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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, 4 September 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.

A handwritten signature in black ink, appearing to read "I. Curran".

Interim Head of Law and Administration

PLANNING COMMITTEE - 4 SEPTEMBER 2019

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

AGENDA

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

Details of Delegated applications are/will be set out in [Section 6 of Digest No 259 due to be published on 6 September 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 COMMITTEE - 4 SEPTEMBER 2019

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**:-

		Page Nos
19/30837/HOU	67 Winsford Crescent, Stafford, Staffordshire ST17 0PJ	4 - 12
	This application is referred to Committee because the agent is a Council Member	
	Officer Contact - Matthew Shrigley, Development Lead (Small Scale) - Telephone 01785 619506	
19/29876/FUL	Land Adjacent to The Fillybrooks (A34), Walton, Stone	13 - 59
	This application has been called in by Councillor J Hood	
	The Council has an owner's interest in the site	
	Officer Contact - John Holmes, Development Manager - Telephone 01785 619302	

Previous Consideration

Nil

Background Papers

Planning application files are available for Members to inspect, by prior arrangement, in the Development Management Section. The applications including the background papers, information and correspondence received during the consideration of the application, consultation replies, neighbour representations are scanned and are available to view on the Council website.

Application	19/30837/HOU	Case Officer	Teresa Brown
Date Registered	4 July 2019	Target Decision Date	29 August 2019
Address	67 Winsford Crescent Stafford Staffordshire ST17 0PJ	Ward Parish	Weeping Cross And Wildwood
Proposal	Two-storey side extension to provide additional accommodation for extended family		
Applicant	Mr M Wilson		
Recommendation	Refusal		

REASON FOR REFERRAL TO COMMITTEE

The agent is an elected member and a neighbour objection to the application has been received.

Context

The applicant property is a 3-bedroomed semi-detached dormer bungalow dwelling situated in Stafford.

The application is for a two-storey side extension to provide additional accommodation for extended family.

The accommodation would comprise of dormer style self contained accommodation, providing a shared hallway, lounge and a kitchen on the ground floor, and one bedroom and a bathroom on the first floor.

The proposal would appear to share a front entrance/hallway passage, but it would not otherwise be directly accessible from the existing house.

It is noted that the proposed front porch overhang is shown on the proposed elevations but is not shown on the proposed floor plans, however this omission is not considered to impact on the assessment of the proposal.

The application is a revised scheme to 18/28619/HOU which contained 2 bedrooms, one with en-suite, on the first floor. This was refused for the following reason:

“The proposed two-storey annexe extension by reason of its disproportionate dimensions, design, incongruous roof arrangements and side projection beyond the established building line, would be an incongruous feature in the street scene and would detract from the visual amenity of the area, contrary to Policy N1 (g), (h) and (i) of The Plan for Stafford Borough and the Council’s Design Supplementary Planning Document.

The size, massing and design of the proposed development would be too dominant in the area and it would have an adverse effect on the area, contrary to Policy N1 (g), (h) and (i) of The Plan for Stafford Borough and the Council's Design Supplementary Planning Document.

The proposed development would have an adverse effect on the pleasant and open character of the area, contrary to Policy N1 (g), (h) and (i) of The Plan for Stafford Borough and the Council's Design Supplementary Planning Document.”

A subsequent appeal was dismissed with the appeal inspector concluding:

“The dimensions, proportion of roof to dormer window and the design of the front dormer window would not reflect those of the numerous dormer windows found in the same and adjacent roads. Its size and location within the roof plane, along with the scale of the roof, would significantly increase the volume of the property at roof level to such a degree that its bulk and mass would dominate and harm the appearance of No 67. This would be exacerbated by the roof’s incongruous design.

The Council’s Design Supplementary Planning Document (SPD) provides detailed design advice for new development, including extensions. It was adopted in April 2018 and attracts significant weight. SPD paragraph 8.15 states that: ‘side extensions on corner sites should respect the building line of the adjoining road to support the streetscene’. The proposal does not accord with this guidance. The limited distance between the side elevation of the extension and the adjacent footpath would further increase its prominence in an area which can be characterised as being relatively open due to the landscaping of the nearby junctions and the visually important wide grass verge opposite No 67 and its neighbours. The extension would be clearly visible in public views from the front, side and rear and in my judgement the breach of the established building line, particularly at first floor level, would harm the street scene to the detriment of the character and appearance of the locality.

I conclude that the proposed development would conflict with the SPD which supports the design aims of Policy N1 of the Plan for Stafford Borough. In summary and of relevance to the appeal proposal, the policy criteria (g), (h) and (i) require new development to incorporate high quality design, take into account local character and context, use locally distinctive materials and strengthen the continuity of street frontages. This policy is consistent with the requirement of the National Planning Policy Framework to achieve high quality design which respects its context”

The main revisions from the previous refused scheme are as follows:

- Reduced width from 4.3m to 3.8m. The revised plans show a separation distance of approximately 3m from the proposed side wall to the side boundary (previously annotated as 2.5m).
- A very marginal set down from the main roof ridgeline of approximately 0.2m (previously none).
- Removal of Dutch-hipped roof to now show a standard side pitch.
- Reduction in size to front and rear dormers.

Officer Assessment – Key Considerations

1. Character & Appearance

The application site is on a corner plot, with the proposal being sited to the side along the boundary with Mendip Avenue, but fronting Winsford Crescent.

The proposal would be visible from public vantage points/the highway to the front and side, and also from rear views.

Design

SPD Design requires that side extensions on corner sites should respect the building line of the adjoining road to support the streetscene. SPD Design also comments that side extensions can result in unacceptably prominent features on the streetscene and that the Council will seek to ensure that the visual symmetry of semi-detached pairs ... is retained and where possible enhanced, especially at roof level and on elevations visible from the street.

The council had previously advised during the assessment of 18/28619/HOU that, amongst other things, a width of 3.8m may be acceptable. However, the agent has since been informed that the appeal decision may take priority. In particular, the inspector's comments would appear override this previous opinion, stating that:

“The Council's Design Supplementary Planning Document (SPD) provides detailed design advice for new development, including extensions. It was adopted in April 2018 and attracts significant weight. SPD paragraph 8.15 states that: 'side extensions on corner sites should respect the building line of the adjoining road to support the streetscene'. The proposal does not accord with this guidance. The limited distance between the side elevation of the extension and the adjacent footpath would further increase its prominence in an area which can be characterised as being relatively open due to the landscaping of the nearby junctions and the visually important wide grass verge opposite No 67 and its neighbours. The extension would be clearly visible in public views from the front, side and rear and in my judgement the breach of the established building line, particularly at first floor level, would harm the street scene to the detriment of the character and appearance of the locality.”

Although the width of the extension has been reduced from 4.3m to 3.8m, and the distance at the side from the extension to the footpath has been increased from 2.5m to 3m, it is considered that these comments apply equally to the current proposal

The council has also previously advised that the front dormer should be removed. The appeal inspector's comments state that:

“The dimensions, proportion of roof to dormer window and the design of the front dormer window would not reflect those of the numerous dormer windows found in the same and adjacent roads. Its size and location within the roof plane, along with the scale of the roof, would significantly increase the volume of the property at roof level to such a degree that

its bulk and mass would dominate and harm the appearance of No 67. This would be exacerbated by the roof's incongruous design."

The council consider that, on balance, the reduced dormers per se may now be acceptable, however, when viewed in context of the proposal as a whole this element alone does not override other concerns.

The proposal would only be marginally set down from the main roof ridgeline. The proposal would continue to be greater than half the width of the existing house. The distance at the side of the house to the back of the footpath is presently approximately 6.8m/6.9m.

The proposal would continue to project beyond the established building line to the side extending the ridge line out with a gable on the side elevation facing Mendip Avenue. This would significantly reduce the gap on this side to the highway (back of the footpath) by 3.8m to approximately 3.0m/2.1m.

It is therefore considered that the proposal would continue be overly prominent within the streetscene. This is notwithstanding the 0.5m reduction in width to the previous scheme, the marginal set down and the reduced dormers. Furthermore, the removal of the incongruous Dutch hipped roof and its replacement with a gable end would re-introduce the element massing to the side at upper roof level that the Dutch-hipped design sought to minimise.

Materials

The existing dwelling has brickwork at ground floor level with cladding to the first floor gables and concrete roof tiles. The previous refusal indicated that that the existing (white) cladding to the front and rear of the dwelling will be replaced with Marley Eternit fibre cement cladding painted dark grey to match the extension.

The forms state that the current proposal will be constructed of matching materials (tiles) for the roof, but the walls would be smooth render (colour unspecified) and Marley Eternit fibre cement cladding in a dark grey colour above ground floor level. Although these details have not been submitted under this revised scheme, the proposed wall materials, as stated on the forms, would nevertheless appear to be different to existing.

The SPD Design supports the use of contemporary materials in principle as follows: 'All extensions and alterations, particularly those incorporating modern design approaches, should be considered holistically with the original/main building to avoid an awkward jarring of materials and forms. Modern designs using contemporary and sustainable materials will be generally welcomed, and the Council would not wish to restrict creative designs where they can be integrated successfully into their context.'

In this case, it is noted that the surrounding streetscene does not appear to include any render or Marley Eternit fibre cement cladding, and therefore, the use of non-matching wall materials would likely result in 'awkward jarring' and increase the visual prominence of the proposal by drawing attention to it, particularly if, as originally proposed, the proposed cladding is to be painted dark grey.

It is acknowledged that, in context of the existing house, any existing cladding could be painted without planning permission and the application of render would generally not require planning permission. However, this is not considered sufficient justification for the proposed materials in this case, should the original materials specification remain unchanged.

The appeal inspector has not specifically commented on materials, but does refer to the “use locally distinctive materials” within her concluding comments.

Conclusion

In summary, and in consideration of all of the above, the appeal inspector would appear to cast doubt on the acceptability of a 2-storey extension to this dwelling, with the main issue being that the “breach of the established building line, particularly at first floor level, would harm the street scene to the detriment of the character and appearance of the locality.” The council support this view.

It is therefore considered that the revised scheme has not been able to override previous concerns and that proposal would result in harm to the character and appearance of the host dwelling and the surrounding area.

The appeal inspector states that “in terms of other matters raised, the evidence with this appeal indicates that there may well be alternative ways to extend No 67 to provide additional accommodation to meet the family’s needs.”

The council has previously advised that a proportionate single storey extension may be such an alternative. In this respect, a single storey extension of modest height no more than half width of house and with a flat roof may be acceptable.

Neighbour comments about the impact of the siting of the proposal of the surrounding open area and concerns regarding precedents have been noted.

Policies and Guidance:-

National Planning Policy Framework – Section 12 Achieving well-designed places

The Plan for Stafford Borough – Policies N1 Design, Supplementary Planning Document (SPD) – Design

2. Amenity

The proposal would not result in any unacceptable breaches of the Council’s Design Supplementary Planning Document (SPD) 2018 in context of residential amenity.

The proposal shows a ground floor side facing secondary principal lounge window that would oppose principal windows to the fronts of properties along Mendip Avenue at a substandard distance of approximately 19m (SPD guidance requires 21m between principal windows). In consideration of this and in the absence of a specification for a boundary treatment to the side, it is considered reasonable to condition this window to be obscure glazed, should permission be granted, in order to protect privacy.

Neighbour comments are noted, however, the proposal meets the SPD's guidance distances in respect of light and outlook. In respect of noise the Environmental Health Officer has not requested a consultation and given the minor nature of the development, it would not be considered reasonable to attach conditions to restrict noise during development.

It is not considered that the proposal would otherwise raise any amenity issues.

The proposal appears to share a front access but would otherwise appear to provide fully self-contained accommodation. It is considered that the level of facilities and amenity area for the proposed annexe would not be adequate for a completely independent living unit. Therefore, it would be considered reasonable for a condition restricting its occupancy as ancillary to the main dwelling to be attached to any grant of consent.

The proposal would result in the loss of some boundary vegetation/small trees.

The Tree Officer has not been consulted on the revised application and has previously commented that the proposal will not result in the loss of, or detriment to, any arboricultural asset of significant value and that there is no objection to the application, nor any requirement for planning conditions. It is considered that there is nothing in this revised scheme that would alter the Tree Officer's previous opinion.

Policies and Guidance:-

The Plan for Stafford Borough – Policies N1 Design, N4 The Natural Environment and Green Infrastructure
Supplementary Planning Document (SPD) – Design

3. Parking

The existing dwelling has 3 bedrooms and as extended would appear to have 4 bedrooms.

In these circumstances the proposal would require an additional space/a total of 3 on-site parking spaces to meet local plan parking standards. As 3 existing spaces are shown (2 plus detached garage), this is considered acceptable.

Policies and Guidance:-

National Planning Policy Framework – Section 9 Promoting sustainable transport
The Plan for Stafford Borough – Policies T1 Transport, T2 Parking and Manoeuvring Facilities, Appendix B – Car Parking Standards

4. Other

The proposal lies within the Coal Authority's Low Risk Area and is therefore subject to the Coal Authority's standing advice, to be attached as an informative to any grant of consent.

5. Conclusion

The proposed two-storey annexe extension, by means of its corner siting beyond the existing side building line, its disproportionate dimensions, together with its materials specification, is not considered to be acceptable in terms of its design, scale and appearance would therefore have an adverse impact on the character and appearance of the existing dwelling and surrounding area, contrary to Policy N1 (g), (h) and (i) of the Plan for Stafford Borough and the Council's Design Supplementary Planning Document.

Consultations

Tree Officer (TO):

Not consulted on revised scheme, however, no previous objections to 18/28619/HOU.

Comments for 18/28619/HOU appended below:

The proposal which is the subject of this application will not result in the loss of; or detriment to; any arboricultural asset of significant value.

Therefore, I have no objection to this application, nor any requirement for planning conditions.

Coal Authority Low Risk Area: Standing Advice:

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2019 until 31st December 2020

Neighbours (12 consulted):

One representation received. Material planning considerations summarised as:

Extension is not suitable for this particular area which is spacious and green and may set a precedence;

Impact on the view from front aspect of neighbour which is directly opposite, exacerbated by close proximity of proposed development to the pavement;

Concerns about noise from development.

Site Notice:

None

Relevant Planning History

78/06581/FUL Proposed extension to dining area. Approved.

18/28619/HOU Two-storey side extension to provide additional accommodation for extended family. Refused. Appeal dismissed.

Informative(s)

- 1 The Local Planning Authority consider the revised scheme does not address the previous reasons for refusal and the proposal is therefore not a sustainable form of development and does not comply with the provisions of the National Planning Policy Framework.

Recommendation

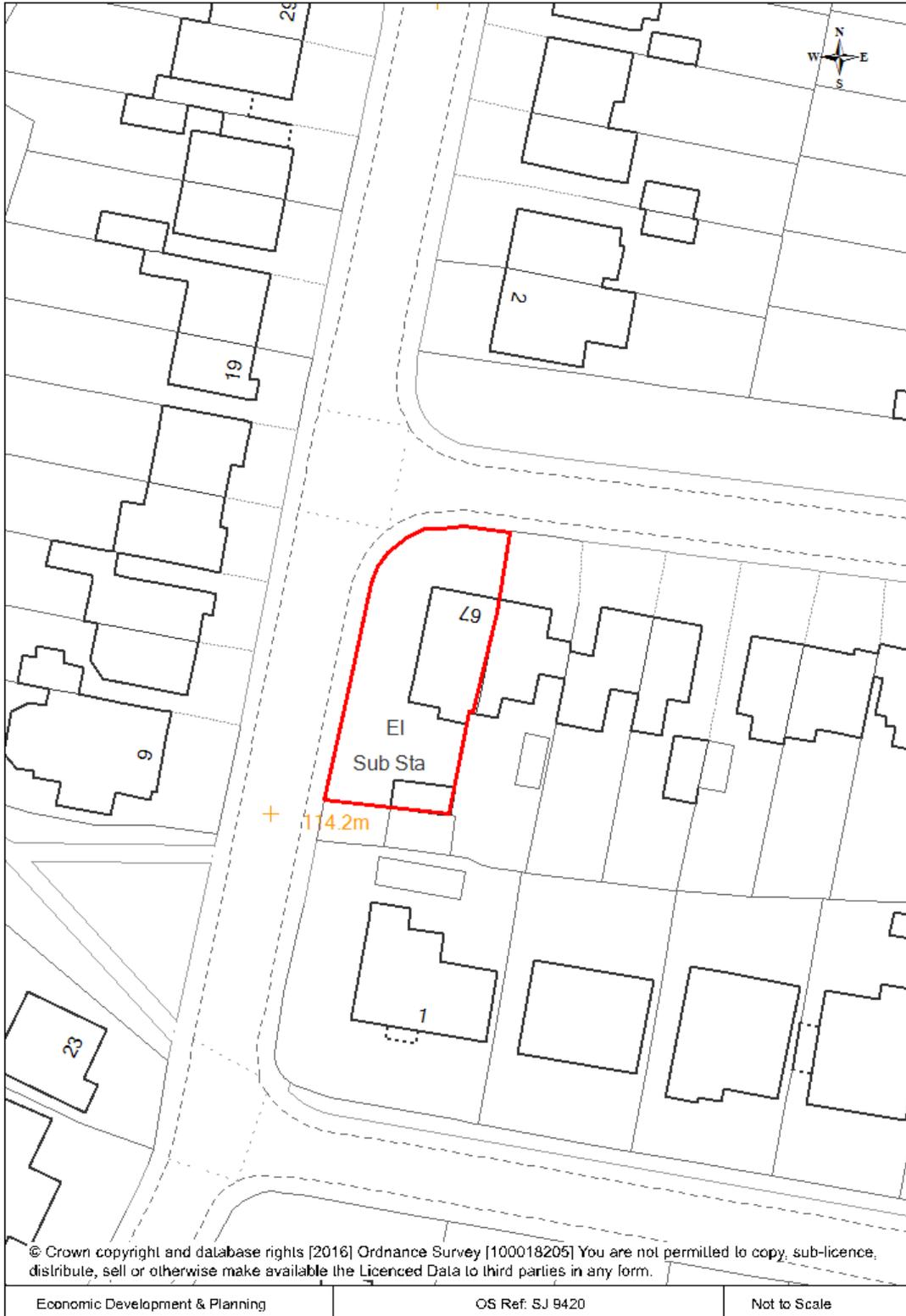
Refuse due to the following reasons:

1. The proposed two-storey annexe extension by reason of its disproportionate dimensions, design and side projection beyond the established building line, would be an incongruous feature in the street scene and would detract from the visual amenity of the area, contrary to Policy N1 (g), (h) and (i) of The Plan for Stafford Borough and the Council's Design Supplementary Planning Document.

The size, massing and design of the proposed development would be too dominant in the area and it would have an adverse effect on the area, contrary to Policy N1 (g), (h) and (i) of The Plan for Stafford Borough and the Council's Design Supplementary Planning Document.

The proposed development would have an adverse effect on the pleasant and open character of the area, contrary to Policy N1 (g), (h) and (i) of The Plan for Stafford Borough and the Council's Design Supplementary Planning Document.

19/30837/HOU
67 Winsford Crescent
Stafford



Application	19/29876/FUL	Case Officer	John Holmes
Date Registered	10 January 2019	Target Decision Date Extended To	11 April 2019 3 October 2019
Address	Land Adjacent to The Fillybrooks (A34) Walton Stone	Ward	Walton
		Parish	Stone Town
Proposal	Erection of a sixty six bedroom, two-storey care home for older people, with associated access, car parking and landscaping		
Applicant	LNT Care Developments		
Recommendation	Approve, subject to conditions and to the completion of a planning obligation to provide a Travel Plan monitoring fee of £2,600.		

REASON FOR REFERRAL TO COMMITTEE

This application has been referred to Committee as the Council has an owner's interest in the site.

This application has been called in by Councillor Jill Hood (Ward Member for Walton) for the following reason:

"The proposed development of the care home is to be built on a site considered as a special valuable open green space to the local community, not just by Walton residents but also by the many residents of Stone and the children who attend the two schools and three nursery's in close proximity to the proposed development site who use the site. It is a very popular safe recreational area for dog walkers and the elderly residents who use the open green space to exercise. I object to the development due to its over intensification of the area. The site is recognised in the emerging Stone Neighbourhood Plan which has been submitted to Stafford Borough council at regulation 16. Tilling Drive Protected Reference LGS 40. Name Tilling Drive 1 OS Grid Reference SJ 901 328"

Context

Site

The site has an irregular, but broadly rectangular, shape which currently comprises part of a relatively flat playing field which slopes down gently in the eastern corner towards The Fillybrooks (A34). The site area is 5617 sq m (1.38 acres) and whilst a football pitch is laid out on the remainder of the playing field which does not form part of this application, no pitch is laid out on the application site.

The north east boundary to The Fillybrooks is currently a hedgerow with three trees within it in the northern part. Beyond the boundary is a tarmac footpath running alongside the highway. The south east boundary has a mesh fence, which separates the playing field from a footpath which rises by means of steps on to a footbridge which crosses over The Fillybrooks.

The northern part of the north west boundary comprises a hedgerow which is the boundary with one of a pair of semi detached bungalows, and a close boarded fence approximately 1.8m high which is the boundary to the other semi detached bungalow. The southern part of the north west boundary is inset by approximately 5m from the playing field boundary beyond which is the rear boundary to three bungalows.

A tarmac footpath named Tannery Walk provides a link between the adjacent street, Downing Gardens and the playing field, and the retention of the approximately 5m deep strip will enable access to the retained playing field via Tannery Walk.

The south western boundary is to the retained playing field, which extends as far as Tilling Drive.

Description of proposal

The development proposed is the construction of a two storey 66 bed care home in a 'H' shape block in a north west / south east alignment. The scheme has been developed in a configuration which enables the care home to provide for two types of care – general residential and residential dementia. The plan layout and internal arrangement allows for the home to be split in to the two separate care requirements. The applicant has identified an undersupply of approximately 110 residential care beds (non-nursing care) within a 3 mile radius.

The front elevation faces towards The Fillybrooks and is set back from the pavement adjacent to The Fillybrooks by a distance varying between approximately 11m and 14.5m and the rear elevation faces towards the retained playing field. A central section links the front and rear sections resulting in the 'H' shape which creates two courtyards, each of which provides the outlook for three smaller elevations. The front and rear facing elevations comprise mainly brickwork with some areas of render at first floor and vertical tiles between ground and first floor windows. The elevations have a maximum height to the ridge of the tiled roof of 8.7m, whilst the central link which provides two lounge/dining rooms comprises extensive glazing and has a maximum height to ridge of 9.5m.

Access is to be provided off The Fillybrooks by the creation of a new vehicular access at the eastern corner of the site which would provide a left turn in, via a deceleration lane, and left turn out of the development. The access road provides a 6m wide increasing to 7.2m wide central aisle from which 33 car parking spaces are provided, of which 2 are disabled spaces, together with a drop off area.

A separate pedestrian access is provided from the footpath which runs alongside The Fillybrooks. Sections of the existing hedgerow to the north eastern boundary are proposed to be removed to provide the vehicular and pedestrian accesses but otherwise would be retained.

The boundary treatment is proposed to comprise of 1.8m high black powder coated bow top railings and 1.9m high close boarded timber fencing.

Officer Assessment – Key Considerations

1. Principle of Development

In the Plan for Stafford Borough (PfSB) the majority of future development is to be delivered through the Sustainable Settlement Hierarchy as set out under Spatial Principle 3, with 10% of the annual target to be delivered in Stone under Spatial Principle 4. Spatial Principle 7 states that housing proposals that are consistent with the delivery of the proportions of development intended by Spatial Principles 2, 3 and 4 will be supported within Settlement Boundaries as defined by The Plan For Stafford Borough Part 2 (PfSB2). The application site and the surrounding area is within the Settlement Boundary for Stone.

Policy Stone 1 supports an increase in the range and type of housing available for those sites with good accessibility to public transport, services and facilities.

Policy C3 – Specialist Housing encourages the provision of a range of types and tenures of additional extra care bed units. Part (b) of the Policy seeks to ensure that any new developments are located in accordance with Spatial Principle SP7 at a settlement within the settlement hierarchy, in a sustainable location close to services and facilities, are self contained, and are accessible by both public and private transport. The Policy also states that new development should make adequate provision for off-street car parking within any development scheme.

Policy C7 – Open Space, Sport and Recreation states that development that results in the loss of existing open space, sport and recreation facilities will be resisted unless better facilities in terms of quality, quantity and accessibility can be provided or that redevelopment would not result in a deficiency in the local area.

Policy N4 - The Natural Environment and Green Infrastructure relates to a green infrastructure network which is to be protected, enhanced and expanded. This land is included on the Policies Map – Stone insert as green infrastructure, comprising part of an allocation which comprises the whole of the playing field including the car park, changing room and play area together with the allotments and the footpath which runs between them. However the allocation is an isolated and separate area which does not form part of a network. Therefore, whilst the proposal is not in accordance with Policy N4, it is questionable to what extent the application site contributes to the Borough's green infrastructure network.

Whilst this proposal is for a care home it also provides the potential to create a significant number of jobs. In addition to construction jobs the development would provide 45 jobs of which 86% would be full time as the care home would be staffed 24 hours per day.

The draft Stone Neighbourhood Plan has been submitted for independent examination. The independent Examiner completed his report on 16th August 2019 advising that subject to a series of recommended modifications set out in his report he concluded that the Stone Neighbourhood Plan meets all the necessary legal requirements and should

proceed to referendum. There are 35 recommended modifications plus 6 recommended modifications to the proposed Local Green Space Designations, which Stone Town Council will need to consider and decide how they wish to proceed. Therefore at this stage there is uncertainty as to how the Stone Neighbourhood Plan will proceed and as such the draft Stone Neighbourhood Plan carries very little weight.

Proposed Policy CAF2: Green Infrastructure in the draft Stone Neighbourhood Plan proposed that development proposals must preserve or enhance Stone's green spaces and environmental assets. The Examiner has recommended modifications to the wording of the proposed policy

Proposed Policy CAF4: Local Green Space in the draft Stone Neighbourhood Plan proposed to designate as local green space a total of 57 sites in Stone which including site LGS40 which comprised the whole of the playing field site. The Examiner has recommended modifications to the wording of the proposed policy, and to the boundary of LGS40 to exclude the application site from the Local Green Space designation.

Polices and Guidance:-

National Planning Policy Framework
Paragraphs 7, 8, 9, 10, 11, 47

The Plan for Stafford Borough

Spatial Principle 1 (SP1) - Presumption In Favour Of Sustainable Development
Spatial Principle 2 (SP2) – Stafford Borough Housing & Employment Requirements
Spatial Principle 3 (SP3) – Stafford Borough Sustainable Settlement Hierarchy
Spatial Principle 4 (SP4) - Stafford Borough Housing Growth Distribution
Spatial Principle 7 (SP7) – Supporting the Location Of New Development
Policy Stone 1 – Stone Town
Policy C3 Specialist Housing
Policy C7 Open Space, Sport and Recreation
Policy N4 The Natural Environment & Green Infrastructure

Draft Stone Neighbourhood Plan

CAF2: Green Infrastructure

CAF4: Local Green Space

2. Character & Appearance

While the construction of a care home on this site will clearly significantly alter the character and appearance of the site itself, the application site is located fronting onto a dual carriageway adjacent to a large footbridge and associated steps, which have a significant visual impact on the street scene. The site is also adjacent to an established housing development to the north west and further to the south of the adjacent allotment site is a three storey residential apartment building which has recently been constructed approximately 4m from the site boundary and 6.5m from the pavement on The Fillybrooks with a maximum height of approximately 7.7m to eaves and 10.3m to the ridge.

In this context it is not considered, subject to satisfactory design, that a building containing two-storey accommodation would be unacceptable in such a location. It is also acknowledged that a development of this nature providing specialist accommodation for both practical and functional reasons would need to be in the form of a single building rather than a series of separate buildings.

The Design Advisor suggests that the proposal's scale, form and massing are significantly at odds to the surrounding urban morphology and grain and will almost certainly ensure that this proposal will be a significantly dominant and potentially incongruous feature in its setting. While he recognises that there are numerous examples of buildings of this scale, form and massing further south on the A34, he considers that at this specific location the character of the context is a much finer grained residential place and this proposal, due to its scale and massing, introduces a form of development that is potentially out of place and which could begin to erode the qualities of place rather than positively reinforcing and/or enhancing them. He thus considers that the proposal would exert a negative impact on the character of the locality, and suggests that if the plan and elevational composition was articulated more as separate (but linked) pavilions, and if the roofs were generally double ganged, it would help to introduce more visual interest across the elevations and assist in the mitigation of the impact that this building will have on its immediate setting by lowering the overall height, and visually fragmenting the overall visual bulk and massing of the proposals.

Whilst it may be possible to achieve a modest reduction in overall height this would require a lower pitch to the principal roof slopes, but any more significant reduction in overall height would require a different roof layout such as the double ganging that the Design Advisor suggests. Generally applicants are reluctant to use such layouts due to the creation of valleys which cannot readily be seen and can cause maintenance issues in the future.

It is not considered that a series of separate but linked pavilions is an appropriate way of constructing a care home, and such a solution would require additional floorspace to provide all of the links, thereby increasing the amount of floorspace and volume to provide the same amount of accommodation.

In terms of more detailed design considerations the external materials for walls and roof of the building, together with the bin store, metre house and cycle store can be secured by conditions following any grant of consent. Conditions can also secure the finished floor level of the building together with materials for hard surfaced areas within the site and an overall soft landscaping and planting scheme to ensure the satisfactory appearance of the development.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs 127, 128, 130, 131,

The Plan for Stafford Borough
Policy N1 Design
Policy C1 Dwellings Types and Sizes
Supplementary Planning Document (SPD) – Design

3. Residential amenity

Policy N1 of the PfSB and the Design Supplementary Planning Document (SPD) seek to ensure that new development in residential areas should not detract from residents' amenity, with specific regard to overlooking, daylight and privacy.

The nearest residential properties to the proposed built development are the bungalows at 79 and 81 Downing Gardens, the conservatories of which are approximately 23 metres from the nearest point of the proposed building. The distance to the boundary of the rear gardens of the two properties from the nearest part of the proposed building is approximately 11.5 metres, but there will be a boundary fence approximately 5 metres from the existing rear boundary which will screen views at ground floor level. However, it is also acknowledged that the bungalows' existing rear boundary treatment consists of a relatively low wall or fencing which in the case of 79 especially currently affords a clear view into the garden from the playing field.

The next nearest residential properties are the bungalows at 83 Friars Avenue and 77 Downing Gardens where the conservatories are approximately 24 and 30 metres respectively from the nearest point of the proposed building.

The separation distances set out above easily achieve the recommended distances in the Design SPD as this suggests a separation of 21m between facing principal windows and furthermore the facing elevations of the two wings of the development to the above properties only contain corridors.

The layout of the nursing home means that the internal elevations of the 'H' shaped building will oppose each other at a distance of approximately 12 metres, although this will be across a courtyard garden area containing a gazebo/covered walkway structure.

Although not strictly applicable, Guideline 6 of the Design SPD, which deals with extensions and alterations to dwellings, suggests a minimum distance of 12m from a principal window when it faces the wall of another dwelling of more than one storey with no principal windows. Therefore in terms of the impact of the massing of the building on the bedroom windows within the courtyard areas is therefore considered to be acceptable with 12m being achieved.

Whilst 21m is not achieved between facing bedroom windows in the courtyard areas it needs to be acknowledged this type of facility is different to conventional housing schemes, and the potential for overlooking between facing bedroom windows is also reduced with the gazebo/covered walkway structures intervening between views.

Furthermore, the amenity of the occupiers of surrounding residential properties can be protected during the construction phase of the development by appropriate conditions relating to any piling works, boundary screening for noise, hours of operation and damping down facilities for dust, as recommended by the Environmental Health Officer. Additionally, conditions can also secure details of any external lighting and air handling/refrigeration equipment during the operational phase of the development.

Overall, it is considered that the proposed development will not result in any significant overlooking and consequent loss of privacy, and due to the distance between proposed and existing built development will not lead to any significant loss of daylight. Appropriate conditions can also ensure that the amenities of adjacent residential properties are protected during both the construction and operational phases of the development.

Policies and Guidance:-
National Planning Policy Framework
Paragraphs 127, 180, 183

The Plan for Stafford Borough
Policy N1 - Design
Supplementary Planning Document (SPD) - Design

4. Parking and Highways

The application is supported by a Transportation Statement and Travel Plan.

As described above, the proposal would provide access by the creation of a new vehicular access at the eastern corner of the site which would provide a left turn in and left turn out of the development. There are no objections on Highway grounds to the proposed access arrangement subject to conditions.

Car parking

Local Plan car parking standards for residential care establishments require 1 garage or parking space per resident staff, plus 1 space per non-resident staff present at peak working times and 1 space per 3 bed spaces for visitors.

The facility would provide 66 bedrooms and the application forms indicate that 40 full-time and 5 part-time staff would be employed. Paragraph 6.2 of the submitted Design and Access Statement also provides an employment table for day and night shifts and states that a maximum of 16 members of staff would be present at any one time due to the shift pattern and staggered changes.

On this basis the proposal would require a total of 38 spaces. Whilst the provision of 33 spaces results in a shortfall of 5 spaces this is not considered to be significant for the following reasons: Residents receiving care at the facility are unlikely to have their own vehicles, the development is in a sustainable location on the A34, along which there is a footpath which provides a link between the development and a frequent bus service as detailed below, and the Travel Plan submitted to support the application can be secured by condition.

Additionally, the Highway Authority raise no objections subject to the parking and associated manoeuvring areas being secured by condition.

A bus service does not currently run along The Fillybrooks, but the 101 service which links Stafford with Hanley via Stone town centre runs via Tilling Drive and Eccleshall Road. This service runs 7 days per week and for the main part of the day (08.00 – 18.00 Monday to

Friday and 09.00 – 18.00 Saturday runs at a 20 minute frequency, with generally half hour frequency earlier in the morning and later in the evening, with an hourly frequency service on Sundays.

The Highway Authority request a condition to require a legal agreement between the developer and the Highways Authority for maintenance and access to the 'maintenance strip' and its access for the pedestrian footbridge as shown on drawing ST 0AH-SITE-PLAN-A-03-B before the commencement of development, but that can be more effectively dealt with by providing an obligation on the land transfer agreement which will become a registered charge.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs 102, 108, 109, 110, 111

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

5. Open Space / Sport Provision

The application is on land classified as playing fields, where national policy requires enhanced provision to occur if there is a loss, unless it can be demonstrated that the site is surplus to requirements. The Forward Planning response was written in April 2019 at which time there was no specific reference to this loss resulting in better facilities in the area, and as such the advice was that any development must ensure that playing field lost would be replaced, equivalent or better in terms of quantity, quality and accessibility. The forward Planning response also notes that sports pitch provision and built associated facilities within the area fall short of national standards as identified within the Open Space, Sport and Recreation Facilities Strategy 2009 Assessment and are in need of refurbishment to address significant quality deficiencies. This has been supported by the revised 2013 assessment.

Sport England's original response of 17th January 2019 highlighted that the proposed development would result in the loss of useable playing field and as no mitigation was proposed for the loss in line with Sport England Exception 4, Sport England objected to the proposal.

Since then additional information has been provided by the Council to set out how the loss of playing field will be mitigated in line with Sport England Exception 4. The proposal will result in the loss of approximately 5,000 sq m of playing field land, but the remaining playing field land is still being capable of accommodating an adult football pitch (106 x 70 metres inclusive of run-offs).

To mitigate for the loss of playing field it is proposed that Stafford Borough Council upon receipt of Planning Permission at Tilling Drive will grant £200,000 to Stone Hockey Club, which will in part be utilised to remove overhead lines and associated pylon, re-route the

cables and to do pitch work improvements (in line with the recommendations contained within the submitted FA Pitch Improvement Programme Initial Report) to enable an area of land at Stone Hockey Club, Enson Lane to be used for sports pitches. The removal of the pylons will increase the overall number of pitches being available in the Stone area and enable approximately 14,000 sqm of playing field to be brought into use providing one senior pitch or a combination of, for example, one u13/14 pitch and one u9/10 pitch within a 12 month period.

In addition the Council have also committed to undertake pitch quality improvements on the Tilling Drive pitch in line within the recommendations of the FA Pitch Improvement Programme Initial Report for the site, which will be secured by the Council adding a covenant to the land sale agreement that the works will be undertaken within 12 months.

Sport England have assessed the proposed mitigation and consider that the proposed works at the Enson Lane site, through the removal of the pylons and pitch works, will enable greater use of an area of land which will help to address playing pitch shortfalls identified within the Council's Playing Pitch Strategy. They consider that the Enson Lane site is a suitable location for the replacement provision because there are no teams being displaced at the Tilling Drive site; the works at Enson Lane will help address football shortfalls and increase sporting activities at a Club site where hockey, rugby and football already takes place.

As a result of this assessment, Sport England does not wish to raise an objection to this application as it is considered to broadly meet Sport England Exception 4, subject to the following condition:

'The development hereby approved shall not be first brought in to use unless and until the additional playing field land at the Stone Hockey club has been completed and made available for use in accordance with a schedule of works and timetable for implementation; and a schedule of maintenance works, to be submitted and approved by the LPA following consultation with Sport England, based on the recommendations of the Stone Hockey Club FA Pitch Improvement Programme Initial Report dated 29/05/2019'

Polices and Guidance:-

National Planning Policy Framework
Paragraph 97

The Plan for Stafford Borough
Policy C7 Open Space, Sport and Recreation

6. Drainage

The Environment Agency raise no concerns in relation to flood risk as the site is located within Flood Zone 1 which has the least vulnerability to flooding.

The Lead Local Flood Authority (LLFA) require further details of a Sustainable Drainage Strategy and in particular a point of discharge with sufficient calculations, together with a management train for water quality, and a maintenance regime. Although the applicant

has submitted further details the LLFA are yet to reply. On the basis that the LLFA accept that a Sustainable Drainage Strategy can be provided in principle the further details requested by the LLFA can be secured by condition.

The condition recommended by Severn Trent to secure details of foul and surface water flows can also be added to any grant of consent.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs 163, 165

The Plan for Stafford Borough
Policy N2 Climate Change
Policy N4 The Natural Environment & Green Infrastructure

7. Landscaping

The Tree Officer raises no objection to the proposal subject to a condition for tree protection measures. However, to ensure that only the sections of hedgerow shown the plans are removed along the A34 condition 19 secures the protection of trees and hedgerow.

Additionally, conditions are also proposed to secure details of an overall landscaping and planting scheme to ensure the satisfactory appearance of the development.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs 127

The Plan for Stafford Borough
Policy N1 Design

8. Conclusion

Planning Balance

The development of this site for a nursing home is considered to constitute sustainable development and is in accordance with Policies SP1, SP2, SP3, SP4, SP7, Policy Stone 1, C1 and C3 in The Plan for Stafford Borough. The layout and design is satisfactory and would provide satisfactory levels of residential amenity for prospective occupiers in accordance with Policy N1 of the local plan. Proposed access, parking and drainage details are satisfactory and arboricultural and biodiversity interests can be safeguarded by appropriate conditions.

The proposal was not initially in accordance with Policy C7 - Open Space, Sport and Recreation, and on this basis Sport England objected to the application. Whilst the site is not currently being used as a laid out pitch, and it is too small to provide a full sized playing pitch, it does have the potential to provide a junior pitch. On the basis that alternative provision can be provided which will be secured by condition the proposal is now considered to be in accordance with Policy C7.

The proposal remains contrary to Policy N4 - The Natural Environment & Green Infrastructure however it is considered that on balance the benefits of providing a new 66 bed care home, with significant associated job creation both in constructing the development and in staffing and running the completed development in an area where there is a shortage of such accommodation and improved playing pitch provision outweigh the harm caused by the proposal being contrary to Policy N4.

The recommendation therefore is to approve the application subject to conditions and to the completion of a planning obligation to provide a Travel Plan monitoring fee of £2,600.

Consultations

Highway Authority:

The applicants have submitted a detailed Transport (TS) in support of the application. The TS examined the highway and transport issues associated with the proposed development, including parking, access on to the A34 trip generation and cycle and walking connectivity. However some of the details contained within the application, after discussions between all parties, were resubmitted to meet the National and Borough Council standards and this response is based on the latest plans had and details.

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

1. The development hereby permitted shall be commenced until a legal agreement between the developer and the Highways Authority has been agreed for maintenance and access to the 'maintenance strip' and its access for the pedestrian footbridge as shown on drawing ST 0AH-SITE-PLAN-A-03-B.
2. The development hereby permitted shall not be brought into use until the access, parking, emergency vehicle parking, servicing, road markings and turning areas have been provided i.as shown on drawing ST 0AH-SITE-PLAN-A-03-B
3. The development hereby permitted shall not be brought into use until the construction/design details for of the access and deceleration lane have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and be completed prior to first occupation
4. The development hereby permitted shall not be brought into use until the access to the site within the limits of the public highway has been completed

5. No occupation of the development shall take place until such time as the associated driveway/access road has been surfaced in a bound material and sustainably drained, in accordance with details to be agreed in writing by the Local Planning Authority.
6. The development hereby permitted shall not be brought into use until details of covered cycle parking for at least 8 cycles have been submitted to and approved in writing by the Local Planning Authority.
7. No part of the development permitted by this consent shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including a timetable) to promote travel by sustainable modes which are acceptable to the Local Planning Authority. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning consent to the Local Planning Authority for approval for a period of five years from first occupation of the development permitted by this consent.
8. No development shall take place, including any works of demolition, until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i) a site compound with associated temporary buildings;
 - ii) the routing of construction vehicles to and from the site;
 - iii) the removal of demolition materials from site;
 - iv) the parking of vehicles of site operatives and visitors;
 - v) the loading and unloading of plant and materials;
 - vi) storage of plant and materials used in constructing the development;
 - vii) measures to prevent the deposition of deleterious material on the highway including wheel wash facilities.

Reasons

To comply with The Plan for Stafford Borough 2014

In the Interest of Highway safety

IMPORTANT INFORMATIVE

Condition 3 above requiring off-site highway works shall require a Major Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a further link to a Major Works Agreement Information Pack and an application form for the Major Works Agreement. Please complete and send to the address indicated on the application form which is Network Management Unit, Staffordshire County Council, Staffordshire Place 1, Wedgwood Building, Tipping Street, Stafford, ST16 2DH (or email to)

<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>

NOTE TO PLANNING OFFICER

The partial deceleration lane and access in principle conform to the design guidelines, however as part of the Major works agreement a stage 2 and 3 Safety Audits will be required.

This Form X is issued on the assumption that the developer enters into a Section 106 Agreement to secure the following:

1. A Travel Plan monitoring fee of £2,600

Stone Town Council Original Consultation:

Comment as follows:

1. Background: Wider context of the applications.
 - The planning application is regarded as major development on 1.35 acres of playing fields within the settlement boundary, adjacent to residential amenities and allotments.
 - It is not part of the Plan for Stafford Borough (2011 -2031) or any other development plan or order, hence the proposed development does not accord with the provisions of the development plan in force in the area in which the land to which the applications relate are situated.
 - In addition, the application is conflict of the Stone Neighbourhood Plan which is post Regulation 16 and pre HMI Inspection.
2. Consideration of the site in terms of legislation regarding the nature of the existing space.

The site is bounded by the A34 to the east, a residential estate to the north, middle school grounds to the west and allotments to the south. The site is a playing field and consists of an area of broadly rectangular-shaped land extending in total to about 1.35 acres (0.55 hectares). Part of the proposed development includes part of a playing pitch. A footbridge links a footpath down the length of one side of the site between the site and the allotments on the south, and a footpath (Tannery Walk) passes through the residential estate to the north. It allows both access to the playing field and a route, across the playing fields to the footbridge above.

The site is Public Open Space and the application threatens the status of the space under its designations as:

- Green Infrastructure
- Playing Field
- Local Green Space

and are accredited by documents at national and local level. These include frameworks, guidelines, police and plans which afford protection, supports the use and development of such spaces and promote the creation of new spaces. The 'corner stone' of all the above, is the legislation contained within Nation Planning Policy Framework (July 2018).

This application for development clearly does not support any of these designations because it seeks to remove its protection and reduce its size. It is not supported by the following legislation:

The National Planning Policy Framework: Determining applications - paragraphs 48, 49 and 50;

The National Planning Policy Framework: Promoting Healthy and Safe Communities - paragraphs 92;

The National Planning Policy Framework: Open Space and Recreation - paragraphs 96, 98, 99, 100 and 101;

The Plan for Stafford Borough Policy Spatial Principle 7 (SP7) - Supporting the location of new development;

The Plan for Stafford Borough Policy C7 Open Space, Sport and Recreation;

The Plan for Stafford Borough Policy N4 - The Natural Environment & Green Infrastructure;

Sport England, Playing Fields, Policy and Guidance.

3. Evidence supporting the retention of the Playing Fields for Sports, Recreation and Leisure

In Section 1, page 1 of this document it is stated the intended development is not part of the Plan for Stafford Borough (2011 -2031) or any other development plan or order, hence the proposed development does not accord with the provisions of the development plan in force in the area in which the land to which the applications relate are situated. It is hardly surprising therefore that the loss of a playing field and playing pitch is not supported or mitigated.

(a) Evidence demonstrating a shortage of amenity open space in Stone

The shortage of amenity open space in Stone has been well documented over the past decade and has been recorded in Planning Applications in which SBC's Parks and Open Spaces Development Officers have commented upon e.g. more recent planning applications include, 16/24242/FUL, 17/25759/OUT and 18/27783/OUT use this typical comment in their opening paragraph:

"Within the catchment areas surrounding this development there is a deficiency in the quality and quantity of play facilities along with a deficiency in sporting and recreation provision for all ages. Amenity open space in this area falls short of national guidelines and are in need of refurbishment. Sports pitch provision and built associated facilities within the area fall short of national standards as identified within the Open Space, Sport and Recreation Facilities Strategy 2009 Assessment *15 and are in need of refurbishment to address significant quality deficiencies. This has been supported by the draft revised 2013 assessment."

(b) Evidence showing the current needs and demand.

(i) Local Space Standards:

The need for multi-functional greenspace in Stone is identified throughout the Plan for Stafford Borough. In urban areas of Stone, Amenity greenspace, natural Green space, parks and gardens area is set by Local Space Standards at 15 sq m per person. The site is 0.55 ha, equivalent to the amount of space allocated to 370 people, or:

- Space for residents in 5 Care Homes of this size or,
- Space for the new residents in the adjacent developments of Millers Reach or
- Space for the residents in Beacon Grove ST15 0BG (see 3.2.3 below)

(ii) Demand for football:

During the past two years demand for the return of the senior pitch on Tilling Drive has been demonstrated by requests from Stone Trent FC and Stone Town FC to play on this pitch. Both teams play football outside the Stone area.

The youth side Stone Galaxy FC vacated this pitch this year to another because it was too small and SBC declined to make it bigger. It is now being used by Stone Young Alleynians FC.

Another 6 Stone clubs have expressed a wish for this pitch to be retained and testify to the opinions expressed by the officers above.

In addition to the demand for pitches on the playing field, the application site is well used by the community which it serves. In summer, Stone Dominoes FC were seen pre- training on this flat area of the playing field.

(iii) Demand for Casual use and socialisation:

The casual and informal use of the playing field is also important and on one summer's day in July between 11:30 and 20:45 hrs the following observations were made. 99 people who used this playing field for the following:

- 15 people having a kickabout with a football;
- 3 people practising golf swings;
- 53 people walking dogs;
- 15 children playing in the safe play area;
- 10 persons had a lunch time picnic as a group;
- 3 people using the area for jogging purposes.

What was also observed was many of the people were taking time to chat to each other making this a superb safe and social networking meeting place. Not everybody is suited to exercising in a fitness centre or through organised activities. Space like Tilling Drive playing fields meets other needs, such as having a green space to walk (the elderly)/jog around in close proximity to where residents live.

And it is not purely about physical well-being, it is also about improving mental health wellbeing. The Natural Environment White Paper 18, highlighted: “the importance of green spaces to the health and happiness of local communities”.

Green spaces, particularly natural green spaces, located close to local people provide a range of social, environmental and economic benefits, including:

- improved mental and physical health;
- increased social activity;
- increased physical activity;
- reduced crime;
- improvements to children’s learning;
- increased voluntary action;
- improved community cohesion and sense of belonging;
- more attractive places to live, work, play.

Observations clearly demonstrated that many people were not only making use of the playing field for exercise, which is of utmost importance to maintain a healthy lifestyle, but it also creates a safe place for social networking, crucial for our society which is suffering from an epidemic of loneliness, to the point we have now have a Minister for Loneliness.

(iv) Demand from new adjacent developments without open green space.

Whilst the playing field was probably part of the open access areas to cater for development that took place in the late 20th century at Walton, it is fair to say that subsequent development in the past decade has made no contribution to open green space. For example:

- Beacon Rise development (66 houses) on the old Bibby’s car park, had an “off site” financial contribution to recreation and leisure;
- Millers Reach develop (over 200 homes and actually built on another sports field) has had its green space ‘integrated’ within the landscaping.

Residents from over 270 houses within 200 m of this playing field have no other expanse of green playing field they can practice their golf, play football or fly a kite. Instead they use Tilling Drive playing fields.

(v) Mitigating the loss of playing field loss.

There has been no evidence submitted with this application to suggest that SBC have met the mitigation criteria contained in the Sport England “five point exception criteria” or indeed any of the legalisation in section 2 above designed to protect, support and enhance the playing field. As a result, Sport England have objected to the application.

It should be noted that both Sport England and Staffs FA would much prefer to support sports hub developments usually centred around schools, rather than a small site with a single pitch, single sport solution. They are considered cheaper and more efficient to support. A pointed noted by SBC consultants.

Any mitigation using the Tilling Drive playing field site is completely unsupported within SBC existing strategies and has been contrived with a primary objective to finance the shortfall in completing the Westbridge Park phase of The Stone Leisure Strategy. In this strategy, playing fields reviews were undertaken by consultants which concludes:

“A practical strategy would be to centralise the Council’s stock of football pitches by extending and improving the site at Walton Common (or any other suitable alternative site) to accommodate replacement pitches from Westbridge Park and Tilling Drive and to provide improved changing accommodation and car parking at the site.”

Consultants Ploszajski Lynch Consulting (PLC) cover this topic extensively with none of the options being to enhance the Tilling Drive site. On page 16 PLC state:

“Looking at the demand by each sport the estimate is that demand for pitches from hockey equals 1 pitch and for football 3 pitches.”

Whilst on page 25, Section 7.4.1, PLC discuss:

“Immediate Priorities - Football Pitches and Teenage Facilities. Where action is most required is to improve the quality of football pitches and to provide some teenage facilities. We recommend these as the most immediate and cost-effective priorities to the council and consider Walton Common as a prime location.”

It should be noted that the recent Red Kite consultation (2018) concluded with regards to Tilling Drive Playing fields

“Generally flat, with only slight incline towards the north. Potential to meet play requirements, but not in conjunction with football pitches.”

There has been no evidence to demonstrate that the playing field is “surplus to requirements” as stated in the LNT Design & Access Statement:

“The allocation of the site as Green Infrastructure allows the site to be used by the local community. The Council have deemed this site surplus to requirements therefore it will change from green infrastructure.”

4. Evidence to support the playing field and site being put forward as a Local Green Space in the Stone Neighbourhood plan.

A recent objection to the land being sold for development saw over two hundred letters of objection and nearly 500-signature petition. This is a demonstration of how the space is special to the community which it serves irrespective of its designation.

The Local Green Spaces have gone through two separate consultations before undergoing a successful regulation 16 consultation. In addition, SBC have had the opportunity on at least one other occasion to make representation regarding the site being put forward as a Local Green Space. The Stone Neighbourhood Plan is currently awaiting HMI Inspection.

5. Enhancing public footpaths.

Tannery Walk which is currently a short straight walk onto an open field will be diverted westwards to make a “dog leg”, twice the length, with the security fencing and landscaping of the Care Home replacing the open view of the field.

What was a straight route from Tannery Walk across the playing field to the footbridge and beyond will now be diverted to make way for the Care Home. The route is enjoyed by the public for 20 years or more, as of right and without interruption, the path is “to be deemed to have been dedicated as a highway.”

No public consultation has been held with regards to taking the opportunity to improve pedestrian access across/around the site and it is a shame that the opportunity to create new and better routes may have been missed.

6. The Planning Application: Material considerations

(a) Massing of the building:

The building is designed in a letter ‘H’ and occupies the approximately size of a football pitch and presents surfaces of about 50 m in length and 10 m in height. The block stands adjacent to bungalows at the top of an open playing field and next to allotments. Its mass will dominate this residential amenity. As such it will look completely out of place to its immediate surroundings. High security fencing will add to its all pervasiveness.

Local residents, using Tannery Walk will be greeted by this imposing site as they approach and walk alongside the building on their way to the playing fields or to the footbridge.

(b) Light and heat:

With the height of the building being nearly 10 m, bungalows located at 20 m plus from this imposing structure will be affected in that they will receive less sunlight and passive solar heat from the winter sun as it rises in the morning. This is a serious consideration for the elderly residents living in these bungalows.

(c) Highway Safety

(i) Car Parking and Public Transport:

The development does not conform the Borough's car parking standards and is woefully under size, providing only 24 of 46 spaces required. At shift change times, demand for parking space will be well beyond the 24 spaces provided.

(24 max. daytime staff, 1 space per FT staff + 1 space for every 3 beds).

With public transport is limited, and service provision have just been cut either further and with the shortest walk to nearest bus stop 500 m away public transport is not a favourable option.

(Bus service 101, Stafford, Stone, Hanley, every 20min in day time. Evening and Sundays, hourly with last buses to Stafford/Hanley around tea time.)

(Bus Services 13,14, are limited to 2hrs, 6 days per week and no evening services)

Under these circumstances, transport by car is much more likely to occur and it is difficult to see any voluntary travel plan working well.

LNT car parking data for other Care Homes in the centres of larger towns and cities with good infrastructure and alternative off and other parking (e.g. Morrison car park, adjacent to LNT's Leeds home cannot be compared to the circumstances in Stone.

Car usage producing overcrowding could cause serious safety issues, especially with site access being directly off the A34 primary route (Trunk Road), eg. traffic tail back on entry and vehicles reversing onto the A34. Overcrowding in the carpark could inhibit emergency service vehicle turning and even force vehicles to reverse out onto the carriageway.

(ii) The Care Home Junction Layout with A34

Designs show a compound curve based on a 9 m radius and sweep path for vehicles up to 7.5 tonnes (e.g. 3 axle private refuse vehicle and 7.5 tonne panel van). Whilst LNT might take every opportunity to limit vehicle size entering the car park such as a 'weight limitation' restriction, this causes serious difficulties for larger vehicles entering, manoeuvring in an overcrowded car park and leaving the site. e.g. 12.5 tonne Fire Pump;

The turning and reversing specification for a 12.5 Tonne Fire Pump would be seriously compromise by this junction as testified by data in The Building Regulation Fire Safety Document;

Request for Stage 2 audits showing detail design and safety are required to understand this matter more fully and a representation for Highways would assist.

(d) Demonstration of Need for this Development.

The LNT Design and Access statement suggests:

“This site has been identified as commercially suitable for a new care home in terms of demand, with an undersupply of approximately 110 residential care beds (non- nursing care) within a 3 mile radius. The site is in close proximity to public transport, which provides links to other amenities and services, particularly Stone town centre with its supermarkets, transport links, leisure facilities and shopping.”

There is no evidence to demonstrate this statement and it appears to be based on a ‘definition’ of a home sooner than the services/provision it offers to the elder. Noted is the objection to statement by Orsett Care Home

(e) Sequential test done on alternative sites.

With such controversial issues on highway safety and impact on the community due to the location of the site directly off a designed trunk road, there has been no demonstration that this site produced optimum opportunities. Have other sites/land been examined.

(f) Stakeholders Involvement

NPPF paragraph 128 states “Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.”

The application is for a major development from a company of national acclaim. Unfortunately, the ‘consultation period’ and procedures have not involved the majority of stakeholder by government approved methodology. Moreover, Fields in Trust would expect a space such as this to attract users for about 1km walking or (600 m straight) distance from the playing field.

The target area for this playing field would involve some 1000 residences i.e. most of the estate enclosed by Valley Road, Tilling Drive, Miller Reach and Beacon Rise. Local football teams should also be consulted including the current team using the pitch.

Resident’s and local football teams using the playing field have concerns which are not being properly addressed and neither are they being properly informed.

Stone Town Council Amended Plans/Information:

The Town Council wishes to repeat the representations submitted in response to the original plans and continues to object strongly to this planning application for the reasons submitted to the Borough Council on 6 February 2019.

Additionally, there are no changes detailed within the amended plans that alter the Town Council's views on the development proposal. The care home has been sited on a designated Local Green Space identified in the emerging Stone Town Neighbourhood Plan. The Plan, which has completed Regulation 16 and is currently subject to the Independent Examination Process, should now hold weight. No justification has been given for treating the playing field as a surplus leisure and recreation facility despite National Planning Policy requiring that enhanced provision occurs unless it can be demonstrated that the site is surplus to requirements.

The amendments are considered insignificant in relation to the scale of the development and for the following reasons do not mitigate the Town Council's concerns (and may actually make them worse):

- Parking provision is made more cramped by the additional two parking bays introduced to the plan and a new total of 33 spaces remains an inadequate number to serve the quantity of units and size of the development. An overspill of on-street parking in surrounding residential roads will not be acceptable;
- The installation of half a deceleration lane on the A34 on the approach to the care home, does not redress access concerns and there is no acceleration lane proposed;
- The contradictions between the comments made by Forward Planning and the Design Advisor should be noted;
- The design, scale and massing of the building is intrusive and inappropriate in the location.

Sport England – Response dated 16/08/19:

As highlighted within the response below dated 17th January 2019 the proposed development would result in the loss of useable playing field and as no mitigation was proposed for the loss in line with Sport England Exception 4, Sport England objected to the proposal.

The additional information provided by the Council sets out how the loss of playing field will be mitigated in line with Sport England Exception 4. The mitigation document states that the proposal will result in the loss of approximately 5,000 sqm of playing field land with a plan displaying that the remaining playing field land still being capable of accommodating an adult football pitch (106 x 70 metres inclusive of run-offs). Therefore the current users of the Tilling Drive site will be capable of moving up from their current need of a 9v9 layout (79x52metres) to a 11v11 layout (88x56metres) following the proposed development, whilst also enabling adult football to take place should there be a need in the future. It is also highlighted that the Council's emerging Playing Pitch Strategy (PPS) identifies that there is no current shortfall in football pitch provision within the sub area the site is located within, whilst there is spare capacity in adult and youth provision. Though when taking account of future demand for pitches there will be a small shortfall in youth 9v9 pitches whilst the identified current spare capacity will reduce slightly.

To mitigate for the loss of playing field it is proposed that Stafford Borough Council upon receipt of Planning Permission at Tilling Drive will grant £200,000 (additional monies will be provided by the Council for any maintenance works for compensatory pitch area) to Stone Hockey Club, which will in part be utilised to remove overhead lines and associated pylon, re-route the cables and to do pitch work improvements (in line with the recommendations contained within the submitted FA Pitch Improvement Programme Initial Report) to enable an area of land (known as Enson Lane) at Stone Hockey Club to be used for sports pitches. It is stated that the removal of the pylons will increase the overall number of pitches being available in the Stone area and help address current and future shortfalls identified within the PPS. The removal of the pylons would enable approximately 14,000 sqm of playing field to be brought into use providing one senior pitch or a combination of, for example, one u13/14 pitch and one u9/10 pitch. It is stated that by comparison the area of playing field being lost at Tilling Drive measures approximately 5,000 sqm and taking into account the site boundaries and pitch run off areas it could accommodate one U9/U10 pitch. A letter of support has been provided by Stone Hockey Club which highlights that the reason for not developing the Enson Lane land was due to the cost of moving the electricity pylons and routing the cables underground. The Club have stated that the grant would enable them to carry out the works as soon as possible, which will support junior football and consolidate several sports at the site. The submitted draft grant agreement will ensure that the pitches are available to the public for a period of 21 years.

Notwithstanding the above the Council have also committed to undertake pitch quality improvements at the Tilling Drive site in line within the recommendations of the FA Pitch Improvement Programme Initial Report for the site, which will be secured by the Council adding a covenant to the land sale agreement that the works will be undertaken within 12 months. The timescales for the works will avoid interrupting the fixtures of the club who currently use the pitch.

The mitigation document highlights that the proposed works at Stone Hockey Club and improvements at Tilling Drive site are supported and in line with the recommendations contained within the PPS i.e. address shortfalls by improving the quality of existing site's and by enabling access to unused/unavailable provision.

Assessment of the proposal

The proposed works at the Enson Lane site, through the removal of the pylons and pitch works, will enable greater use of an area of land which will help to address playing pitch shortfalls identified within the Council's PPS. The works will enable an adult football pitch (7,420 sqm) to be accommodated at the site which is greater than the loss of playing field land at Tilling Drive. The remaining playing field land at Tilling Drive will still be capable of accommodating a youth 9v9 pitch in line with the recommendations of the PPS whilst also providing capacity for an adult pitch. Whilst not being replacement provision in line with Sport England exception 4 the inclusion of the playing pitch improvements at Tilling Drive as part of a covenant of the land sale, is also supported by the PPS which states that the Tilling Drive pitch is of poor quality and improvements to its quality will help address shortfalls in youth 9v9 pitches (it should be noted that there is current spare capacity at the Tilling Drive site which could address the identified shortfall within the north sub area but this has been discounted due to the existing poor quality of the pitch).

It is viewed that the Enson Lane site is a suitable location for the replacement provision for the following reasons: there are no teams being displaced at the Tilling Drive site; the works at Enson Lane will help address football shortfalls and increase sporting activities at a Club site where hockey, rugby and football already takes place.

To inform this response the Football Foundation (responding on behalf of the FA) were consulted with the following comments received:

1. The mitigation proposal is supported, however, we feel that additional clarity would be beneficial to determine whether £200,000 is enough to complete the works, including that of the pitches. It would be useful to know if the works to improve the pitches at Tilling Drive and Stone Hockey Club have been costed and agreed.
2. The suggested pitch size of 106 meters x 70 meters fits within the minimum/maximum recommended pitch sizes for an adult pitch.
3. With regards to the PIP Report for Tilling Drive, this provides recommendations on what work is required and timescales for this to be completed. Should this process be followed, the pitch should be improved, however, the work needs to take place outside of the playing season to avoid any loss of play and to ensure it is ready for the following season. The PIP Report for Stone Hockey Club indicates that more work is required to establish the pitches to be suitable for match play. As they are not currently used the work can take place at anytime, however, we would suggest this happens in time for the pitches to be ready for July/August 2020. Again, provided the guidance is followed and a suitable company identified to complete the works, the recommendations should be achieved. We would also recommend that an agreed maintenance schedule should then be put in place for the ongoing maintenance, with the appropriate equipment being used.
4. As per the comments above, 12 months for the works to be undertaken at Enson Lane would be suitable.
5. With regards to the community use of the pitches at the Hockey club (section 14.2), the agreement states that pitches and the clubhouse at the Project Site are available for use and hire by members of the public. Whilst this is detailed to make sure the site is available for use by the public, there is no detail regarding what the site can be used for. We would want the new pitches being created to be available for football teams to use for the duration of the agreement, due to the agreed loss of area at Tilling Drive. We would request that some further protection for football users is included here and documented.

Sport England Exception 4 requires for the area of playing field to be lost as a result of the proposed development to be replaced prior to the commencement of development. The Council suggested the below condition relating to the mitigation works:

“By no later than 12 months of the date on which the development hereby permitted has been commenced, the replacement playing pitch shall be provided and made available for use”.

Sport England Playing Fields Policy and Guidance states that there are occasions where appropriate alternative timescales to securing the delivery of the replacement provision should be proposed and agreed. In this particular circumstance it is considered appropriate that the replacement provision could be provided after development has commenced at the site for the following reasons; no teams will be displaced as a result of

the proposal and there is no demand for the replacement pitch to be provided immediately with the PPS identifying that there is no current shortfalls in u9/10 football pitches (size of pitch which could feasible be accommodated on the land proposed to be lost).

In relation to the Council's suggested condition it is not viewed to be appropriate with there being a lack of clarity as to where the replacement pitches will be provided, the works required and no consequences for the development should the mitigation not be provided. It is therefore viewed that the following condition is more appropriate:

The development hereby approved shall not be first brought in to use unless and until the additional playing field land at the Stone Hockey club has been completed and made available for use in accordance with a schedule of works and timetable for implementation; and a schedule of maintenance works, to be submitted and approved by the LPA following consultation with Sport England, based on the recommendations of the Stone Hockey Club FA Pitch Improvement Programme Initial Report dated 29/05/2019' Informative: Pitch improvement works relate to land not currently marked out for playing pitches as identified within the Stone Hockey Club FA Pitch Improvement Programme Initial Report dated 29/05/2019'

The recommended condition would ensure that the pitch works are undertaken in line with the recommendations of the Pitch Improvement Programme Initial Report (PIP report)- notwithstanding the costs currently contained within the draft grant agreement (based on Western Powers quote and a quote from a trenching contractor with an allowance for contingencies) which the Council has stated will be increased to enable the works, if required. In relation to the maintenance of the pitches the Council have stated that they would undertake the works on the mitigation pitches, as identified in PIP report, as part of their normal maintenance regime. In terms of the timescales for the pitch delivery it is understood that the programme for the proposed development will be 12 months. In relation to the community use of the pitches at Enson Lane will be secured for a period of 21 years through the grant agreement. For further information on Sport England's guidance on community use please view <https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-tools-and-guidance/community-use-agreements/>.

With regard to the pitch improvements works identified within the PIP report for Tilling Drive the Council have commented that this will be undertaken within 12 months and outside the playing season to avoid any loss of play and to ensure that it is ready for the following season, which is supported.

Conclusion

Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to broadly meet Sport England exception 4. The absence of an objection is subject to the following condition being attached to the decision notice should the local planning authority be minded to approve the application:

'The development hereby approved shall not be first brought in to use unless and until the additional playing field land at the Stone Hockey club has been completed and made available for use in accordance with a schedule of works and timetable for implementation; and a schedule of maintenance works, to be submitted and approved by the LPA following consultation with Sport England, based on the recommendations of the Stone Hockey Club FA Pitch Improvement Programme Initial Report dated 29/05/2019'

Informative: Pitch improvement works relate to land not currently marked out for playing pitches as identified within the Stone Hockey Club FA Pitch Improvement Programme Initial Report dated 29/05/2019'

If you wish to amend the wording of the recommended condition(s), or use another mechanism in lieu of the condition(s), please discuss the details with the undersigned. Sport England does not object to amendments to conditions, provided they achieve the same outcome and we are involved in any amendments.

Further to the above Sport England the improvements to pitch at Tilling Drive, in line with the PIP report dated should be undertaken in line with the submitted PIP report for Tilling Drive dated 23/07/2019, should be secured as part of covenant to the land sale agreement.

Sport England would also like to be notified of the outcome of the application through the receipt of a copy of the decision notice.

The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

Sport England – Original response dated 17/01/19:

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 97) and Sport England's Playing Fields Policy, which is presented within its 'Playing Fields Policy and Guidance Document':

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

Sport England Policy Exceptions

E1 A robust and up to date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.

E2 The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.

E3 The proposed development affects only land incapable of forming part of a playing pitch and does not:

- reduce the size of any playing pitch;

- result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
- reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
- result in the loss of other sporting provision or ancillary facilities on the site; or
- prejudice the use of any remaining areas of playing field on the site.

E4 The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- of equivalent or better quality, and
- of equivalent or greater quantity, and
- in a suitable location, and
- subject to equivalent or better accessibility and management arrangements.

E5 The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

The Proposal and Impact on Playing Field

The proposal entails the construction of a 66 bed care home on playing field land. The playing field land that the proposed development is to be sited upon is not currently marked out for pitches though the site closely abuts a playing pitch utilised by a junior football team.

Assessment against Sport England Policy/NPPF

As the proposed development is not for a sporting facility or ancillary to the use of the playing field Sport England exceptions 2 and 5 are not relevant to the assessment of this proposal. The application site forms part of a playing field with the boundary of the site closely abutting a football pitch (slightly undersized u11/12 pitch based on Google Earth Imagery). However, the existing playing field could accommodate different pitch markings for example a senior football pitch (106*70m inclusive of run-offs) together with a u7/u8 pitch (43*33m inclusive of run-offs), though this would not be possible following the proposed development. Therefore Sport England exception 3 is not relevant as the proposed development affects land that is capable of forming part of a playing pitch.

Given the above the proposal has been assessed against Sport England exception 1 or 4. In relation to the loss playing field land the submitted Design and Access Statement states "The Council have deemed this site surplus to requirements therefore it will change from green infrastructure". This statement is not sufficient to comply with Sport England exception 1 and it is recommended that the applicant views Sport England's Playing Fields Policy and Guidance Document to ascertain how to comply with Sport England's exceptions. No assessment of the proposal against exception 4 can take place as no replacement provision is proposed.

The applicant should be aware that the Council has commissioned a Playing Pitch Strategy (PPS) to understand and assess the need for playing pitches (and improve provision) to meet current and future demand. Once the PPS is completed this would establish if the loss of the site would meet exception 1 or whether replacement provision would be required in line with exception 4 to ensure compliance with Sport England Policy and NPPF paragraph 97. Should the PPS identify that there is a need to protect the entire playing field then any replacement provision would need to be of equivalent or better quality and quantity; in a suitable location and subject to equivalent or better accessibility and management arrangements. It should be noted that the intensifying or increasing the

use of existing areas of playing fields, including marking out playing pitches on areas of a playing field not currently marked out for playing pitches, does not meet the requirements of exception 4.

Conclusion

In light of the above, Sport England objects to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 97 of the NPPF.

Forward Planning:

The following response has been prepared by the Forward Planning section, including the Specialist team.

Officer Assessment - Key Considerations

The proposed development for is on a greenfield site classified as green infrastructure in the adopted Plan for Stafford Borough adjacent to The Fillybrooks (A34), within the settlement boundary for Stone. The development of the site as a care home for older people (Use Class C2) would, therefore, need to be in line with Spatial Principle 7, Policy C3, Policy C7 and Policy N4 of the Plan for Stafford Borough (adopted in June 2014). Furthermore Spatial Principle 3 identifies the Stone as the second town in the settlement hierarchy for delivering new development. Spatial Principle 7 establishes boundaries for settlements in the hierarchy, including the market town of Stone, where new development will be supported inside the boundary, subject to other relevant policies in the adopted Plan.

National Planning Policy Framework context

The emphasis in the adopted Plan for Stafford Borough corresponds with paragraph 20 of the revised NPPF to deliver strategic policies by setting out a clear strategy for allocating sufficient land, which is suitable for development in the area in relation to infrastructure, as well as conservation and enhancement of the environment, including green infrastructure. Overall sustainable development to promote growth needs to be delivered in line with the Revised NPPF 2019, paragraph 8. Furthermore paragraph 59 states that pursuing sustainable development involves addressing the needs of groups with specific housing requirements whilst paragraphs 92, 96 & 97 seek to plan positively for the provision and use of shared spaces through assessment of existing provision and enhanced provision if loss occurs, including open spaces. It is considered that policies in the adopted Plan for Stafford Borough (June 2014) correspond with the revised NPPF.

Plan for Stafford Borough policy context

The development of the site needs to be considered in the context of Policy Stone 1 - Stone Town, Policy C3 Specialist Housing, Policy C7 Open Space, Sport and Recreation, and Policy N4 The Natural Environment & Green Infrastructure of the Plan for Stafford Borough.

Policy Stone 1 seeks to continue meeting the housing requirements of Stone by increasing the range and type of housing available as well as improve Green Infrastructure provision alongside sport and recreational facilities, including improved

quality of play areas. Policy C3 sets out to provide additional extra care bed units in accordance with the settlement hierarchy, including Stone, close to services and facilities. The adopted Plan identifies an unmet need across the Borough of 954 units up to 2030 as evidenced in the Staffordshire Flexi-care Housing Strategy. It is noted that there is currently an undersupply of 110 residential care beds within a 3 mile radius of the site.

Policy C7 sets out to support sport and recreation by retaining, protecting, supplementing or enhancing facilities to address deficiencies, which can be provided through new housing development. Furthermore the policy requires better facilities in terms of quality, quantity and accessibility to be provided if there is a loss of existing open space, sport and recreation. Policy N4 seeks to protect, enhance and improve / expand the Borough's natural and green infrastructure network through open space provision for informal and formal recreation. Therefore new development should be set within a well designed and maintained attractive green setting, demonstrated through a detailed management plan where appropriate as well as provide a variety of spaces to meet the needs of people and nature.

Open Space, Sport and Recreation considerations

The adopted Plan for Stafford Borough is clear that new development for housing, including specialist housing, should be focussed within the sustainable settlement hierarchy's boundaries including Stone Town. Therefore the proposed development is in accordance with Spatial Principle 7 and would meet the needs of Policy C3.

Nevertheless the proposals would lead to the loss of open space, sport & recreation facilities alongside green infrastructure in this part of Stone which would be contrary to Policy C7 and Policy N4. However whilst it may be reasonable for the Authority to request financial contribution towards open space and sport facilities, it is considered that due to the specific use of the development, it would not be appropriate to ask for this contribution relating to this site. Therefore the Council will not request a financial contribution for these elements.

It should be noted that this proposal is on land classified as playing fields, with national policy requiring enhanced provision to occur if there is a loss, unless it can be demonstrated that the site is surplus to requirements. Therefore any development must ensure that playing field lost would be replaced, equivalent or better in terms of quantity, quality and accessibility. Furthermore Green Infrastructure will be protected, enhanced and expanded.

At this stage there is no specific reference to this loss resulting in better facilities in the vicinity, which would need to be addressed. Furthermore sport's pitch provision and built associated facilities within the area fall short of national standards as identified within the Open Space, Sport and Recreation Facilities Strategy 2009 Assessment and are in need of refurbishment to address significant quality deficiencies. This has been supported by the revised 2013 assessment.

The Stone Town Neighbourhood Plan has recently completed the Submission stage (Regulation 16) and is currently subject to the independent Examination process. The proposed development is located on an area identified as Local Green Space in the Submission Stone Town Neighbourhood Plan. This relates to the Stone Town

Neighbourhood Plan Policy CAF4 and the associated Local Green Space site number 40. Paragraph 99 of the revised NPPF 2019 states “Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.” There are a number of representations submitted for consideration through the Stone Town Neighbourhood Plan independent Examination process, including the land adjacent to The Fillybrooks (A34), Walton. Nevertheless at this stage the proposed development does not accord with the emerging Stone Town Neighbourhood Plan.

Nesting birds considerations

All wild birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981. This means that hedge or tree works should not be undertaken in the nesting season (March to August), unless it can be demonstrated by the developer that breeding birds will not be affected. This can be done by requesting a method statement for protection/avoidance of nesting birds as a condition - this may include timing of work, pre-work checks, avoiding nesting areas etc.,

Tree protection considerations

It is noted that a number of trees and their root systems may be affected by the proposed development. Although no Tree Preservation Orders are relevant to the site, the Council does require root protection zones to be adhered to during the construction phase. Therefore an arboriculture assessment and report are required to set out the implementation for protecting any trees or root systems associated with the proposed development

Summary

The proposed development does accord with Spatial Principle 7 and Policy C3 of the Plan for Stafford Borough, being within the settlement boundary and delivering specialist housing. However the development would need to compensate for the loss of playing fields and would also need to accord with Policy N4, although any proposed development would be contrary to the emerging Stone Town Neighbourhood Plan Policy CAF4 and the associated Local Green Space site number 40. It is important to consider the full range of factors and policy implications when determining this planning application.

Tree Officer - Amended Plans/Information:

I have no objections to the amended layout and can confirm that the position of the tree protection fencing is appropriate.

The tree protection measures should be made the subject of a condition.

Lead Local Flood Authority:

The submitted documents do not demonstrate an acceptable Sustainable Drainage Strategy in accordance with the non-statutory technical standards for SuDS (DEFRA, 2015) and good practice guidance.

We would recommend that planning permission should not be granted until the points below have been adequately addressed.

- Point of Discharge – The proposed point of discharge is not clear from the submitted documents. Proposed Drainage Layout (Drawing No. LNTSTO-CHG-EX-XX-DP-C-0300 Rev P1) shows a proposed soakaway, but this is not supported by the necessary infiltration testing (BRE365) or represented in the microdrainage model.

An alternative outfall to a diverted sewer is suggested in the SUDS Assessment (Drawing No. LNTSTO-CHG-EX-XX-DP-C-0001 Rev P1) However there is insufficient detail on this option. The sewer does not appear on our public sewer records. The plans would need to confirm the ownership, size, condition, available capacity, and permission to connect to this sewer / developer enquiry response from Severn Trent. This should be shown in the drawings and supporting calculations with sufficient attenuation to achieve the suggested 2.7l/s.

- Network Calculations – Should reflect the proposed discharge option, either infiltration based on testing or attenuated discharge. Calculations should demonstrate compliance with the technical standards for SuDS (Defra, 2015), including results for 1, 30 and 100 years plus climate change.
- SuDS Management Train – should confirm adequate water quality treatment for all sources of runoff (See CIRIA SuDS Manual Simple Index Approach). For example, courtyard rain gardens, permeable paving, swales.
- Maintenance / Management - Details of the proposed maintenance arrangements should be provided, including a maintenance schedule, responsible organisation, and funding arrangements.

Severn Trent Water:

We have no objections to the proposals subject to the inclusion of the following conditions:

The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the local planning authority;

The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is 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.

Environment Agency:

We have no comments to make on this application.

Design Advisor:

My first impression of the site is that it is a valuable green space, not only for active leisure purposes but also as an important contributor to the character and quality of place in this location. However, and applying an acceptance that the site has been deemed surplus to requirements and is considered appropriate to be given up for new development, it should be an important objective that whatever new development is delivered on the site suitably mitigates the loss of the green space by making a positive contribution to the character, quality and functionality of the area through the provision of high quality design.

The associated Design & Access Statement is not considered to contain sufficient mapping and analysis of the site and its locality to provide adequate backing to the applicants premise that this scheme represents a sensitive and largely positive response to the site and its context. Although the architectural style of the proposed building alludes to traditional forms of development and could therefore be considered as being relatively inoffensive in regard to how it reflects the predominantly residential character of the locality, the proposals qualities of scale, form and massing are significantly at odds to the surrounding urban morphology and grain and will almost certainly ensure that this proposal will be a significantly dominant and potentially incongruous feature in its setting. While it is recognised that there are numerous examples of buildings of this scale, form and massing further south on the A34, at this specific location the character of the context is a much finer grained residential place and this proposal (due to its scale and massing), introduces a form of development that is potentially out of place and which could begin to erode the qualities of place rather than positively reinforcing and/or enhancing them. It should be noted that the requirement for new development to respond positively to context in respect to reinforcing and/or enhancing locally prevalent patterns of development is embedded within both policy N1 of the Local Plan and the recently adopted Design SPD.

Thus it is considered that the proposal would exert a negative impact on the character of the locality and should be reconsidered to provide a form of development that will more seamlessly compliment and reinforce the prevalent patterns of development in the area.

The way in which the buildings scale is articulated in its continuous frontages and roofscape is considered to be a significant contributor to why the building will be visually dominant and potentially incongruous, and although this is inherent to the scale and form of the building, if the plan and elevational composition was articulated more as separate (but linked) pavilions, and if the roofs were generally double ganged, it would help to introduce more visual interest across the elevations and assist in the mitigation of the impact that this building will have on its immediate setting by lowering the overall height, and visually fragmenting the overall visual bulk and massing of the proposals.

This advice was provided during pre-application stage and it is disappointing that the applicants have chosen to dismiss this advice rather than actively engage with the Council to achieve a mutually acceptable solution.

Environmental Health Officer:

I refer to the above application and make the following comments:

Lighting to areas such as car parks, pathways, land, buildings, internal communal areas and stairways should be of a design and positioned not to cause a light nuisance to any neighbouring properties. Glare from any lighting must be kept to a minimum.

A construction management plan should be submitted covering the nature and extent of the ground and construction works, and the measures to prevent disturbance to neighbouring dwellings. If piling work is proposed there must be sufficient justification for the use of driven piles over other piling methods.

Details of any externally mounted equipment such as air-handling or refrigeration units should be submitted, with predicted noise levels and attenuation measures.

The following conditions are recommended in order to safeguard nearby residential occupiers from undue disturbance during development:

- All works, including demolition, site works and construction shall only take place between the hours of 08.00 and 18.00 Monday to Friday; 08.00 14.00 Saturdays and not at all on Sundays or Bank Holidays. Delivery vehicles shall not park on the access highways to the site;
- Deliveries to the site shall only take place between the hours of 08.00 and 18.00 Monday to Friday; 08.00 14.00 Saturdays and not at all on Sundays or Bank Holidays. Delivery vehicles shall not park on the access highways to the site;
- There should be no burning on site during development;
- All demolition materials shall be removed from site and properly disposed of;
- Facilities shall be provided at the site and used when necessary for damping down to prevent excessive dust;
- If necessary, road sweeping shall be carried out at regular intervals, both on the site and on the access highway to prevent excessive dust;
- Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of occupied residential dwellings;
- If necessary, screening shall be provided to the site to protect residential dwellings from exposure to excessive noise. Details of such work shall be agreed with the local authority and carried out before other works begin.

Crime Prevention Design Advisor:

This proposal should achieve Police Secured by Design accreditation;

Boundary Treatment: Recommend that southern, north eastern and western elevations have either a 1.8 metres high wall or railings installed, with the southern elevation and garden area flush with the building frontage and tied into the boundary treatment either side, the proposed eastern gate should be lockable and the same height as the wall/railings, to prevent anti-social activity extant in the locality impacting negatively on the ground floor residents;

Landscaping: All shrubs and hedges adjacent to the building should have a maximum growth height of 1 m, with all tree branches to be pruned up to a minimum height of 2.5 m, thereby maintaining a clear field of vision around the site. Trees when mature should not mask lighting columns or become climbing aids to scale boundary treatments;

Lighting: The lighting plan should work in conjunction with seasonal changes and any CCTV system installed. Good lighting design promotes the feeling safety in the environment, enables identification of a person who has fallen over and reduces the fear of crime;

Bike Storage: External bicycle storage stands should be lit at night using vandal resistant, dedicated energy efficient light fittings and energy efficient lamps. A design that enables cyclists to lock wheels and the crossbar is recommended.

Doors: Should be manufactured to a design that meets the security requirements of PAS 24:2016 or designed and manufactured in accordance with Appendix B, Doc Q Building Regs 2015. Door-sets satisfying other standards that provide similar or better performance

are also acceptable and should also be certificated meet relevant material specific standards. Doors should be secured with the relevant lock type. If glazed panels/windows adjacent to doors are installed as an integral part of the door frame, they must be shown to be part of the manufacturer's certificated range of door sets or where they are manufactured separately from the door frame, they must be certificated appropriate standards. A third party test pass certificate will be required to certify the doors meet SBD requirements. The main entrance door-set will need to withstand high usage, with certification to one of four set standards. Communal door-sets also need to be fit for purpose and certified to meet BS6375 to ensure safety and security. When closed, or the reception area is not staffed and the main entrance door is closed or emergency access is required, after hours caller identification measures should be installed to identify visitors. Trades buttons are not advised as they allow unauthorised access. Recommend that s an access control system be installed to provide a robust barrier ensuring private areas remain private while enabling authorised people access the building and providing management with an audit trail. Emergency doors should have an alarm installed and linked to the staff office/security/reception areas to alert staff. The bin store door should comply with ABI and Police security standard. Door-Sets designated as emergency or panic exits must be fitted with the hardware appropriate to the specific use.

Windows: The minimum Association of British Insurers and Police window security standard is that ground floor and other easily accessible windows should be secure windows in accordance with paragraphs 2.2 -2.3, Doc Q Building Regs 2015. An easily accessible window is a window that is within 2 m vertically of an accessible level surface or a window within 2 m of a flat or sloping roof with a pitch of less than 45 degrees within 3.5 m of ground level. Windows should be made to a design which has been shown by test to meet the requirements of British Standards Publication PAS 24:2016. Windows satisfying other standards that provide similar or better performance are also acceptable. Windows must also be fit for purpose and shall be certificated to the relevant material standard. Frames should be mechanically fixed to the structure of the building.

Mail: All residents' mail is delivered directly to the reception desk.

CCTV System: Recommend the installation of a CCTV system to assist with criminal investigations. A full operational requirement should be written to identify vulnerable areas prior to installing a detector activated, recording CCTV system to attain at least "recognise" standard.

Neighbours (33 addresses notified of which 14 addresses responded with 28 representations). In total 100 responses received from 76 individual addresses summarised below:

- Proposed development conflicts with Local Plan and Neighbourhood Plan not being allocated for development;
- development site is a playing field and is afforded some protection under the current local plan, with its Green Infrastructure designation;
- Site protected in Stone Neighbourhood Plan;
- Site protected in emerging Neighbourhood Plan, which should have been taken into consideration, but has not;
- Site has met the requirements and is included as green infrastructure in Neighbourhood Plan - which means the Town Council and the people of Stone agree that it is essential to its residents;

- Sport England have objected to proposal;
- Walton does not have another fully accessible play recreational green space and this is the only large green space for all of the housing estates;
- It is a commercial building that would not fit into a residential area and is outside the employment development area - falls outside of the Plan for Stafford Borough as adopted;
- Site is outside the strategic development areas identified in the local plan;
- NPPF advises that: planning policies should be based on robust and up-to-date assessments of the needs for open space, sport and recreation facilities; that that sports and recreational buildings and land should not be built on; and that communities should use local and neighbourhood plans to identify green areas of particular importance to them for special protection by designating them as Local Green Space;
- Application flies in the face of everything the Borough Council has been striving to do with the local plan and their encouragement of and involvement in the Neighbourhood Plan;
- In determining applications, the NPPF requires that weight should be given to emerging plans, which should increase the more advanced in preparation - refusal would be justified if both the proposal were so substantial and its impact so great that granting permission would undermine plan-making process and the emerging plan were at an advanced stage, but not formally part of the development plan. As the Stone Neighbourhood Plan has completed its publicity period, an application could be refused on prematurity grounds;
- Proposal ignores expressed will of the democratically elected Town Council;
- Loss of public open space used for football and as children's play space;
- This is a valuable green space for all residents of Walton and the wider Stone community;
- Site has been home to football teams, senior and junior for many years and is valued by all types of leisure users;
- Constant attack and threat of development of Stone's greenfield sites needs to be stopped;
- Reduction in size of playing field would affect the junior football team that uses the existing pitch as their home ground, both during and after the construction - there will be no appropriate football facilities after the build and the second phase of the Westbridge Park redevelopment;
- There will not be enough room to put a pitch on the remaining land without leaving little or no buffer area for stray balls;
- A shame the town's youngsters have to go either to Stafford or join an expensive set up to play team football;
- Recent developments in the immediate area have placed even more demand on existing recreational facilities;
- Land is not surplus to requirements - vital green space;
- It is stated in the application documents that the site is surplus to requirements, but there is no information to support this statement
- Only alternatives to site area at Westbridge Park and Weston/Hixon;
- Only acceptable development on this land should be to provide better playing facilities for youngsters and local sports teams - suggest diverting some money from Victoria Park to enhance smaller villages and surrounding areas with services local families require;
- Stone residents were sold the Westbridge Park development on an understanding that all money was in place for the full scheme;

- Council seem to have idea that everyone needs to go to Westbridge Park, yet there is green space on their doorsteps;
- Believe that public land originally used for recreation has been reassigned to building retail and larger sports facilities;
- Further curtailing of sporting facilities in Town will discourage healthy activity in future;
- Obesity is a major problem, yet green spaces are being developed;
- Query how disposal of land by the Council will benefit the community;
- Loss of football pitches immoral;
- Shocked at how much of the field would be lost;
- The impact on residents and the loss of greenspace and recreation space will be irreversible;
- Children's play area will be unpleasant during the construction - there is very little other choice for play areas so close to schools;
- More facilities for young people required;
- Open boundary will cause conflict with use of football pitch, with stray/miskicked balls entering development and injuring residents;
- Development should be concentrated on brownfield sites;
- Suggest site of Darlaston Inn as an alternative site;
- Must be a more suitable area for this building to be located that doesn't take away so much from so many;
- Understood at outset that existing pitch and changing rooms would be updated, but now there will not be room for a pitch on the site;
- Going to be a huge building out of proportion with surrounding development;
- Development out of character with surrounding area;
- Monstrosity on skyline;
- Walton is engulfed in shocking adverse development with the significant reduction of natural green and landscaped green spaces;
- Residents of Walton will not benefit from sale of land;
- Conflict of interest around the sale of land by the Council and the consideration of the planning application;
- Most of those neighbouring the land do not consider it to be surplus to requirements and is an indication of contempt with which Council regards residents of Stone;
- There is a severe lack of green playing facilities formal and informal exercise in this end of town and this is at variance with the protection of so called green infrastructure benefits;
- Area has been much more widely used with recent nearby Miller's Reach and Langton Green developments, with an increase in the numbers attending the local First and Middle Schools and as a result using the recreational space and field as well as dog walkers. The final phase of the Udall Grange development will further increase usage ;
- Open space should not be sold to pay for play equipment in another part of Stone - commitments elsewhere should be put on hold until funds are available;
- Building will dominate the residential sky line at nearly 10 m in height and although principal windows will not overlook residences on Friars Avenue, its imposing height will depriving the bungalows of sunlight and passive solar heating in winter months;
- Residents will be able to overlook gardens of existing residential properties, resulting in loss of privacy;
- Although it is stated that building is to be two-storeys in height in keeping with existing local dwellings, at over 9 m, it will be above the height of two-storey dwellings and considerable higher than the nearest dwellings, which are bungalows;
- Building will block daylight to neighbouring dwellings;

- A 5.4 m high wall to the eaves will be 32 m from the windows of one of the bungalows, impacting adversely on a green infrastructure and the loss of open space and views;
- 32 m separation distance between proposed building and nearest bungalow is inadequate;
- Loss of beautiful view from bungalows;
- Houses nearby will feel shuttered in;
- Views across from dwellings across Tilling Drive to fields beyond, which provide sense of space, will be lost to the area;
- Will reduce existing levels of interaction between occupiers of existing dwellings and existing users of the open space, adding to social isolation of residents and potentially increasing demand on already stretched social /health care system;
- Additional access point onto A34 will impact on a congested section of roadway;
- Access onto A34 will cause accidents;
- An access so near to the Walton Island seems dangerous;
- Concern over increased traffic generated;
- Very rare for this section of A34 to have a quiet period, with night-time lorry movements due to continuing M6 improvement works and without the nearby JLR site yet being fully operational;
- Additional development will add to traffic problems on Tilling Drive and make road dangerous for school children;
- Road infrastructure is not adequate for the amount of new houses etc;
- Stone suffers greatly delays to travel times and congestion from roadworks building works for existing scheduled development;
- No consideration made for people wanting to access the site from the north, with consequent danger of people carrying out U-turns at the traffic lights at the Aldi entrance;
- Will increase the probability of more accidents around Walton roundabout;
- The estate is already overcrowded with vehicles parking when dropping off and collecting children from Pirehill First School;
- Traffic congestion likely due to inadequate parking, resulting in congestion and access issues for emergency vehicles;
- Proposed car parking facilities inadequate - likely to lead to parking in nearby streets and the Aldi car park;
- Proposed footpath link to Tannery Walk will facilitate parking in nearby streets;
- Increased use of Friars Avenue would put children at risk while going to and from retained green space and playing in currently quiet streets;
- Traffic Statement does not address shift handover periods, resulting in more staff cars on site, with a significant increase in traffic;
- Details of car parking surveys for existing company sites are of little relevance due to the age of the data and as they are from locations in larger communities with better public transport links;
- From personal observation, have noted the lack of parking for staff at care homes, care facilities and schools;
- Little consideration of routing for residents due to the new build and opportunity to improve infrastructure (e.g. walking and cycling) - would cause an existing route to be diverted around the building and increase the route length and does little to improve disabled access;
- Assumption that employees will walk, cycle or use public transport to access site is naïve;

- Opportunities to put in new footpaths linking the playing field and residential amenity with the highway have not been taken - difficult to see how this development adds value to the local community;
- Public consultation in line with "Better Regulation Executive Code of Practice on Consultation" on behalf of HM Government (2008) would encourage much better stakeholder involvement in the design stage;
- Not guaranteed as applicants have assumed that none of residents will be car owners;
- Proposal for site to be lit at all times during hours of darkness will cause massive increase in light pollution, particularly affecting properties backing onto site - should be no lighting above 1.8 m or facing towards boundary, with only low output, motion activated lighting used;
- Use of proposed footpath link to Tannery Walk will cause nuisance for occupiers of neighbouring properties;
- Absence of a substantial boundary at western end of site would result in lack of privacy for care home residents;
- Another development along the Fillybrooks will only add to the traffic and air pollution that people are exposed to while walking around the area, hardly healthy for care home residents or children walking to school ;
- Air pollution statistics for the A34 for some months, particularly in the winter are at levels that breach the permitted limits and that is harmful to health;
- Protecting vistas and views is important to peoples' mental health;
- Plans do not show lighting proposals, but Police Liaison Officer has highlighted a requirement for security lighting, which would create a lighting nuisance for neighbouring properties;
- No details submitted of any external extractor, heating or cooling equipment - would need to be positioned to not cause any nuisance;
- The look and feel of the remaining recreation field will be forever damaged - it will no longer feel and be a large space that provides essential amenity space for the surrounding residents;
- Development would disrupt and adversely wide variety of habitats including both flora as well as fauna - during the spring there are bluebells and snowdrops that naturally grow beneath the trees at the top of the field that runs alongside the A34 and there is a wide variety of fauna living in the hedgerow;
- There is wildlife (urban foxes, bats and Herons etc) using the site regularly - these mammals are protected by legislation;
- It will lead to a loss of biodiversity in the area which is protected by primary legislation;
- No more homes should be built until infrastructure problems are solved;
- Negative impact on a declining small town;
- Medical and Dental practices cannot support existing residents;
- Existing shortage of GP appointments in Stone;
- With nature of accommodation proposed, likely to be a major increase in demand for local doctors - no provision by applicants to mitigate increased demand - suggest an on-site doctor and dispensing chemist;
- Concern for health of residents as living close to a busy road is proven to cause exacerbation of respiratory disease;
- Disputes claim that there is an undersupply of 110 residential care beds in vicinity;
- County Council has consistently stated over last 3 - 5 years that there is an oversupply of care beds in County. Care Homes between Stafford and Barlaston have empty rooms;

- While absence of reference to care units in local plan does not equate to a case either for or against them, but Council data elsewhere shows better than average levels of lone seniors living independently in Stone;
- Design makes scant mention of Social Care Act - no reference to addressing health needs of prospective residents, but viability of scheme may be dependent on incoming residents;
- Cannot be guaranteed that residents will come from within a 3 mile radius as applicants assume;
- Presenting a scheme without due regard to implications for health provision of any additional population is a serious omission;
- If there is a 110 bed undersupply, as the proposal will only provide 66, will the applicants want to extend;
- Design and Access Statement states that Care Statement Act requires a single room be 12 sq m and that 16 sq m is proposed in the scheme, yet floor plans show only 14.8 sq m for most rooms - clarification required;
- Little or no accommodation included for wheelchair users requiring wet room facilities room;
- Applicants have submitted an almost identical proposal to Staffordshire Moorlands - evidence that Stone proposal is a purely speculative application with no merit or justice, with little regard for the local communities adversely affected by the proposed development;
- Saddened to see continued building in Stone, stretching the resources and infrastructure of the Town beyond it's limits;
- Not in favour of selling land. Should money be spent to develop this open space, it should be spent to develop the park and increase recreational facilities for surrounding residents;
- Should the development go ahead the construction site compound would transgress onto the playing field and displace the current football team playing there - no mitigation has been planned for this team;
- There are trees on the boundary requiring a BS5837 survey to be completed;
- Route across the playing field has been used by local residents for at least 20 years and the walked paths would lead to its nomination as a public footpath under the 1980 Highways Act;
- Building of this size will have detrimental impact on allotments;
- Documents submitted are full of flaws and intrinsic errors, referring to wrong location, the wrong type of building and missing out on crucial information relating to wildlife and rights of way;
- Despite requests, residents have still not been granted an opportunity to meet with Councillors to discuss this development;
- Oppose development, but a care home would be preferable to houses or shops;
- Process does not appear to have been carried out in good faith - when pitch was marked out last year, it appeared to have been moved closer to Tilling Drive;
- Done deal as the Planning Department is part of the Council, who are the owners of the land;
- Markings have been placed on the grass and pavement to identify underground pipes and other utilities - counter intuitive to begin this work if proposal may not go ahead;
- Work on site in advance of approval - unlawful and undemocratic as public consultation has not ended;
- If the proposed care home is to get any Council funding, this should go into existing care homes in need of improvement;

- Discrepancy between the applicants site layout boundary and the Application Map on application file on Council website;
- If application is approved, it will be appealed and taken to a Public Inquiry;
- Neighbouring properties will be devalued.
- Outside of strategic employment and development areas
- Maps in PSB show where employment should be – makes a mockery of the plan
- Application documents are flawed and void – wrong location quoted, wrong type of building, info missing re wildlife and rights of way
- Section 10 address wrong, football pitch is not a viable address. Map co-ordinates refer to pitches not portion under consideration
- Railings stated to surround parts of the site – prison atmosphere for nearby neighbours
- Loss of amenity; overlooking issues; cooking odours will affect neighbouring properties
- Form states no rights of way – there are 2, one from Tannery Walk where rights have accumulated via years of usage, second from steps at the bridge to the car park also accumulated rights
- Myriad of hazardous substances on site for daily use – cleaning chemicals, weed control substances which could harm residents and wildlife
- D&A statement wrong – refs land being surplus to requirements, where is this information from? No public consultation from the Council. Playing Pitch Strategy outcome not yet known. Also uses images that are out of date and don't show Millars Reach development
- Statement that land is commercially viable must be wrong as the land is protected in PSB and is outside of employment and strategic housing locations
- Site isn't an informal playing field. Use of the land is connected to Millars Reach development therefore causing a breach of that planning permission if sold
- Nearby buildings are not from 1960s/70s – some still under construction
- Where and how will the secure lighting be used?
- Insufficient parking by about one third – congestion already an issue in mornings/afternoons
- Transport survey is wrong in terms of access and refers to 'proposed store'; vehicle movements don't include ambulances or taxis
- Cycle path not safe for workers in evening/winter; bus stops not accessible due to security fencing and availability of buses is inaccurate
- Not enough room for bin lorries; noises from bins opening and closing
- Only 3 disabled parking bay
- No electric charging points
- No dimensions for the road width
- Impact on view from both sides of A34
- Likes to see current uses of field
- Increases distance to accessible green space
- Nearby residents unable to respond due to immobility
- Loss of light from gardens
- Housing numbers have increased locally with no provision made for recreation
- Access for residents to their properties will be more difficult than it already is
- Residents who access the site via the footbridge don't have similar facilities to use
- Currently a safe environment for children to play and for older residents to achieve daily exercise
- Transport Statement is not impartial

- Room sizes quoted within the Design and Access Statement are not consistent with the plans
- Plans don't specify the location of any external extractor, heating or cooling equipment
- Land at Westbridge Park already lost to retail and larger sports facilities
- No accommodation for wheelchair users requiring wet room

Member of Parliament

Objects to the planning application and is concerned that the proposed development does not comply with the Stone Neighbourhood Plan and suggests that the site is designated as Green Infrastructure as part of the Stone Neighbourhood Plan.

Suggests that a small deceleration lane, no acceleration lane and a very sharp turn off the A34 appears to be dangerous and could create an accident blackspot.

Raises concerns that 33 parking spaces would be inadequate for a 66 bed care home and may lead to further parking problems in the immediate area.

Site Notice:

Expiry date: 13.02.2019

Newsletter Advert:

Expiry date: 13.02.2019

Relevant Planning History

21360 - Mobile changing accommodation unit for football pitch - Approved - 16.03.1988

Recommendation

Approve, subject to the following conditions and to the completion of a planning obligation to provide a Travel Plan monitoring fee of £2,600.

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. This permission relates to the submitted details and specifications and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-

ST15 0AH-A-01B	Site location plan
ST15 0AH-A-03D	Site plan
ST15 0AH-A-02A	Topographical survey
ST15 0AH-A-04	Floor plans
ST15 0AH-A-05	Elevations

ST15 0AH-A-06	Drainage works
ST15 0AH-A-07	Courtyard elevations
SDL-092C	Gazebo/covered walkway
LNTSTO-CHG-EX-XX-DP-C-0300	Revision P2 Proposed drainage layout
LNTSTO-CHG-EX-XX-DP-C-0001	Revision P2 SUDS assessment
Drawing dated 04.07.18	Sewer record
502-01/ATR-01 Revision A	Service vehicle manoeuvre
502-01/ATR-02 Revision A	RCV manoeuvre
502-01/GA-01 Revision A	General arrangement
502-01/GA-02 Revision A	Visibility splays

3. No development shall commence unless and until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details before the development is first brought into use.
4. No development shall commence unless and until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to throughout the construction period and shall provide for:-
 - i. A site compound with associated temporary buildings;
 - ii. The routing of construction vehicles to and from the site;
 - iii. The removal of demolition materials from the site;
 - iv. The parking of vehicles of site operatives and visitors;
 - v. The loading and unloading of plant and materials;
 - vi. Measures to prevent the deposition of deleterious material on the highway including wheel wash facilities
5. No development shall commence unless and until details of the method of any piling / drilling works together with a timetable for the carryout of such works have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.
6. No development shall commence unless and until details of screening along the north west boundary of the site to protect residential dwellings from exposure to excessive noise levels during construction have been submitted to and approved in writing by the Local Planning Authority. The site boundary screening shall thereafter be provided in accordance with the approved details before the commencement of development, and shall be retained through out the construction phase unless otherwise agreed in writing by the Local Planning Authority.
7. The development shall not be brought into use unless and until the access, parking, emergency vehicle parking, servicing, road markings and turning areas have been provided in accordance with drawing ST 0AH-SITE-PLAN-A-03-D.
8. The development shall not be brought into use unless and until construction/design details for the access and deceleration lane have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be

carried out in accordance with the approved details and be completed prior to first occupation.

9. The development shall not be brought into use unless and until the access to the site within the limits of the public highway has been completed.
10. Before the development is first occupied the associated driveway/access road shall be surfaced in a bound material and sustainably drained in accordance with details to have first been submitted to and approved in writing by the Local Planning Authority.
11. The cycle store shown on the approved plans shall comprise a covered cycle parking shelter for at least 8 cycles for which details of its design and materials shall be submitted to and approved in writing by the Local Planning Authority. The approved covered cycle parking shelter shall thereafter be provided in accordance with the approved details before the development is first brought into use.
12. No part of the development shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including a timetable) to promote travel by sustainable modes which are acceptable to the Local Planning Authority. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning consent to the Local Planning Authority for approval for a period of five years from first occupation of the development permitted by this consent.
13. The finished floor level of the building shall be 90.70, as shown on drawing LNTSTO-CHG-EX-XX-DP-C-0300 revision P2, unless otherwise first agreed in writing by the Local Planning Authority.
14. Notwithstanding any description/details of external materials in the application documents, no above ground construction works shall commence unless and until samples of the materials to be used in the construction of the external walls and roof of the building have been submitted to and approved in writing by the Local Planning Authority.
15. Details of the location, design, intensity and spread of any proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall thereafter be installed accordance with the approved details before the development is first brought into use and maintained as such.
16. All works including demolition, site works, construction and related deliveries shall only take place between the hours of 08.00 and 18.00 Monday to Friday; 08.00 and 14.00 on Saturdays and not at all on Sundays or Bank or Public Holidays. Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of occupied residential dwellings.

17. There shall be no burning on site during development.
18. Facilities shall be provided at the site and used for damping down to prevent excessive dust.
19. In this condition "retained tree / hedge" means an existing tree / hedge which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.
 - (a) No retained tree / hedge shall be cut down, uprooted or destroyed, nor shall any retained tree / hedge be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard BS 3998:2010 Tree Work.
 - (b) If any retained tree / hedge is removed, uprooted or destroyed or dies, another tree / hedge shall be planted at the same place and that tree / hedge shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
 - (c) The erection of fencing for the protection of any retained tree / hedge shall be undertaken in accordance with the approved plans before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.
20. Notwithstanding any description/details in the application documents, details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. Hard landscaping details shall include hard surfacing materials and the soft landscaping details shall show a planting scheme which includes a schedule of plants noting species, plant sizes and proposed numbers / densities. The hard and soft landscaping works shall thereafter be provided before the development is first brought into use. Any plants or trees in the planting scheme that are removed, die or become seriously damaged or diseased within a period of 5 years from the date of planting shall be replaced with others of similar size and species in the next planting season, unless the Local Planning Authority gives written consent to any variation.
21. Notwithstanding any description / details in the application documents, details of the height, design, materials and colour finish of all site boundary walls, fences or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved boundary treatments shall be provided before the first occupation of the development and shall thereafter be retained.
22. Details of the design and external materials for the metre housing 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.

23. Details of the design and materials for the bin store shall be submitted to and approved in writing by the Local Planning Authority. The bin store shall thereafter be provided in accordance with the approved details before the development is first brought into use.
24. The development hereby approved shall not be first brought in to use unless and until the additional playing field land at the Stone Hockey club has been completed and made available for use in accordance with a schedule of works and timetable for implementation; and a schedule of maintenance works, to be submitted and approved by the LPA following consultation with Sport England, based on the recommendations of the Stone Hockey Club FA Pitch Improvement Programme Initial Report dated 29/05/2019.

The reasons for the Council's decision to approve the proposal subject to the conditions listed above and the completion of a planning obligation 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 that the development is provided with a satisfactory means of drainage to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution. (Policy N2 of The Plan for Stafford Borough).
4. To safeguard the amenities of the area. (Policy N1 of The Plan for Stafford Borough).
5. To safeguard neighbouring residential properties from undue noise and vibration. (Policy N1 of The Plan for Stafford Borough).
6. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1 of The Plan for Stafford Borough).
7. In the interests of the safety and convenience of users of the highway and to ensure the provision of adequate off-street facilities. (Policies T1 and T2 of The Plan for Stafford Borough).
8. In the interests of the safety and convenience of users of the highway. (Policy T2 of The Plan for Stafford Borough).
9. In the interests of the safety and convenience of users of the highway. (Policy T2 of The Plan for Stafford Borough).
10. In the interests of the safety and convenience of users of the highway. (Policy T2 of The Plan for Stafford Borough).

11. To ensure the provision of adequate off-street facilities in the interests of the convenience and safety of users of the highway. (Policy T2 of The Plan for Stafford Borough).
12. In order to encourage the use of sustainable transport and reduce the need to travel by private car in urban areas. (Policy T1 (a) & (b)).
13. To ensure the satisfactory appearance of the development (Policy N1 (g) & (h) of The Plan for Stafford Borough).
14. To ensure the satisfactory appearance of the development (Policy N1 (g) & (h) of The Plan for Stafford Borough).
15. To minimise light pollution and to safeguard the amenities of the area. (Policy N1 of The Plan for Stafford Borough).
16. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1 of The Plan for Stafford Borough).
17. To safeguard the area from fumes, smoke and smells (Policy N1e of The Plan for Stafford Borough).
18. To safeguard the area from nuisance caused by dust (Policy N1e of The Plan for Stafford Borough).
19. To safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important in the appearance of the development. (Policy N4 of The Plan for Stafford Borough).
20. To ensure the satisfactory appearance of the development. (Policy N4 of The Plan for Stafford Borough).
21. To ensure the satisfactory appearance of the development. (Policy N1 of The Plan for Stafford Borough).
22. To ensure the satisfactory appearance of the development. (Policy N1 of The Plan for Stafford Borough).
23. To ensure the satisfactory appearance of the development. (Policy N1 of the Plan for Stafford Borough).
24. To ensure that redevelopment would not result in a deficiency of playing pitch provision in the local area. (Policy C7 of The Plan for Stafford Borough).

Informative(s)

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

- 2 The applicants attention is drawn to the comments of the Highway Authority in respect of Condition 8 for off-site highway works requiring a Major Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a further link to a Major Works Agreement Information Pack and an application form for the Major Works Agreement. Please complete and send to the address indicated on the application form which is Network Management Unit, Staffordshire County Council, Staffordshire Place 1, Wedgwood Building, Tipping Street, Stafford, ST16 2DH (or email to nmu@staffordshire.gov.uk)
<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>

19/29876/FUL
Land Adjacent to The Fillybrooks (A34)
Walton
Stone
ST15 0AH



STAFFORD BOROUGH COUNCIL

 PLANNING COMMITTEE - 4 SEPTEMBER 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**.

Notified Appeals

Application reference	Location	Proposal
19/30278/HOU Delegated Approval Appeal against conditions	18 Oakridge Way Weeping Cross	Proposed rear first floor extension, rear single storey extension and side two storey extension to dwelling
19/30114/HOU Delegated refusal	The Dale Fairoak Bank Fairoak	Two storey front, side and rear extension.

Decided Appeals

Application reference	Location	Proposal
18/29380/FUL Appeal Dismissed	Manor Farm Barns, High Ridge Barn Well Lane High Offley	Proposed conversion of stables and storage areas into single storey dwelling.

Previous Consideration

Nil

Background Papers

File available in the Development Management Section

Officer Contact

John Holmes, Development Manager Tel 01785 619302



Appeal Decision

Site visit made on 9 July 2019

by R Cooper BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th August 2019

Appeal Ref: APP/Y3425/W/19/3227296

**Manor Farm Barns, High Ridge Barn, Well Lane, High Offley, Stafford
ST20 0NY**

- 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 Mrs Georgina Key against the decision of Stafford Borough Council.
 - The application Ref 18/29380/FUL, dated 1 October 2018, was refused by notice dated 29 November 2018.
 - The development proposed is the conversion of a stables and storage area into a single storey dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are 1) whether the proposal would be an appropriate form of development in this location, having regard to relevant local planning policies; 2) the effect of the development on the character and appearance of the area; and 3) ecology with regards to bats.

Reasons

Local Plan Policy

3. The appeal site is located within an area identified as open countryside in the Plan for Stafford Borough (PfSB) 2014. Policy E2 of the PfSB sets out the criteria for achieving sustainable rural development in such areas. In particular parts (d) and (h) allow the re-use of rural buildings, providing they are large enough, structurally sound and capable of conversion without the need for extension, significant alteration or rebuilding.
4. The submitted plans and details show numerous alterations to the buildings including the removal and construction of internal walls, new external windows and doors, alteration to the external elevations including new brickwork and ship lap boarding, insertion of a flue to serve a log burner, a new chimney stack, extensions to the roof and the construction of a link to joins the two buildings. Furthermore, the structural report explains that the floors would require lowering internally to accommodate the head room required under building regulations, and that the foundations would require underpinning.

5. Taking account of the evidence before me the proposed works to convert the buildings constitute significant extension, alteration and re-building. Therefore, the proposed development does not accord with Policy E2 parts (d) and (h) of the PfSB.
6. I have taken into account the submitted structural report which concludes that the structures are in good condition and should be suitable for conversion into domestic accommodation without undue levels of demolition. However, I have to consider the evidence as a whole, and this report does not alter my findings on the main issue above.
7. The proposed dwelling would be sited adjacent to a group of buildings, comprising converted rural buildings, farm houses and St Mary's Church. The evidence before me states that there is a bus stop outside St Mary's Church, a short walk from the appeal site. This provides a regular bus service to the nearby villages of Woodseaves and Eccleshall, which collectively have a wide variety of shops and services. Based on this evidence I consider the site to be well located next to regular public transport to nearby villages and services, and consistent with Policy E2 part (f).
8. However, this does not overcome the policy conflict with regard to parts d) and h) identified above and overall the proposal does not constitute sustainable re-use of a rural building and does not accord with the overarching principles of Policy E2 of the PfSB which seeks to achieve sustainable rural development.

Character and Appearance

9. The prevailing character of the area is rural, and the appeal site is located adjacent to a group of converted agricultural buildings and High Offley Manor. These period buildings have retained their traditional well balanced form, and detailed features including red brick elevations, pitched tiled roofs, and characteristic window and door openings, all of which contribute to the distinctive setting and rural appearance of the area.
10. In contrast, the proposed dwelling would be of an unusual form, it would appear as an assemblage of different building styles and materials. The flat roofed timber clad stable element to the rear, would be at odds with the modern brick domestic bungalow appearance which would front the road. Its disjointed appearance would be incongruous and not sit well within its surroundings. The proposed dwelling would not respect the local vernacular, causing significant harm to the character and appearance of the area.
11. For the above reasons I conclude that the proposed dwelling would not accord with Policies E2 and N1 of the PfSB, which collectively seek to ensure that new development respects local character and enhances its surroundings.

Ecology

12. The Council's fourth reason for refusal cites insufficient information to demonstrate that the proposal would avoid, mitigate, or compensate for any harm to protected species.
13. Since the appeal was made the appellant has submitted further evidence in the form of a Preliminary Roost Assessment for Bats & Birds (February 2019) and an Activity Survey for Bats (June 2019). The Activity Survey for Bats concludes that the proposed scheme of works would not have any negative

impact upon any bats or their roosts, and recommendations are made for the installation of bat and bird boxes.

14. The Council have commented on this further evidence and are satisfied with the findings of the survey and requested that the recommendations within the report are carried out and secured by condition.
15. I am satisfied in light of the further bat activity surveys, and the subsequent assessment, that the development would not impact on bats and meets the requirements of circular 06/2005, paragraph 175 of the Framework, and complies with Policy E2 (i) and N4 of the Plan for Stafford Borough, which collectively seek to ensure development does not harm species or habitats. I also find the relevant duties under The Conservation of Habitats and Species Regulations 2017 are thereby discharged.

Other Matters

16. I have been provided with reference numbers from other recent appeal decisions, which the parties believe are relevant. However, I have not been provided with the full details of these cases and, as such, I can attach little weight to the Inspector's findings. In any event, I am required to reach conclusions based on the individual circumstances of this appeal.
17. The appellant has emphasised the importance of windfall sites in contributing to the housing land supply of the borough, however the Council's opinion is that they have a 5 year housing land supply. There is no evidence before me to the contrary. In any event, as 1 single dwelling in the context of the overall requirement for the Borough would be relatively inconsequential, this does not alter my conclusions on the main issues.

Conclusion

18. For the reasons identified above the appeal is dismissed.

R. Cooper

INSPECTOR