension &amp; conversion with extension over to create new bedroom.</td>
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Decided Appeals

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Location</th>
<th>Proposal</th>
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<tbody>
<tr>
<td>18/29369/HOU</td>
<td>113 Northwood Lane Northwood Newcastle Under Lyme</td>
<td>First floor extension to front elevation, two storey side/rear extension and single-storey rear extension.</td>
</tr>
<tr>
<td>18/29641/HOU</td>
<td>Red Lion Cottage Biddles Lane Cranberry</td>
<td>Proposed single storey orangery extension to rear of detached house.</td>
</tr>
<tr>
<td>17/27754/FUL</td>
<td>Public House Princess Royal 68 Sandon Road Stafford</td>
<td>Demolition of former public house and construction of six 3-storey houses.</td>
</tr>
</tbody>
</table>
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 11 April 2019

by Jan Hebblethwaite MA Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: 19 June 2019

Appeal Ref: APP/Y3425/D/19/3222474
113 Northwood Lane, Northwood, Newcastle Under Lyme, ST5 4BZ

• The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
• The appeal is made by Mr S. Leigh against the decision of Stafford Borough Council.
• The application Ref 18/29369/HOU, dated 1 October 2018, was refused by notice dated 26 November 2018.
• The development proposed is first floor extension to front elevation, two storey side/rear extension and a single storey rear extension.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed two storey side/rear extension on the living conditions of the occupiers of the neighbouring property at 115 Northwood Lane with particular reference to outlook and daylight.

Reasons

3. The site is a compact semi-detached house in a row of similar properties. The appeal scheme is made up of three elements. The Council raises no objections to the proposed first-floor extension to the front and the single storey extension to the rear. However, it is concerned about the two-storey side and rear extension and its relationship to the neighbouring property, No. 115.

4. The flank wall of No. 115 contains a window at ground floor level serving the kitchen, which has no other windows. The window faces the existing flank wall of the host property. The existing separation distance between the window and flank wall is about 5.7m.

5. Although the proposed extension would be set back some 1.2m from the boundary between the two properties, it would bring the two-storey development about 1m closer to the kitchen window and would extend three metres back from the existing rear wall of the host property and that of No. 115.

6. The council has adopted a Supplementary Planning Document on Design (2018) (SPD) which provides design principles and guidelines for new development, including a chapter on extensions to residential dwellings. That
guidance requires a 12m distance between a wall containing a principal window (which includes a window serving a kitchen) and a neighbouring property. The guidance was adopted long after these properties were constructed, and the current separation is 5.7m. The proposed extension would bring the new flank wall to within 4.7m of the principal window of No. 115. As a result, an already close relationship would be closer. The guidance also contains a “25-degree Rule” which seeks to ensure adequate levels of daylight for habitable rooms. Whilst the SPD provides guidance only, and accepting that the existing relationship does not meet the guidelines, the proposed side and rear extension would breach this Rule.

7. The boundary with the neighbouring property at No. 115 is marked by a wooden fence and the kitchen window is heavily netted. I agree with the appellant that the fence cuts across the lower part of the window and partially obstructs views from there. Nevertheless, views from the window over the fence are possible and natural light reaches the window from above it. In contrast, the introduction of a two-storey wall of the length and height proposed, so close to the boundary would reduce the amount of light to the kitchen window of No. 115 and the outlook from there.

8. There is no guarantee that the occupiers of No. 115 would retain the fence and/or the net curtains in future.

9. Taking into account the matters set out above, I conclude that the proposed side and rear extension would be seen as an unduly imposing feature that would be overbearing by reason of its mass and bulk and would cause an unacceptable loss of daylight to a window serving the kitchen at No 115. As a result, that room would feel unacceptably enclosed and gloomy.

10. I therefore conclude on the main issue that the proposal would be harmful to the living conditions of the occupiers of No. 115 with particular reference to outlook and daylight. This would be contrary to Policy N1(e) of the Plan for Stafford Borough (adopted June 2014) which requires that design should take account of noise and light implications together with the amenity of adjacent residential areas.

It would also be at odds with the advice in the SPD and Paragraph 127(f) of the National Planning Policy Framework which requires that existing and future occupiers have a high standard of amenity.

Other Matters

11. I have had regard to the appellant’s argued fall-back positions. The GPDO provides permission for extensions to dwellinghouses and I agree that the appellant could construct a single storey side extension without the need for planning permission. However, a pitched roof on a single storey extension would slope away from No 115. By contrast, the proposed extension would result in a two-storey wall with a pitched roof above it. The mass and bulk created would have a far greater impact on No. 115 than anything which could be constructed under the GPDO. I therefore give this fall back only very limited weight in favour of the proposed development and do not consider it sufficient to justify the appeal scheme.

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1 Town and Country Planning (General Permitted Development)(England) Order 2015

https://www.gov.uk/planning-inspectorate
12. The council raises no objections in relation to the effect of the proposal on the character and appearance of the appeal property or the surrounding area or in terms of any privacy or noise impacts and does not dispute that it would be proportionate to the size of the original dwelling. However, the absence of harm arising from these issues does not of itself, support the grant of permission.

13. I also note that the occupiers of No 115 do not object to the proposed development and that there were no other objections. However, that does not change my conclusion that the proposed development would be harmful.

Conclusion

14. For the reasons given above, I conclude that the appeal should be dismissed.

Jan Hebblethwaite

INSPECTOR
Appeal Decision
Site visit made on 25 April 2019

by Mark Caine BSc (Hons) MTPL MRTP
an Inspector appointed by the Secretary of State

Decision date: 14th June 2019

Appeal Ref: APP/Y3425/D/19/3223916
Red Lion Cottage, Biddles Lane, Cranberry, Nr Stafford, Staffs, ST21 6SQ
• The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
• The appeal is made by Mr Peter Delaney against the decision of Stafford Borough Council.
• The application Ref 18/29641/HOU, dated 13 November 2018, was refused by notice dated 8 January 2019.
• The development proposed is described as ‘a single storey orangery extension to rear of detached house’.

Decision
1. The appeal is dismissed.

Main Issues
2. The main issues in this appeal are:
   • Whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework and development plan policy;
   • The effect of the proposal on the openness of the Green Belt and upon the character and appearance of the area.
   • If the proposal would be inappropriate development whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to very special circumstances necessary to justify it.

Reasons

Whether inappropriate development

3. The appeal relates to a two-storey detached dwelling that is known as “Red Lion Cottage” and is located in the boundaries of the Green Belt. Although there are other houses nearby, the surrounding area is rural and predominantly characterised by open fields and agricultural land.

4. The supporting text to Policy C5 of The Plan for Stafford Borough 2011 – 2031 (June 2014) (The Plan) sets out that in the Green Belt areas of Stafford Borough the National Planning Policy Framework’s (the Framework) Green Belt policies will be applied when considering new developments.
5. The Framework establishes that new buildings within the Green Belt are inappropriate unless, amongst other things, it involves the extension of a building. This is providing it does not result in disproportionate additions over and above the size of the original building.

6. Policy C5 of The Plan details that in areas outside of the settlement hierarchy including the Green Belt, the extension or alteration of an existing building should not result in additions of more than 70% to the dwelling as originally built.

7. It is uncontested that the appeal site is located outside of the sustainable settlement hierarchy as defined in Policy SP3 of The Plan and I have no reason to disagree. The Council argue that the appeal dwelling has been significantly extended and that these additions have already amounted to the dwelling’s floor area exceeding the 70% threshold. This has also not been contested by the appellant and having seen the size and scale of this addition on my site visit I have no reason to question this figure.

8. However, assessing proportionality is primarily an objective test based on size. Although the proposal would be of single-storey scale and have a footprint of approximately 14 metres², it would add to the bulk of the existing building, and consequently result in a significant cumulative increase in its volume and floorspace.

9. As such I consider that adding the orangery to the other extension would thereby result in disproportionate additions over and above the size of the original building. Consequently, the extension would be inappropriate development that is, by definition, harmful to the Green Belt and in conflict with the Framework, and Policy C5 of The Plan.

Openness and character and appearance

10. Paragraph 133 of the Framework advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Therefore, any built development, such as that proposed, has the ability to reduce openness.

11. I note that the orangery would not be clearly visible from Biddles Lane, and I share the Council’s view that it would not harm the character and appearance of the dwelling or surrounding area. Nonetheless, the bulk of the appeal building would be increased. This would inevitably result in a reduction in the openness of the Green Belt, albeit to a marginal extent.

Other considerations

12. I acknowledge that the development would result in additional living accommodation that would improve views of the rear garden area. This would be a benefit to the appellant to which I attach limited weight.

13. It has also been put to me that the proposal would not harm the living conditions of the residents of neighbouring properties, and that there has not been any past development constructed under the appellant’s permitted development rights. Nonetheless, the absence of harm in these respects would be neutral in the overall Green Belt balance.
Conclusion

14. In conclusion I have identified that the proposal would be inappropriate development in the Green Belt as defined by the Framework. The Framework establishes that substantial weight should be given to any harm in the Green Belt. In addition, it would also marginally reduce the openness of the Green Belt. Although I do not consider that the proposal would have a harmful effect on the character and appearance of the dwelling and surrounding area these remain neutral factors in the overall Green Belt balance and do not attract any positive weight.

15. Therefore, even when taken together, the other considerations reviewed above do not clearly outweigh the harm that the development would cause to the Green Belt. Consequently, there are not any very special circumstances that are necessary to justify inappropriate development in the Green Belt.

16. For the reasons given above, the appeal is therefore dismissed.

Mark Caine
INSPECTOR
Appeal Decision
Site visit made on 30 April 2019
by M Savage BSc (Hons) MCD MRPI
an Inspector appointed by the Secretary of State
Decision date: 19 June 2019

Appeal Ref: APP/Y3425/W/18/3210873
68 Public House Princess Royal, Sandon Road, Stafford ST16 3HF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr William Harp of Smart Property Homes Ltd against the decision of Stafford Borough Council.
- The application Ref 17/27754/FUL, dated 20 December 2017, was refused by notice dated 9 March 2018.
- The development proposed is demolition of former public house and construction of 6 No 3 storey houses.

Decision

1. The appeal is allowed and planning permission is granted for the demolition of the former public house and the erection of six 3-storey dwelling houses at 68 Public House Princess Royal, Sandon Road, Stafford ST16 3HF, in accordance with the terms of the application, Ref 17/27754/FUL, dated 20 December 2017, subject to the conditions in the attached schedule.

Procedural Matters

2. During the course of the appeal a revised Framework (February 2019) was published. As policies of the Framework that are material to this case have not changed fundamentally, I have taken it into account in reaching my decision and am satisfied that this has not prejudiced either party.

Main Issues

3. The main issues are:
   - The effect of the proposal on the character and appearance of the area;
   - Whether sufficient parking would be provided.

Reasons

Character and Appearance

4. The appeal site comprises a former Public House and associated car park, located off Sandon Road. At the time of my site visit the car park was used for the storage of building materials with hoardings erected. Sandon Road has a diverse character with a mixture of residential and commercial uses. The Princess Royal is a red brick, two storey building which is angled towards the highway and is physically connected to a series of red brick two storey terraced dwellings. Whilst the immediate area around the appeal site is generally characterised by terraced housing, there is an eclectic mix of building types in
the wider area with differing street frontages, including semi-detached buildings directly adjacent to the appeal site and three storey buildings near the junction with Peel Terrace and Freemen Street.

5. The proposed dwellings would comprise three storey terrace properties with dormer windows and with garages at the ground floor. The dwellings would be set back further from the highway than the adjacent dwellings. Planning permission 14/20114/FUL was granted for a similar scheme in September 2014. Whilst the application was submitted prior to the adoption of The Plan for Stafford Borough (PfSB) 2011-2031, it was approved a number of months after its adoption. It is therefore not clear on the evidence before me why the Council has now taken a different position with respect to character and appearance.

6. The appeal scheme includes the demolition of the Princess Royal Pub. Concern has been raised by an interested party that the pub is a local landmark. The Council assert that the proposal would be contrary to Policy N9 of the PfSB, specifically (i), (ii) and (vi) which seek to protect the significance of a heritage asset, including its setting. In this regard, it would appear that the Council considers the local area of terraced housing to be the heritage asset. However, no substantive evidence has been provided that the pub or housing is either a designated or non-designated heritage asset or why it should be considered as such. I am therefore not persuaded that there is any conflict with Policy N9.

7. The setback of dwellings from the road would ensure that the dwellings are not a dominant feature in the street scene and, whilst the proposed development would look different to the existing terrace properties, given the diversity of styles already present along Sandon Road this would not be harmful to the character and appearance of the area. There would therefore be no conflict with Policy N1 of the PfSB which seeks to ensure, amongst other things, that proposals take into account the local character, context, including heritage assets and strengthen the continuity of street frontages and enclosure of space.

**Parking**

8. The proposed development would make provision for two parking spaces per dwelling. Three additional spaces are also provided within the site. Policy T2 of the PfSB states that to ensure adequate parking is provided all development must, amongst other things, make provision for parking in accordance with the parking standards as set out in Appendix B. The proposed dwellings would have three bedrooms and the guidance sets out that, for forms other than detached and semi-detached, 2 spaces per dwelling should be provided plus 1 per 4 for visitors.

9. The Council, however, has drawn my attention to permission 15/22320/FUL for the construction of 4 x 1 bed flats. Drawing No 133/PL/10 shows vehicular access to the flats and parking to be via the appeal site. It would not be possible to implement the vehicular access and provide three parking spaces to the rear of the flats. Whilst the Highway Authority has not objected to the proposal, concerns have been raised by both the Council and interested parties regarding the effect the proposed development would have on the availability

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1 Adopted 19 June 2014

https://www.gov.uk/planning-inspectorate
of parking along Victoria Terrace, a one-way street with high on-street parking demand.

10. The appellant asserts that parking provision within the development would be made available to the occupants of the flats. However, the Council raise concerns regarding issues of ownership and subdivision of the site. Nevertheless, the land is identified as in the control of the applicant and as such, this matter could be addressed via a suitably worded condition. I acknowledge that the result of this would be that no parking provision is then made within the site for visitors to the proposed dwellings. However, Policy T2 states that there may be scope to reduce provision to less than that set out in the parking standards in Appendix B, but this will be dependent upon a number of factors, including the site’s relative accessibility by walking, cycling and public transport. The Council confirm that the site lies within the urban area of Stafford within easy reach of Stafford Town centre and other nearby amenities. As such, a slight under provision in this case is unlikely to be harmful.

11. Concern has also been raised regarding the effect of the development on on-street parking in the event the proposed garages are converted to accommodation or used for storage. However, this could be addressed through the use of a suitably worded condition to ensure that the space is retained and available for parking. Given the above, I conclude that, whilst the proposal would not fully accord with Policy T2, there would be no harm arising from this conflict. Thus, the appeal scheme would provide sufficient parking.

Other Matters

12. The Council has provided me with a Habitat Regulation Assessment (HRA) Screening Matrix and Appropriate Assessment Statement which considers the effect of the proposal on the Cannock Chase Special Area of Conservation (CCSAC). The appeal scheme would result in a net increase of residential dwellings within the 15km zone of influence of the CCSAC. The Cannock Chase SAC Partnership has agreed Strategic Access Management and Monitoring Measures (SAMMM) with Natural England which requires mitigation payment per net residential dwelling from all new development of within the 0-8km ‘zone of payment’. However, within Stafford Borough it has been further determined that mitigation payments will only be sought from developments both within the 0-8km ‘zone of payment’ and which will deliver 10 or greater (net) new dwellings. Notwithstanding the conclusion of the Council’s assessment, given the scale of the development, and in the absence of an objection from Natural England, I conclude that mitigation is already secured by development of 10 dwellings or more and as such, the proposal would not have an adverse effect on the CCSAC.

13. Concern has been raised regarding the effect of the construction period on nearby residents and businesses, particularly given the current condition of the site. Concern has also been raised regarding the effect of the proposal on sewerage, drainage and flooding. However, it would be possible to address these concerns via condition. It would also be open to the Council to take action under other powers. Furthermore, the Environmental Health Officer has recommended that inclusion of conditions to restrict hours of operation, delivery times, to prevent burning on site, adequate storage for waste.
14. Whilst the proposed dwellings would be three storey, given their setback from the highway, and separation and orientation with respect to existing dwellings there would be no adverse effect on privacy or significant loss of light.

**Conditions**

15. I have considered the conditions put forward by the Council and other parties against advice in the Framework and Planning Practice Guidance. As a result I have amended some of them for consistency, clarity and omitted others. In the interests of certainty and proper planning I have included conditions relating to commencement, plans and materials.

16. I agree that, given the location of the proposed development it is necessary to secure details of ground levels, finished floor levels, surface water and foul drainage to prevent pollution and flooding.

17. The site is adjacent to a commercial premises which may cause odour nuisance to future occupants of the proposed development. It is therefore necessary to secure, via condition, means of ventilation and to prevent opening windows being located in the second floor of plots 1-3.

18. It is also necessary to ensure that the proposed parking and access is constructed before the development is occupied and retained thereafter in the interests of highway safety.

19. I agree it is necessary to include conditions to restrict hours of construction and to prevent burning on site, to protect residential amenity. However, I do not consider it necessary to require facilities for the dampening down as this is a matter which would be addressed by other legislation.

20. The Council has suggested a condition to restrict permitted development rights within plots 5 and 6. However, in that regard I have been mindful of the advice contained within the Planning Practice Guidance that the use of conditions to restrict the future use of permitted development rights will rarely pass the test of necessity and should only be used in exceptional circumstances.

**Conclusion**

21. Thus, for the reasons given above, and having regard to all matters raised, the appeal is allowed.

*M Savage*

INSPECTOR

https://www.gov.uk/planning-inspectorate
Schedule 1

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

2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1322/PL/02 A, 1322/PL/04 A, 1322/PL/12 A

3) The development hereby permitted shall not be commenced until details of the finished floor levels, which shall be set no lower than 78.00m above Ordnance Datum, and finished ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

4) The development hereby permitted shall not begin until a detailed foul and surface water drainage scheme has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved prior to first occupation of any of the dwellings.

5) No development hereby permitted above slab floor level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

6) The means of ventilation of plots 1-3 shall be installed in accordance with drawing 02 (supply Air Princess Royal) prior to the first occupation of the dwellings.

7) The access, parking and turning areas shall be provided in accordance with the approved plans and the existing site access shall be permanently closed and the access crossing reinstated as footway prior to occupation of the approved dwellings.

8) Details of hard and soft landscaping, including all boundary treatments and the provision of bin storage, shall be submitted to and approved in writing by the local planning authority. The details shall be implemented as approved prior to occupation of the first dwelling or prior to the completion of the development, whichever is sooner.

9) The garages and parking areas shown on the approved plans shall be retained for the parking of motor vehicles and cycles and for no other purpose. The three parking spaces to the right of Plot 6, as shown on drawing number 1322/PL/12 A, shall be retained for parking and shall be available for use at all times by occupants of the flats approved under permission 15/22320/FUL.

10) No construction work shall take outside of the following times:
    Weekdays: 08:00-18:00
    Saturdays: 08:00-14:00
    Sundays and Bank Holidays: No working.

11) There shall be no burning on site during construction.

12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended),
or any other subsequent order, no windows, doors, roof lights, or other openings shall be created at second floor level within plots 1-3 unless they are fixed shut and non-opening.