

Dear Members

### **Planning Committee**

A **virtual** meeting of the Planning Committee will be held using [Zoom](#) on **Wednesday, 28 April 2021 at 6.30pm** to deal with the business as set out on the agenda.

To watch the meeting, please follow the instructions below:-

- 1 Log on to Zoom at <https://zoom.us/join>
- 2 Enter Meeting ID **896 5981 8479** when prompted
- 3 Enter Password **520438** when prompted

Or, to listen to the meeting, please call the following telephone number:-

**0131 460 1196**

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.



Head of Law and Administration

## **PLANNING COMMITTEE – 28 APRIL 2021**

**Chairman - To be Determined**  
**Vice-Chairman - To be Determined**

### **A G E N D A**

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

Details of Delegated applications will be circulated separately to Members.

	<b>Page Nos</b>
<b>5 Planning Applications</b>	<b>3 - 26</b>

### **MEMBERSHIP**

**TO BE DETERMINED**

ITEM NO 5

ITEM NO 5

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PLANNING COMMITTEE – 28 APRIL 2021

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**Ward Interest - Nil**

## **Planning Applications**

*Report of Head of Development*

### **Purpose of Report**

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

		<b>Page Nos</b>
<b>20/32737/ADV</b>	<b>Land South of Creswell Grove, Adjoining M6 Creswell Grove, Creswell, Stafford ST18 9QP</b>	4 - 17
The application was called in by Councillor M J Winnington		
Officer Contact - Sian Wright, Development Lead Telephone 01785 619528		
<b>20/33559/FUL</b>	<b>Chase View Farm, Puddle Hill, Hixon, Stafford</b>	18 - 26
The application was called in by Councillor B McKeown		
Officer Contact - Sian Wright, Development Lead Telephone 01785 619528		

### **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:** 20/32737/ADV

**Case Officer:** Paul Barber

**Date Registered:** 20 July 2020

**Target Decision Date:** 14 September 2020  
**Extended To:** 30 April 2021

**Address:** Land South of Creswell, Grove Adjoining M6, Creswell Grove, Creswell, Stafford, ST18 9QP

**Ward:** Seighford and Church Eaton

**Parish:** Creswell

**Proposal:** Installation of a package of advertisement signage for the purposes of announcement and direction

**Applicant:** Kay Group Limited

**Recommendation:** Approve subject to conditions

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## REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor M J Winnington (Ward Member for Seighford and Church Eaton) for the following reason:

*"On the grounds of impact on streetscene and also light pollution effecting Local Residents."*

## Context

### The Site

1. The overall site totals some 1.33 hectares in area and is located approximately 2.5 miles to the west of Stafford town centre with the M6 motorway and junction 14 to the north-east of the site. The site is bounded to the north-west and north by residential properties fronting onto Creswell Grove, with open fields to the south.

### Basis of the application and proposal

2. Planning permission was granted on 16 May 2019 (application reference 17/27029/FUL) on the Site for the erection of a petrol filling station/shop and drive-through coffee shop with associated development.

3. Advertisement consent for a period of 5 year is being sought for one totem sign and a range of signage for the purposes of, announcement and direction' connected with the petrol filling station/shop and drive through coffee shop associated with the 2019 grant of planning permission.
4. A summary, in tabular form, of the proposed signage is set out overleaf.

Number of signs	Name/type	Height (m)	Width (m)	Depth (m)	Internal Luminance (cd/m2)
1	I.D Sign (A) - Totem	6.0	0.21	0.4	180-300
2 (A/B) 1 (C/D) 1 (E/I)	Petrol Retailer Way founding and directional signage (Shell white face fitted to a pole)	1.5 (Panel: 1.0 Pole: 0.5)	0.64		n/a
1	Estate Sign	4.0	2.0	-	180
1	Illuminated Canopy Fascia Sign	0.85 (600mm min from floor level)	29.45	-	65 - 90
2	Shell Canopy Signs	-	-	-	300 max.
8	Illumined pump signs	-	-	-	90 - 150
1/4	Shop fascia sign	0.6	11.055	-	50
2/4	Shop fascia sign	0.6	10.135	-	50
3/4	Shop fascia sign	0.6	5.16	-	50
4/4	Shop Fascia Sign - Kay Group I.D.	0.6	2.62	-	n/a
1/3	Costa Drive Thru – Tray Sign (North West Elevation)	3.3	1.6	0.1	550 - 600

2/3	Costa Drive Thru – Tray Sign (North East Elevation)	3.3	1.6	0.1	550 - 600
3/3	Costa Drive Thru – Tray Sign (South West Elevation)	3.3	1.6	0.1	550 - 600
1	Costa Drive Thru – Double Sided Pole Sign	6.0 (Panel: 1.7 Pole: 4.3)	Panel: 2.0 Pole: 0.25	0.3	n/a
2	Costa Drive Thru - Key Seller	2.203	0.934	0.23	590-1200
1	Costa Drive Thru – Double Menu	2.203	2.0	-	590-1200
1	Costa Drive Thru – Exit Post Sign	1.45	0.8	-	n/a
1	Costa Drive Thru – Waiting Bay	1.45	0.8	-	n/a
3	Costa Drive Thru – Parking Restriction	Panel: 0.5	Panel: 0.5	-	n/a
1	Costa Drive Thru – Height Barrier	4.0	6.0	0.25	550-600

5. Subsequent to the receipt of the Application, and in response to concerns raised by neighbouring residents three signs have been amended and the banner sign has been removed. The changes are set out in the table below.

Signage	Original			Amended		
	Height (m)	Width (m)	Depth (m)	Height (m)	Width (m)	Depth (m)
1 ID totem sign for the Shell petrol filling station	9.35	2.0	0.4	6.0	2.01	0.4
Estate sign for end users and services	6.5	2.2	-	4.0	2.0	-
Pole Sign for the Costa Coffee drive-thru	10.0 (Panel: 1.7 Pole: 8.3)	Panel: 2.0 Pole: 0.25	0.3	6.0 (Panel: 1.7 Pole: 4.3)	Panel: 2.0 Pole: 0.25	0.3
Banner Frame	-	-	-	Removed		

## Officer Assessment

### Decision-taking framework

6. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations), make it clear that advertisements are subject to control only in the interests of amenity and public safety. Section 38(6) of the Town Planning and Compulsory Purchase Act 2004 does not apply to advertisements.

### Amenity

7. Regulation 3(2)(a) of the Regulations provides that the determination of the suitability of a site for the display of advertisements should, in part, be in light of the general characteristics of the locality. Amenity is defined to include visual as well as aural amenity, that recognises the increasingly sophisticated nature of advertisement displays can have significant implications as regards the generation of noise. There is however; an acceptance that outdoor advertising is essential in a free and diverse economy, whilst being sensitive to the needs of the environment in cities, towns and the countryside.
8. The National Planning Policy Framework (the Framework) at paragraph 132 restates the provision of the Regulations and notes that...*the quality and character of places can suffer when advertisements are poorly sited and designed.*
9. Whilst the Supplementary Planning Document on Shopfronts and Advertisements (the SPD) adopts an emphasis on the historic environment it is an overarching document across the totality of the Borough. However, the SPD is devoid in addressing any form of advertisement (e.g. totem and pole signs) that is not connected to a shop front. Therefore, regard must be had to the provisions of the Regulations.
10. The signage package is proposed for a new commercial development yet to commence. The site is adjacent a boundary between two Wards (i.e. Seighford & Church Eaton and Holmcroft). The nearest residential properties lie adjacent to the site, on the opposite side of the A5013. These properties are predominantly semi-detached dwellings sited at a higher-level to the Site and are set back from the highway.

11. It is proposed that the lighting to the rear of the canopy and side facing towards Creswell Grove will not be illuminated between the hours of 11:00 hrs and 07:00 hrs am every day (leaving the front and side to the M6 illuminated only).
12. With regard to luminance levels, it has been confirmed that the luminance proposed for this signage comply with the Institute of '*Lighting Professionals (ILP) Professional Lighting Guide 05 (PLG05) The Brightness of Illuminated Advertisements*' and therefore are considered appropriate in regards with impact on neighbouring residential amenity and highways safety.
13. However, the Environmental Protection Officer (the EPO) has confirmed that the level of luminance (550-600cd/m<sup>2</sup>) of this sign is acceptable as the signage will be positioned perpendicular to the residential properties along Creswell Grove in order to minimise any impact. The EPO notes that there is no high intensity lighting with a beam directed at neighbouring properties which could result in a statutory nuisance. Furthermore, it is noted that the only elements that are illuminated within this sign are the letters, meaning that only a small proportion of the overall sign will be illuminated, which reduces the level of impact.
14. In terms of visual amenity, and following representations from neighbouring residents the pole sign for the Costa Coffee outlet has been reduced in height from 10.00 metres to 6.00 metres (i.e. 4 metres); whereas, the totem sign for the petrol filling station has been reduced in height from 9.35 metres to 6.00 metres (i.e. 3.35 metres). Furthermore, the estate sign has been reduced by 2.5m to a maximum of 4m in height.
15. Part of the purpose of advertisements is to draw the eye and it is accepted that both the totem and pole signs would be prominent in the area. However, the signs presence would be mitigated to a degree by the approved landscaping scheme (discharged under application reference 19/31135/DCON), which is unaffected by the proposed signage.
16. On balance, it is not considered that the signage would impact adversely on the visual amenity of the area or any nearby residential neighbours, given the siting in relation to, and the separation distance from, these neighbours. The nearest dwellings are sited approximately 27.00 metres from the proposed signage with the A5013 road separating them. It is also noted that this road has street lighting in between the application site and the nearby dwellings.
17. The illumination of the proposed signs would also be considered acceptable in this instance due to the locality and the restriction on the hours of illumination which can be secured by condition in order to preserve residential amenity.
18. Therefore, the proposal is considered acceptable in regard to visual amenity and would not be considered to have any adverse impact on the amenity of nearby residential properties subject to a condition to restrict hours of illumination.



## Public Safety

19. Regulation 3(2)(b) of the Regulations sets out factors relevant to public safety, which include:
  - (i) *the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);*
  - (ii) *whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;*
  - (iii) *whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle*
20. All the proposed signage is all located within the boundary of the Site.
21. The Country Highway Authority in their initial response recommended refusal of the application on the grounds of highway safety, raising concern over the height of both the drive-thru double-sided pole sign and the I.D sign (A), stating that they needed to be reduced to a level of about 6m to prevent the signs been seen late by-passing motorists on the M6 motorway which could lead to additional late junction movements, causing possible road safety concerns. The Highway Authority also requested that the intensity of the illumination of the advertisement permitted by this consent shall not exceed 400 candelas per square metre.
22. Following the submission of amended details, including the lowering of the pole sign and the totem sign, the Highways Authority confirmed that they have no objections to the amended proposal and therefore would not raise any further objections. It is noted that all illuminance signs should comply with the guidance contained within “PLG05 The Brightness of Illuminated Advertisements” and this could be secured by condition should advertisement consent be granted.
23. Highways England Highways England also have no objection with the exception of the details of illuminance levels, details of which can be controlled by an appropriately worded planning condition.
24. For the above reasons it is considered, subject to appropriately worded planning conditions, the proposed advertisements do not harm public safety.

## Other matters raised in representations

25. The proposal would not cause any loss of light to neighbours by virtue of the separation distances involved. Matters relating to litter were dealt with by condition 27 of planning permission 17/27029/FUL. Details for Condition 27 were approved and discharged under reference 19/31135/DCON on 20 August 2020.

26. Matters such as decisions on previous planning applications on the site cannot be taken into consideration in the determination of this advertisement application and this application has to be considered in line with the requirements of the Regulations and its own particular merits.

## **Conclusion**

27. Having regard to the above commentary and the views of both the County Highway Authority and Highways England, it is considered that the proposed advertisement signage will not harm either amenity or public safety.

## **Consultations**

### Neighbours

Two rounds of consultation undertaken to neighbours and site notice placed up (expiry 04.09.2020). First consultation to 21 neighbours on 29.07.2020 with 41 objections received, material planning objections summarised below:

- Light pollution
- Increased traffic levels / impact on highways
- Design and scale of signage
- Noise
- Impact on residential amenity
- Timings of illuminance.

Second consultation to 46 neighbours on 17.11.2020 following submission of amended plans with 15 objections received, material planning objections summarised as follows:

- Design and scale of signage
- Noise
- Increased traffic
- Litter
- Loss of light
- Impact on residential amenity

### Creswell Parish Council

#### *Comments dated 14 August 2020*

Creswell Parish Council have considered the application and have concerns in particular about the free-standing signs and those attached to the PFS canopy. We have concerns about public safety and amenity in particular the potential impact upon road users and local residents.

Also as the site is not available to HGVs and is lacking the minimum facility requirements for an MSA, the facility should not be signed from the M6 Motorway.

1. I.D. sign (A) totem (9.35m)  
With this being excessively tall, it clearly is intended to be seen by motorists on the M6 the advertisement highlights the presence of the facility to M6 motorists and could lead to additional junction movements. The mounting height needs to be reduced.
2. Illuminated canopy fascia sign (mounting height 6m min) Elevation A, C and D  
This needs a condition that
  - a) the levels of luminance comply with ILP PLG05.
  - b) the illuminated canopy fascia signs on elevation D are subject to a 11pm – 6am lighting curfew to minimise impact on the residential properties opposite the site on Creswell Grove (A5013)
3. Shell canopy signs (mounting height 6m min) Elevation A and D  
This needs a condition as shown in a) and b) in 2
4. Costa drive-thru double sided pole sign (10m)
  - a) The mounting height of this sign appears to be excessively tall (10m) and is clearly intended to be seen by passing motorists on the M6. The advertisement highlights the presence of the facility to M6 motorists and could lead to additional junction movements. The mounting height needs to be reduced in line with other facilities of a similar nature (typically around 6m).
  - b) Reduce the level of luminance to a maximum luminance level of 400 Cd/m<sup>2</sup> for advertisements up to 10m<sup>2</sup> to comply with guidance contained in ILP PLG05

### Highways England

#### *Initial Response received 7 August 2020:*

The application seeks consent for the erection of various fascia and free standing signs associated with the PFS and Costa drive-thru development known as Stafford Gate. The full schedule of proposed advertisements is shown in Section 3.1 of the Planning Statement. Many of the advertisements are of no interest in terms of operation of the Strategic Road Network (SRN). However, some, including the free standing signs and those attached to the PFS canopy, are considered further in the Comments section below due to their potential impact upon SRN road users.

With reference to the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended), advertisement applications are to be determined in relation to their impact on public safety and amenity. It should be noted that the purpose of the development is to serve the local need and is not a Motorway Service Area (MSA). The facility does not meet MSA policy requirements as set out in DfT Circular 02/2013 Annex B. For instance, the site is not available to HGVs and is lacking the minimum facility requirements for an MSA. As such, the facility cannot be signed from the M6 Motorway.

Accordingly, we are interested in both public safety and amenity in this case as both issues are interlinked i.e. the aesthetics of the advertisements should relate to the nature of the development and its environment, as this has the potential to affect driver behaviour and highway operation. The advertisements should not become a replacement for official highway signage, thus create a de-facto MSA.

As noted in the Proposal section, the majority of the proposed advertisements are of no interest to the SRN; however the following signs (as described in the Planning Statement schedule) require consideration as they will be visible to road users on the SRN:

1. I.D. sign (A) totem (9.35m)
2. Illuminated canopy fascia sign (mounting height 6m min) Elevation A, C and D
3. Shell canopy signs (mounting height 6m min) Elevation A and D
4. Costa drive-thru double sided pole sign (10m)

I.D. sign (A) totem (9.35m)

The mounting height of this sign appears to be excessively tall (9.35m) and is intended to be seen by passing motorists on the M6. Whilst it won't become visible to motorists until after the slip road diverge, the advertisement highlights the presence of the facility to M6 motorists and could lead to additional junction movements during subsequent journeys. I would suggest the mounting height is reduced in keeping with other facilities of a similar nature (typically around 6m).

Illuminated canopy fascia sign (mounting height 6m min) Elevation A, C and D

The levels of luminance appear to comply with the Institute of Lighting Professionals (ILP) Professional Lighting Guide 05 (PLG05) The Brightness of Illuminated Advertisements. It should be noted that illuminated canopy fascia signs on elevation D are subject to a 11pm – 6am lighting curfew to minimise impact on the residential properties opposite the site on Creswell Grove (A5013).

Shell canopy signs (mounting height 6m min) Elevation A and D

As above, the levels of luminance appear to comply with ILP PLG05. Similarly the Shell canopy sign located on elevation D will be subject to the aforementioned lighting curfew.

Costa drive-thru double sided pole sign (10m)

The mounting height of this sign appears to be excessively tall (10m) and is intended to be seen by passing motorists on the M6. Whilst it won't become visible to motorists until after the slip road diverge, the advertisement highlights the presence of the facility to M6 motorists and could lead to additional junction movements during subsequent journeys. I would suggest the mounting height is reduced in keeping with other facilities of a similar nature (typically around 6m).

The level of luminance (550 – 600 Cd/m<sup>2</sup>) appears to be on the bright side. With reference to ILP PLG05 Table 3 and 4, the environment (E2 – rural) is subject to a maximum luminance level of 400 Cd/m<sup>2</sup> for advertisements up to 10m<sup>2</sup>. Accordingly, the luminance level should be reduced.

### Recommendation

In light of the above, we are content with the proposed advertisements, with the exception of:

- I.D. sign (A) totem (9.35m)
- Costa drive-thru double sided pole sign (10m)

The mounting height of both advertisements should be reduced in keeping with other similar facilities (typically 6m) to make them less apparent to motorists on the SRN. In addition, the luminance level of the Costa drive-thru double sided pole sign should be limited to 400 Cd/m<sup>2</sup> to comply with guidance contained in ILP PLG05.

Assuming the above amendments are made, we will be able to withdraw our (partial) objection.

### *Second response received 3 December 2020*

Thank you for contacting Highways England on the above matter on 20 November 2020.

In light of the above, we offer No Objection to the lowering of the following advertisements

- I.D. sign (A) totem (9.35m)
- Costa drive-thru double-sided pole sign (10m)

However, the level of the Costa drive-thru double sided pole sign should be limited to 400 Cd/m<sup>2</sup> to comply with guidance contained in ILP PLG05. As previously requested. Assuming the above amendment is made, we will be able to withdraw our (partial) objection.

### Staffordshire County Council Local Highways Authority

### *Initial response dated 17 August 2020*

#### Recommendations:

The proposed advertisement sign Height is a likely source of highway danger due to the sign:

- a) The illuminance of the sign is over the maximum illuminance level, for a sign of this size, in this area.
- b) The mounting height of 2 of the signs is excessively tall (10m), with a similar sign normal only a maximum of 6m tall. It is considered that these signs are intended to be seen by passing motorists on the M6 and could lead to additional late junction movements during subsequent journey, causing possible road safety concerns.

#### Note to planning Officer

Both the drive-thru double-sided pole sign and the I.D sign (A) are tall and need to be reduced to a normal level of about 6m. This is to prevent the signs been seen late by-passing motorists on the M6 and could lead to additional late junction movements during subsequent journey, causing possible road safety concerns.

The intensity of the illumination of the advertisement permitted by this consent shall not exceed 400 candelas per square metre.

Informative Table: (See below)

Illuminated Areas(m2	Up to 10.00	Over 10.00
Zone E0	0	0
Zone E1	100	n/a
Zone E2	400	200
Zone E3	600	300
Zone E4	600	300

*Second response dated 29 March 2021*

Recommendations: There are no objections on Highway grounds to this proposal.  
Note to Planning Officer

All illuminated signs should comply with ILP PLG05

Stafford Borough Council Environmental Health Service

*Response dated 27 August 2020*

Thank you for consulting EH. The proposal does have the potential to have an adverse effect upon the nearby residencies with regard to night time illumination and light spill. However the design and layout has minimised this impact, general lighting glow is expected to increase in the area as a result of the proposed signage but on the understanding as given in the lighting assessment that there is no high intensity lighting with a beam(s) directed at residencies which could result in a statutory nuisance then EH has no comment to make with regard to this application.

### **Relevant Planning History**

17/27029/FUL - Petrol filling station/shop and drive-through coffee shop with pedestrian access, access and access road, parking and landscaping. Granted Permission 16.05.2019.

16/24863/FUL – Erection of Petrol Filling Station, Convenience Shop, Drive-through Coffee Shop, vehicular and pedestrian access, parking and landscaping. Withdrawn 11.01.2017.

12/17167/OUT - Mixed use development (outline): public house; 60 bed hotel; convenience supermarket and two other shop units; day nursery; professional consulting rooms; a coffee shop/rest stop (Use Class A3/A5); a community (assembly/meeting) room; a nursing home; office units; and light industrial/warehouse/trade counter units; associated roads, car parking, footpaths, landscaping and open space - details of access submitted – approved; decision issued 23 September 2013; expired 22 September 2016. Granted Permission 23.09.2013.

94/31083/FUL – Construction of New Hotel Containing 143 Bedrooms and Conference Facilities (Renewal of permission 89/23391/FUL). Granted Permission 17.01.1996 – expired.

89/23391/FUL – Construction of New Hotel Containing 143 Bedrooms and Conference Facilities. Granted Permission 23.10.1989 – expired.

#### Recommendation

Approve subject to the following conditions:

1. This consent shall expire on 30 April 2026
2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
3. No advertisement shall be sited or displayed so as to:-
  - a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  - b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
  - c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
6. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
7. This permission relates to the originally submitted details and specification and the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-
  - M17-28-LP
  - M17-28-15 Rev 03
  - M17-28-16 Rev 02
  - M17-28-17
  - Costa Drive Thru PAR Pack Revision 1 PAR Approved May 2018 received 16th November 2020
  - Planning Statement

8. Notwithstanding any description/details within the application submission, the luminance levels of the external illumination not exceed 400cd/m<sup>2</sup>.
9. Notwithstanding any information submitted in this application, the proposed lighting shall be positioned so as not to cause light nuisance to the neighbouring residential dwellings and the lighting to the west and north elevations of the site fronting Creswell Grove shall not be operated between the hours of 23:00 and 07:00 daily.

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

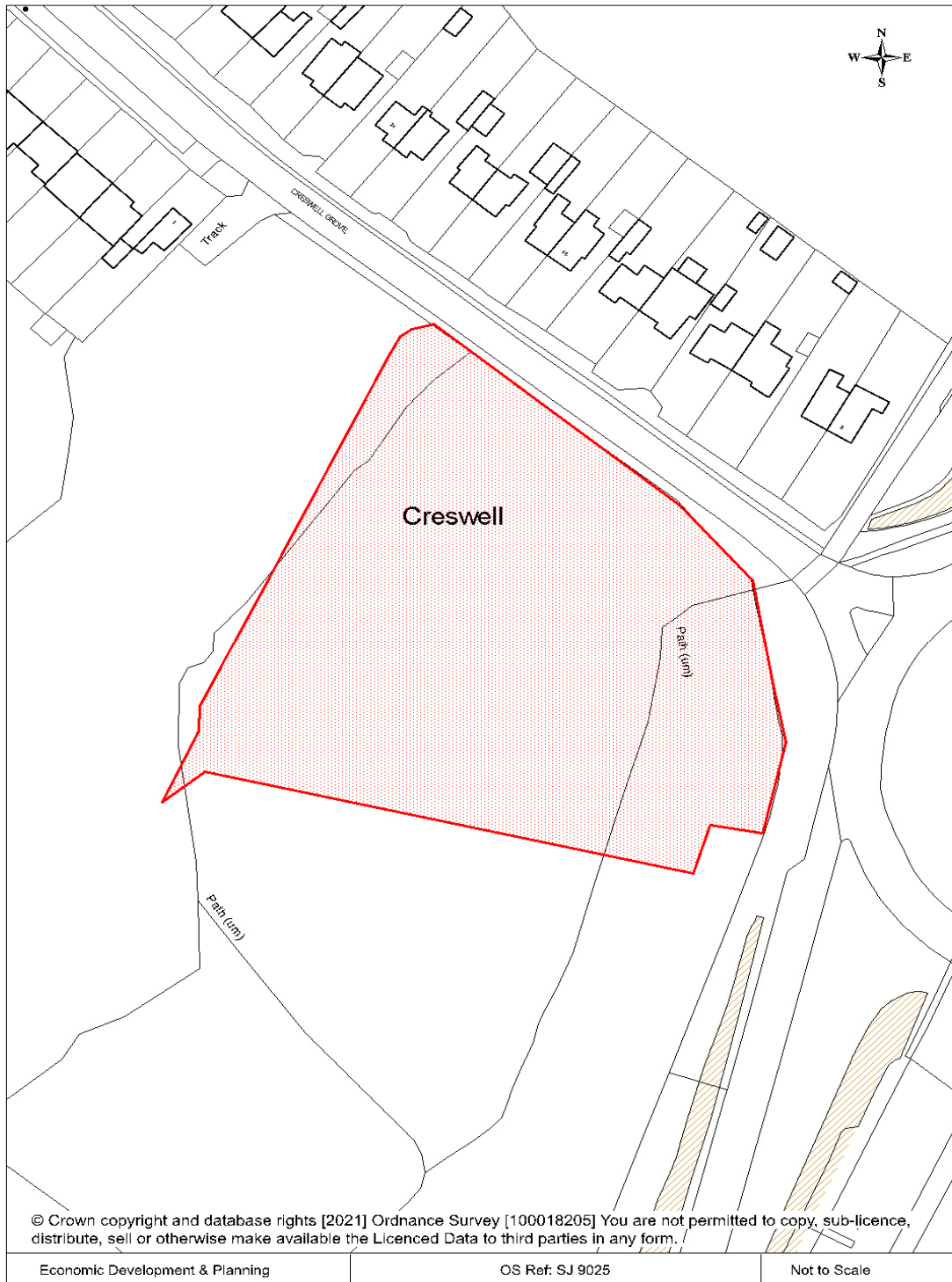
1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order to comply with the requirements of Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.
3. In order to comply with the requirements of Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.
4. In order to comply with the requirements of Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.
5. In order to comply with the requirements of Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.
6. In order to comply with the requirements of Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.
7. To define the permission.
8. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).
9. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).

#### Informative(s)

- 1 The Local Planning Authority has worked in a positive and proactive manner in dealing with this application and following the applicant's amendment of the plans, the proposal is considered to be a sustainable form of development and therefore complies with the provisions of the National Planning Policy Framework.



**20/32737/ADV**  
**Land South Of Creswell Grove Adjoining M6**  
**Creswell Grove**  
**Creswell**



**Application:** 20/33559/FUL

**Case Officer:** Della Templeton

**Date Registered:** 16 December 2020

**Target Decision Date:** 10 February 2021

**Extended To:**

**Address:** Chase View Farm, Puddle Hill, Hixon, Stafford, ST18

**Ward:** Haywood and Hixon

**Parish:** Hixon

**Proposal:** Retrospective application for retention of garage, subdivision of site and extension and conversion of garage to create separate dwelling house.

**Applicant:** Mr And Mrs Price

**Recommendation:** Approve, subject to conditions

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## **REASON FOR REFERRAL TO COMMITTEE**

This Planning Application has been called in by Councillor B McKeown (Ward Member for Haywood and Hixon) for the following reasons:-

“The Proposed development (conversion of garage to a separate dwelling) is not in keeping with neighbouring properties and appears squeezed in on an already developed site.”

## **Context**

### The Application Site

The application site comprises part of the curtilage to the east of Chase View Farm, Puddle Hill, Hixon. There is a detached double garage already on the site which was originally constructed as permitted development but was built taller than it should have been and has subsequently been found to fall outside of permitted development limits.

Both the application site and the host dwelling are accessed from Puddle Hill and there is a gravelled forecourt area with planted ‘island’ which would be split to provide separate access and parking for the new dwelling.

Surrounding development to the north and west is residential, predominantly two storey, and permission has been granted for a bungalow to the rear (immediately south) of the farmhouse. Development to the east is more agricultural, including Yew Tree Farm at the end of the lane, with open countryside beyond.

## The Proposed Development

The application proposes the retention of the garage and construction of a small extension to the front to bring it in line with the host dwelling together with the severance of the garage and a strip of garden to front and rear from the host dwelling to create a separate self-contained bungalow. The new bungalow would have an open plan kitchen/living/dining space overlooking the rear garden and three bedrooms, including one with en-suite and a family bathroom.

Two car parking spaces are proposed for the new dwelling and the drive retained by the host dwelling would be sufficient to accommodate in excess of three cars. The existing access onto Puddle Hill would be utilised for both existing and proposed dwellings leading to a block paved area from which gravel drives would lead to the existing and proposed dwellings.

## Designations

The site lies within the settlement boundary for Hixon as defined in the Plan for Stafford Borough and the Hixon Neighbourhood Plan and is also within the 8km zone of influence for the Cannock Chase Special Area of Conservation (SAC) and within a SSSI Impact Risk Zone.

## **Officer Assessment – Key Considerations**

### **Principle of the Proposed Development**

The site falls within the settlement boundary for Hixon which is one of the Key Service Villages identified in Policy SP3 of the Plan for Stafford Borough (TPSB) and therefore in policy terms, the principle of a new dwelling in this location is considered to be acceptable subject to other material planning considerations as discussed below in later sections of this report.

It is noted that the new dwelling would be based around a garage that was built without the benefit of planning permission. However, it is evident from aerial photography held by the Council as well as Building Control records that the garage has been in-situ for in excess of 4 years and as such would be immune from enforcement action.

Policies and Guidance:-

National Planning Policy Framework  
Paragraphs: 7, 8, 10, 11, 12, 13, 68, 78

The Plan for Stafford Borough (TPSB)  
Policies: SP1 In Favour of Sustainable Development, SP3 Sustainable Settlement Hierarchy, SP7 Supporting Location of New Development

The Plan for Stafford Borough (TPSB): Part 2  
Policies: SB1 Settlement Boundaries

Hixon Neighbourhood Plan

Policies: No.1: Residential Development, No.2: Housing Mix and No.3: Housing, Design, Access and Landscaping

### **Character and Appearance**

The application site is located on the southern side of Puddle Hill which is situated on the north-eastern edge of Hixon. Although near neighbours are predominantly two storey, they comprise a variety of different ages, designs and sizes giving a mixed character and it is noted that there are existing bungalows along Puddle Hill and elsewhere within Hixon. Within this overall context it is not considered that a new bungalow would be out of character and a bungalow would also contribute towards the recognised need for single storey accommodation to provide for an aging population (Hixon Neighbourhood Plan Policy No.2).

The garage is a utilitarian structure and the proposed bungalow would have a similarly utilitarian appearance but this is not dissimilar to other bungalows in Hixon such as those in Ashlands, Highfield Road and Ridgeway, all of which are within 130m of the application site.

The garage is constructed using red bricks with blue brick detailing and clay tiles to the roof, and the same materials would be used to construct the extension. Existing brown uPVC windows from the rear elevation would be re-used on the front and new white uPVC windows and French doors would be used to the side and rear. Having regard to the way in which the building is orientated, only the front elevation would be visible from any public vantage point and there would be no views in which both white and brown windows would be visible. As such and having regard to the character and mix of materials used in the immediate vicinity, these materials are considered to be acceptable.

There is a suggestion by the Parish Council that the conversion of this garage to create a fifth dwelling within the curtilage of the host property would constitute too high a density. The five dwellings in question occupy a site area of approximately 0.37ha equating to a density in the order of 13.5 dwellings per hectare which is relatively low compared to other development in Hixon which typically ranges between 20 and 30 dwellings per hectare.

The existing gravelled frontage area would be utilised to provide car parking/manoeuvring areas and access to the new bungalow and its appearance would not be materially different to what currently exists apart from new gates and fencing to divide the front garden areas of the two dwellings. New boundary treatments on the site frontage would comprise 1.2m high timber post and rail fences alongside laurel hedging and a 1.2m high red brick wall to either side of the gate for the new dwelling. There would also be a replacement 1.8m high close boarded fence from the side of the new bungalow to the eastern side boundary of the site and a similar fence to separate the garden areas to the rear of the host and new dwellings.

Policies and Guidance:-

National Planning Policy Framework  
Paragraphs: 124, 127, 128 & 130

The Plan for Stafford Borough (TPSB)

Policies: N1 Design  
Supplementary Planning Document (SPD) - Design

Hixon Neighbourhood Plan

Policies: No.2: Housing Mix and No.3: Housing, Design, Access and Landscaping

### **Residential amenity**

The scheme applied for would place a new bungalow in the same position as the existing garage with parking and manoeuvring space to the front and a private rear garden amounting to some 200 square metres behind the bungalow. In addition, the host dwelling would retain around 340 square metres of rear garden meaning that both the existing and proposed dwellings would have sufficient private amenity space in accordance with the Design SPD.

There are no directly facing residential properties, the closest dwelling on the opposite side of Puddle Hill being offset slightly and almost 40m from the front elevation of the proposed bungalow. To the rear, the new bungalow would face the rear of a dormer style dwelling approved under application 16/24281/FUL. Having windows only on the ground floor, the new bungalow would not impact on the privacy of occupants of this dwelling and there is only a rooflight in the rear elevation of the approved dwelling which, because it is over the stairwell, would not result in direct overlooking of either the rear windows or private garden area of the proposed bungalow.

Having regard to the above, it is not considered that the current proposal would result in significant adverse impacts to residential amenity and it is therefore considered to be acceptable having regard to Policy N1 of the Local Plan and guidance in the Design SPD.

It is not considered that the addition of one new dwelling to the locality is likely to create unacceptable levels of noise and disruption subject to a condition to limit hours of construction/delivery to the site.

Policies and Guidance:-

The Plan for Stafford Borough (TPSB)

Policies: N1 Design

Supplementary Planning Document (SPD) - Design

### **Access and Parking**

The application proposes to provide 2 on site car parking spaces for the proposed dwelling and a further 3 spaces are indicated for the existing dwelling. The level of parking provided for the proposed dwelling and the existing dwelling would meet the parking standards in the Local Plan.

The Highway Authority does not raise any objections, subject to conditions relating to access and parking, and confirms that the access from the development onto Puddle Hill is suitable for the type and location of the development.

## Policies and Guidance:-

National Planning Policy Framework  
Paragraphs: 105 & 106

The Plan for Stafford Borough (TPSB)

Policies: T1 Transport; T2 Parking and Manoeuvring Facilities; **APPENDIX B** – Car Parking Standards

## Other matters

### Cannock Chase SAC

The site falls within 8km of Cannock Chase Special Area of Conservation (SAC). Natural England have been consulted and state that the proposed development will not have significant adverse impacts on designated sites and has no objection.

## Policies and Guidance:-

National Planning Policy Framework  
Paragraphs: Section 15 – Conserving and enhancing the natural environment.

The Plan for Stafford Borough

Policies: N6 Cannock Chase Special Area of Conservation

## Conclusion and Planning Balance

The proposed bungalow is considered to be acceptable having regard to siting, design, amenity and highways issues. The proposal complies with aforementioned policies of TPSB and with national guidance set out within the NPPF.

## Consultations

Highway Authority:

There are no objections on Highway grounds to the proposed development subject to conditions relating to provision of suitable access, parking, servicing and turning areas.

Natural England:

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Parish Council:

Hixon Parish Council Objects for the following reasons:

The proposed development (conversion of garage to a separate dwelling) is not in keeping with neighbouring properties or the rural location and appears squeezed in on an already over-developed site.

It would create an adverse visual impact, create an inappropriate streetscene and the number of buildings in the area would be too dense.

Hixon Parish Council has these additional extra comments to make in addition to those in its letter of 6 January:

- The proposed sub-division and conversion of the existing garage would be harmful to and detract from the amenities currently enjoyed by Chase View Farm House;
- The location, scale and design of the proposed conversion and extension relates poorly to the main property (Chase View Farm House) and would be incongruous as a separate dwelling in the street scene;
- The proposed conversion and change of use to a dwelling is, in effect, an extension of the Hixon village development boundary and is unacceptable for that reason;
- The existing detached garage has been constructed within the last ten years;
- There appears to be no evidence on the Stafford Borough Council planning website that the garage has the benefit of planning permission;
- Notwithstanding the absence of any proof of planning consent for the garage, a change of use within such a short time period would set an undesirable precedent for other future speculative development;
- In the last ten years, the curtilage of Chase View Farm has been significantly developed. Three new dwellings have been granted planning permission within the curtilage, two have been built and the third is under construction;
- A fourth new dwelling, together with the original house, will mean five properties within the curtilage.

#### HIGHWAY ISSUES;

- Since 2010, four new properties have been built on the opposite side of the road to Chase View Farm in Puddle Hill, which is a single track lane from the junction with Highfield Road to Chase View Farm and beyond. There are no footpaths along this length of Puddle Hill.
- Prior to the above development and the three additional properties at Chase View Farm, there were only five properties along this section of Puddle Hill. Consequently this means traffic movements have more than doubled.
- The accumulative effect of these developments has to be considered in terms of pedestrian and highway safety

Neighbours (6 consulted):

3 responses of which two raise no objections and support the proposals: Material planning considerations summarised below:

Design in a rural location

Implications of infill development

Noise

Traffic or highways

Site Notice: 22.12.2021 and 22.03.2021

Expiry date: 12.01.2022 and 12.04.2021

#### **Relevant Planning History**

16/24281/FUL - Two bedroom dormer dwelling with detached garage – Approved  
02.11.2016.

## Recommendation

Approve subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. This permission relates to the originally submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-  
 YBD01801-P-001 Revision E - Site Location Plan and Existing Site Plan  
 YBD01801-P-002 Revision E - Proposed Site Plan  
 YBD01801-P-005 Revision B - Existing Plan and Elevations  
 YBD01801-P-010 Revision C - Proposed Plan and Elevations  
 YBD01801-P-011 Revision D - Proposed Fence Elevations
3. Notwithstanding any description/details in the application and before the proposed development is occupied, details of the height, type and position of all site and plot boundary walls, retaining walls, fences and other means of enclosure to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority.
4. All works, including demolition, site works and construction together with any deliveries to the site during the construction phase shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, 8.00am and 2:00pm on Saturdays and not at all on Sundays, Bank Holidays or other Public Holidays.
5. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided with the access drive, rear of the highway boundary, surfaced in a bound and porous material in accordance with the approved plans. Access, parking, servicing and turning areas shall thereafter be retained for the lifetime of the development.

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

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.
3. To safeguard the character and appearance of the area (Policy N1h of The Plan for Stafford Borough).
4. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1e of The Plan for Stafford Borough).



5. To ensure the provision of adequate off-street facilities in the interests of the convenience and safety of users of the highway. (Policy T2d of The Plan for Stafford Borough).

Informative(s)

- 1 In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2010, as amended, and the National Planning Policy Framework 2019, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.

**20/33559/FUL**  
**Chase View Farm**  
**Puddle Hill**  
**Hixon**

