



Civic Centre, Riverside, Stafford

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Dear Members

### **Planning Committee**

A meeting of the Planning Committee will be held on **Wednesday, 27 July 2022** at **6.30pm** in the **Craddock Room, Civic Centre, Riverside, Stafford** 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".

Head of Law and Administration

## PLANNING COMMITTEE - 27 JULY 2022

**Chairman - Councillor E G R Jones**  
**Vice-Chairman - Councillor P W Jones**

### **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.

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5 <b>Planning Applications</b>	3 - 45
6 <b>Planning Appeals</b>	46 - 54

### **MEMBERSHIP**

**Chairman - Councillor E G R Jones**

F Beatty	P W Jones
A G Cooper	B McKeown
A P Edgeller	A Nixon
A D Hobbs	G P K Pardesi
J Hood	C V Trowbridge
E G R Jones	

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 PLANNING COMMITTEE - 27 JULY 2022
 

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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>22/35765/FUL</b>	<b>Former University Halls of Residence Stafford Education and Enterprise Park</b>	5 - 19
	The application was called in by Councillor F Beatty	
	Officer Contact - Richard Wood Development Lead Telephone 01785 619506	
	<b>Supplementary Report</b> - observations / representations received since completion of report	20 - 21
<b>21/35150/COU</b>	<b>23 Darnford Close, Parkside Stafford, ST16 1LR</b>	22 - 33
	The application was called in by Councillor J K Price	
	Officer Contact - Sian Wright Interim Development Lead Telephone 01785 619528	
<b>21/35369/HOU</b>	<b>Gorsty Hill Farm, Yarnfield Lane, Yarnfield, Stone, ST15 0NJ</b>	34 - 43
	The application was called in by Councillor R A James	
	Officer Contact - Sian Wright Interim Development Lead Telephone 01785 619528	

		<b>Page Nos</b>
<b>22/35606/FUL</b>	<b>6 Mill Farm Barns, Mill Street, Stone, Staffordshire, ST15 8BA</b>	44 - 45

The application was called in by  
Councillor I D Fordham

Officer Contact - Sian Wright Interim 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.

<b>Application:</b>	22/35765/FUL
<b>Case Officer:</b>	Vanessa Blake
<b>Date Registered:</b>	28 March 2022
<b>Target Decision Date:</b>	27 June 2022
<b>Extended To:</b>	29 July 2022
<b>Address:</b>	Former University Halls of Residence, Stafford Education and Enterprise Park, Weston Road, Stafford, Staffordshire, ST18 0AB
<b>Ward:</b>	Milwich
<b>Parish:</b>	Hopton and Coton
<b>Proposal:</b>	Change of use from student accommodation to asylum seeker accommodation
<b>Applicant:</b>	Serco Ltd
<b>Recommendation:</b>	Approve, subject to conditions

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## REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor F Beatty (Ward Member for Milwich) for the following reasons:

- “- Scale - concentration of refugees in one place
- Location - community concerns of risk of social tension
- Pressure on public services - the capacity of local health, education, police and other support services
- Permanent loss of the training support facilities because of change of use, at a time when learning and training provision is growing exponentially in Stafford - with the Learning Town ambitions, presence of three universities, international research of the new Health and Innovation Centre, invaluable expanding tertiary educational role of the town - we must not undermine its potential
- The permission is applied for until 2029, having changed the use of the site what are the plans thereafter? This aspect would need strict conditions applied.
- Inaccuracies 1) the argument is made that the impact of this influx of people will not have a detrimental impact on the surrounding areas as there will be less asylum seekers than students previously. There have been almost no students housed in the buildings for the last several years, during which two major surrounding residential developments have been built. 2) The complex is described as in the open countryside - it is not. 3) Part of the application states families may be housed, later that they will not.”

## Context

This application relates to a purpose-built student accommodation building located to the south of Weston Road (A518). The site is 1.5 hectares in total and comprises a three-storey building arranged around a central courtyard and a single storey building. The building comprises of 12 connected blocks. There is parking to the front (north) and side (west). The site has an existing vehicular access and separate pedestrian access from Weston Road.

To the north of the site is a sports centre and pitches. To the northeast beyond the pitches there is a school and university centre. To the east is open space and Stafford Crematorium. To the south is a residential development. To the west is a fire station and health centre. To the north of Weston Road is a business park and former university grounds.

The site is within the designated Stafford settlement boundary. The site is also within 8km of the Cannock Chase Special Area of Conservation (SAC) and a Site of Special Scientific Interest (SSSI) impact risk zone. The site is also within Flood Zone 1.

## Background

Planning permission was granted for the purpose-built student accommodation in the late 1990's across two phases with the western portion being built first. The accommodation comprises 556 bedrooms arranged as cluster flats with shared kitchens and bathrooms, 264 of the bedrooms have en-suites. The accommodation has not been fully occupied for a number of years and the application submission advises that the building will be unoccupied after the first quarter of 2022.

## Proposal

The application seeks the change of use of the student accommodation to asylum seeker accommodation for a period until 31<sup>st</sup> August 2029. Both uses fall within the Sui Generis use class. The number of bedrooms would be reduced to 481 (net loss of 75 bedrooms). The proposal includes only internal alterations, there would be no external alterations to the building.

The accommodation would provide Initial Accommodation (IA) and Dispersed Accommodation (DA) in separate sections of the building. The IA would be within the western section and the DA in the eastern section. The IA would comprise of 171 bedrooms arranged in cluster flats. The IA section would also include a medical room, private offices/meeting rooms and a 24-hour reception. The IA would provide urgent accommodation for asylum seekers who would stay for between 3-4 weeks on average. The IA would accommodate single adults and families.

The DA would comprise of 310 bedrooms arranged in cluster flats. Asylum seekers would occupy the DA for extended periods of months to years. The DA would accommodate single adults only.

The existing parking spaces would be utilised for staff and visitor parking. Three parking spaces to the front of the building would be removed to create a shuttle bus drop off point. Occupants would not have access to cars but would have access to bicycles which would be stored in the existing cycle stores. Transportation would be provided for occupants when required. The courtyard would be utilised as recreational open space.

The submission advises that the cluster flats would be arranged by gender and singles would be separated from families. The occupants are not detained and are able to leave for periods less than 24 hours. The facility would provide health & education services in house for the IA occupants. The occupants would have access to public transport and bicycles. The occupants would not be permitted to work however would be provided with financial support from The Home Office via a prepaid money card.

## Officer Assessment

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) sets out that the determination of applications must be made in accordance with the development plan, unless material considerations indicate otherwise. The development plan comprises of The Plan for Stafford Borough 2011-2031 and The Plan for Stafford Borough Part 2 2011-2031.

### 1. Principle of Development

- a. The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development which is echoed in Spatial Principle 1 of The Plan for Stafford Borough (TPSB). Paragraph 12 of the NPPF states that:

“The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making...”

However, paragraph 182 states:

“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment as concluded that the plan or project will not adversely affect the integrity of the habitats site.”

In this case the site falls within the catchment of the Cannock Chase SAC, therefore it is necessary for the development to demonstrate it has satisfied the Habitats and Species Regulations in that the integrity of the Cannock Chase SAC will not be adversely affected, having regard to avoidance or mitigation measures. This issue is addressed later under section 4 of this report.

- b. The site is located within the Stafford settlement boundary as designated by Policy SB1.
- c. National and local policy do not specifically refer to asylum seeker accommodation. Therefore, the most relevant policies for this proposal in the TPSB are Stafford 1 and C1 where reference is made to the provision of specialist housing.
- d. Policy Stafford 1 states that reflecting its role as the County Town Stafford town will seek to enhance its role by increasing both the range and quality of services and facilities.

- e. In turn, policy C1 encourages a range of types and tenures of housing, and that new specialist housing is located in a sustainable location close to services and facilities, in accordance with the settlement hierarchy, and that they are self-contained and accessible by both public and private transport, with sufficient off-street car parking.
- f. The site is located within the sustainable settlement of Stafford and is approximately 2km from Stafford Town centre and is in close proximity to public transport. The surrounding area is a mix of residential and commercial uses. The proposal would provide specialist accommodation for asylum seekers within a sustainable location. The principle of such accommodation in this location is therefore considered to be acceptable. The proposal would reduce the capacity of accommodation by 13% (75 occupants) when compared to the current student accommodation and as such the proposed density is considered to be acceptable.
- g. With regards to infrastructure, Policy I1 states that new development which provides additional residential development will be supported by appropriate levels of physical, social and environmental infrastructure. The public comments regarding infrastructure pressures are noted.
- h. With regards to education, the submission advises that families would only occupy the IA and that in-house education services would be provided, families would not occupy the DA. The Staffordshire County Council Education Team advise they have no objections to the scheme and do not require any contributions, on the understanding that the occupant children would not attend schools and as such there would be no impact on local school places.
- i. With regards to health, the submission advises that occupants of the IA would be provided with in-house health services and that occupants of the DA would use local public health facilities. The floorplans show that a designated medical area will be provided on the ground floor with associated offices on the first floor. The Clinical Commissioning Group (CCG) have advised that the proposal would result in an increased demand upon primary health services when compared to the current use of the building. The CCG have advised that the medical room is a suitable size and comment on the facilities of the physical space to be provided (to contain a sink etc) and request that this is secured via a condition. However, whilst a floor area for in-house health services can be secured, the facilities it provides would be a matter for the overall management of the premises as this would be outside of the planning system.
- j. The site is not located within a designated employment area however Policy Stafford 1 seeks to create employment growth and promote economic diversification. Policy E1 supports the reuse of buildings for new employment opportunities. The proposal would create additional construction jobs through the conversion works of the building and when operational would provide 12 jobs for the running of the facility. The proposed use may also create additional jobs through supply chains.
- k. The public and Parish Council comments regarding the loss of the student accommodation and educational links are noted. The submitted Planning Statement provides explanation that the building has largely been vacant since 2014 and is no longer required for student accommodation. Whilst Policies Stafford 1 and E1 promote



new education related development it does not specifically safeguard any existing provision. As such, it is not considered reasonable to object to the loss of this student accommodation in principle which is surplus to requirements.

- i. Whilst the application site is identified in the 2021 Strategic Housing and Employment Land Availability Assessment (SHELAA) as part of a 17ha site, the inclusion of sites in the SHELAA does not mean that they are likely to be developed, or that the Council would view applications on these sites favourably. The SHELAA provides an evidence base of potential sites to inform new planning policy documents. It does not make policy decisions on future housing or employment allocations.
- m. Overall, the proposal is considered to comply with local and national policy and is acceptable in principle.

Polices and Guidance: -  
National Planning Policy Framework (NPPF)  
Paragraphs 8, 11, 182, Section 5

The Plan for Stafford Borough (TPSB) 2011-2031  
Policies SP1 (Presumption in Favour of Sustainable Development), SP2 (Stafford Borough Housing & Employment Requirements), SP3 (Sustainable Settlement Hierarchy), SP7 (Supporting the Location of New Development), Stafford 1 (Stafford Town), E1 (Local Economy), C1 (Dwelling Types and Sizes), C3 (Specialist Housing), I1 (Infrastructure Delivery Policy)

The Plan for Stafford Borough: Part 2 (TPSB2) 2011-2031  
SP3 (Sustainable Settlement Hierarchy), SP7 (Supporting the Location of New Development), SB1 (Settlement Boundaries)

## **2. Amenity**

- a. Paragraphs 92 and 130 of the NPPF require decisions to aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. Paragraph 130 requires development to provide a high standard of amenity for existing and future users.
- b. Policy N1 requires the design and layout of development to take account of noise and light implications and the amenity of adjacent residential areas. The Design SPD provides guidance on amenity standards and separation distances. The public concerns regarding the negative impact upon amenity are noted.
- c. With regards to the impact upon existing neighbouring residents, a number of concerns have been raised regarding noise and disturbance. It is considered that the level of noise would be created by the proposed use would be similar to that created by the current use as student accommodation. It is also noted that the Environmental Health Officer has raised no concerns with regards to noise from the proposed use. As such, the proposal is not considered to result in additional impacts upon residential amenity due to noise. Should any noise issues arise then this would be resolved under separate Environmental Health legislation.

- d. A number of concerns have been raised regarding overlooking and the loss of privacy. The building is some 22.5m to the nearest dwelling and some 20m to the nearest residential curtilage to the south. The Design SPD requires a separation of 21m between principle habitable room windows to which the development complies and as such the proposal is not considered to result in overlooking to the dwellings to the south. It is also noted that the proposal does not seek any external alterations to the building and that the building already has an established residential use for students. As such, there would be no change to the relationship between the building and the neighbouring dwellings with regards to overlooking. Concerns have been raised regarding overlooking towards the sports pitches and open space. The proposal would not change the existing relationship between the building and adjacent land uses and as such it is considered there are not issues in this regard. Finally, concern has been raised regarding overlooking to the nearby schools. The school field boundary is some 124m from the building and as such overlooking to the school is not considered to be an issue.
- e. With regards to the concerns over the living conditions of future residents, it is noted that the proposal includes internal alterations to ensure that all cluster flats exceed the requirements of Stafford Borough Council's Amenity Standards for Houses in Multiple Occupation (HMO) (January 2020). The Council's Housing Standards Lead Officer has advised that a HMO license would be required and that the proposed management agents should contact the Housing Team prior to the occupation of the building. An informative should be attached to ensure that the applicant is aware of this. Occupants would have access to outdoor amenity space within the existing courtyards. As such, the living space is considered to be sufficient. It is also noted that the existing smaller cluster flats are considered to be suitable for student accommodation.
- f. A large proportion of the comments received relate to safety and community tensions. The Police were consulted on the application and the Designing Out Crime Officer has provided detailed comments and no objections. The Officer recommends that security for residents is increased through various design solutions and built security measures, including the provision of additional fencing and blocking up the arched building access. The Applicant subsequently declined the suggestion of additional built security measures.
- g. With regards to community tension the Designing Out Crime Officer has advised that there is no perceived risk to children or residents of Stafford. The Officer has also advised that there is no evidence to suggest that there would be an increase in crime as a result of the proposal.
- h. The Environmental Health Officer's recommended condition regarding construction & associated deliveries hours is considered to be reasonable and should be attached. The recommended conditions regarding on site burning and noisy external equipment are considered to be controlled under separate Environmental Health legislation.
- i. The development is considered to be adhere with the development plan and NPPF in this regard and is acceptable with regards to amenity.

Policies and Guidance: -  
National Design Guide (NDG)

National Planning Policy Framework (NPPF)  
Paragraph 92, 130

The Plan for Stafford Borough (TPSB) 2011-2031  
Policy N1 (Design)

Supplementary Planning Document (SPD) – Design

### **3. Access, Parking & Highway Safety**

- a. Policy T2 states that all new development must have a safe and adequate means of access and internal circulation; not have unacceptable highway safety impacts and provide sufficient parking provision.
- b. The scheme seeks to retain the existing parking provision for staff and visitors. Three parking spaces to the front of the building would be removed to create a shuttle bus drop off point. Occupants would not have access to vehicles however bicycles and shuttle buses would be provided. The submitted Transport Statement advises that traffic volumes would reduce as a result of the scheme when compared to a fully occupied student accommodation. The site is in close proximity to a number of bus stops which are served Monday to Saturday and provides routes to Stafford, Rugeley, Lichfield and Uttoxeter.
- c. The public concerns regarding highway safety are noted. However, the Highway Authority have raised no objection to the scheme and advise that the proposal would have little impact upon the highway network and that the proposed parking levels are acceptable.
- d. The development is considered to be adhere with the development plan and NPPF in this regard and is acceptable with regards to parking, access and highway safety.

Policies and Guidance: -  
National Design Guide (NDG)

National Planning Policy Framework (NPPF)  
Section 9

The Plan for Stafford Borough (TPSB) 2011-2031  
Policies T1 (Transport), T2 (Parking and Manoeuvring Facilities), Appendix B – Car Parking Standards

### **4. Cannock Chase Special Area of Conservation (SAC)**

- a. Policy N6 of TPSB states that development which has a direct or indirect adverse impact upon the integrity of the Cannock Chase SAC, and the effects cannot be mitigated, will not be supported. The site is within 8km of the Cannock Chase SAC.

- b. Under the provisions of the Conservation of Habitats and Species Regulations 2017, the Local Planning Authority (LPA) as the competent authority, must have further consideration to the impact of this development, in this case, due to the relative proximity, on the Cannock Chase SAC. The Local Planning Authority have completed a Habitats Regulation Assessment which concludes that the development is not considered have an adverse effect upon the integrity of the Cannock Chase SAC. Natural England have advised that they concur with the conclusion. On this basis, it is concluded that the LPA have met its requirements as the competent authority, as required by the Regulations and therefore the proposal will comply with the requirements of the Development Plan and the NPPF in this regard.

Policies and Guidance: -  
National Planning Policy Framework  
Paragraphs 179-182

The Plan for Stafford Borough (TPSB) 2011-2031  
N6 (Cannock Chase Special Area of Conservation (SAC))

## 5. Other

- a. The scheme does not include any external alterations to the building or site. As such, the appearance of the development and external layout would be retained and is acceptable.
- b. The proposal does not propose any alterations to the building, site or the existing drainage scheme. As such, the proposal is not considered to impact upon drainage or flooding. The Lead Local Flood Authority have no objection to the scheme. The proposal is considered to be acceptable in this regard.
- c. The proposal is not considered to impact upon arboriculture. Given the nature of the scheme and the existing building the proposal is not considered to impact upon protected species. The proposal, due to its nature, is not considered to have a detrimental impact upon the nearby Site of Special Scientific Interest.
- d. The application seeks a temporary permission to allow the change of use until 31<sup>st</sup> August 2029. The applicant has advised this is to match the agreed lease of the building. A condition should be attached to ensure the use of the building reverts back to student accommodation once the asylum seeker use ceases.
- e. The Environmental Health Officer has advised that sufficient refuse and recycling bin storage facilities should be provided. The proposal would utilise the existing bin storage and collection arrangements which serve the student accommodation.
- f. A number of public concerns have been raised regarding the management of the facility this however is not a material planning consideration.

Policies and Guidance: -

National Planning Policy Framework  
Sections 12, 14 & 15

The Plan for Stafford Borough  
Policies Stafford 1 (Stafford Town), N1 (Design), N2 (Climate Change), N4 (The Natural Environment & Green Infrastructure), N5 (Sites of European, National & Local Nature Conservation Importance)

## 6. Conclusion

In conclusion, the proposal is considered to be acceptable in principle and would provide specialist accommodation in a suitable location. The proposal would create additional jobs and reuse an existing building. The scheme is not considered to have a detrimental impact upon residential amenity, highway safety, ecology or drainage. Overall, the proposal is considered to comply with the requirements of the Development Plan and NPPF and is recommended for approval subject to conditions.

### Consultations (summarised)

#### Highway Authority:

19.04.2022

No objection. The proposal will have little impact on the highway as:

- occupant capacity will be reduced.
- existing vehicle access will be retained, proposal will reduce the volume of vehicular traffic during peak periods on the surrounding highway network.
- occupants won't have cars, car parking is for staff and visitors. 12 staff members at peak times and over 30 car parking spaces provided.
- there are multiple shared footway/cycle routes surrounding the site and is therefore suitably located for accessing the significant employment, retail and leisure facilities in the centre of Stafford by cycle.

#### Staffordshire County Council Education:

20.04.2022

No objection. On the basis that education provision is being provided on-site by Serco for families being accommodated in the IA facilities and that the children are not permitted to attend school we consider that there would be no impact on local school places. Furthermore, no families will be accommodated in the DA accommodation.

#### Lead Local Flood Authority:

14.04.2022

No objection. Given that the proposals promote refurbishment of the existing building and no additional impermeable area is proposed, we have no comments to make upon the drainage aspect of the proposals. In addition, the existing building is located in Flood Zone 1 and is not directly affected by surface water flooding so there is no flood risk attached to the building currently or through the proposals.

#### Environmental Health Officer:

04.04.2022

No objection, recommend conditions to ensure sufficient refuse & recycling bin storage & collection facilities, to restrict construction & associated deliveries hours, prevent on site burning and control noisy external equipment.

**Housing Standards Officer:**

11.04.2022

It is likely that the property will meet the definition of one or more HMO properties. If approved, the property owners or their managing agents should ensure that contact is made with the team as soon as possible and that any licensing requirements are in place before occupation.

**Clinical Commissioning Group (Health):**

05.07.2022:

The proposed 19.7m<sup>2</sup> would be suitable for the purposes of providing a consultation/examination room. The critical element will be ensuring that the space is made fit for purpose to ensure that it functions as intended.

04.07.2022:

There would be a demand upon primary healthcare as a health assessment would be required for every occupant alongside appropriate triage and care/treatment where necessary. The funding provision for these health assessments are currently awaited. The position that there would be a 'net reduction' on the impact upon health services is incorrect and should not be attributed material weight. The fallback of the former student use is misguided as there is no existing demand/pressure from this premises on the health service and the access rate from the proposed occupiers would not be comparable to the current occupiers. Clarification is required to ensure that the physical space provided on site for healthcare provision is suitable for use and includes: easy clean surfaces, obscure glazed windows or blinds, a sink, space large enough to contain a desk, couch, two chairs and storage.

24.05.2022:

Seeks clarity regarding the provision of transportation of occupants to healthcare providers and the nature of the onsite health support services and how this could be extended to the dispersed accommodation.

**Police Designing Out Crime Officer:**

19.04.2022

No objection. As stated in the DAS Serco have emphasised the importance of the Health & Safety and Safeguarding of the occupants and the local community is of utmost priority. Staffordshire Police would echo this. A number of objections from within the local area have been received which may result in some community tension, strongly recommend that the grounds and the building are made as secure for the safety and well-being of the occupants. Provide various security recommendations including to enclose the access archway and installation of perimeter fencing. With regards to community tension, there is no perceived risk to the children or the residents of Stafford. The police and the staff will be able to resolve any concerns if they arise. There is an assumption that there will be an increase in crime with the arrival of the asylum centre. There is no evidence to suggest this, this is due to the fear of the unknown. There was also mention of the loss of jobs for the locals, the asylum seekers are not allowed to seek employment whilst they are making a claim.

**Natural England:**

20.05.2022

No objection, the proposal will not have significant adverse impacts on designated sites. Concur with the LPA's Habitat Regulations Assessment.

**Forward Planning:**

Consultation period expired 20.04.2022 – no response received

**Parish Council:**

20.04.2022

Objection. Concerns regarding:

- large quantity of refugees in one place, concern regarding size of site and the buildings they will accommodate.
- huge impact on community and leisure facilities.
- site is close to two schools, significant concerns relating to increase in anti-social behaviour and social tensions in the area.
- pressure on strained public and community services (health, education, policing, health & social care).
- loss of required accommodation in area which is seeing growth in education and training facilities.
- temporary permission requested, what is the proposal for the site after this and those residing on the site.
- several inaccuracies in the application (1. The application says the site is in open countryside when in actual effect it is in a built-up area. 2. The application says that families may be housed at a later date but it clearly states that it will be for single person use only. 3. The application also states that the number of people housed will not create a detrimental impact to the area when however there have not been any students housed in the buildings for several years and since that time there has been high growth development in the area which is already putting local services and infrastructure under great strain)

**Neighbours**

(205 consulted): 303 total responses from 267 addresses (including 11 from outside the Borough). Material planning considerations summarised below:

285 representations of objection from 249 addresses:

- Design in rural area
- Increased noise
- Impact upon residential amenity; loss of privacy, overlooking, mental health
- Implications of infill development
- Increased traffic in an area with traffic issues
- Highway safety issues; increased pedestrian or cyclist collisions
- Lack of parking for visitors
- Lack of public transport
- Lack of integration into local community
- Too dense a population of asylum seekers in one location
- Disproportionate number of asylum seekers to Stafford's size
- Number of occupants should be reduced
- Ghettoization
- Inappropriate location - too close to schools, dwellings and sports facilities, too close to MOD site and police headquarters, not close to shops, services, entertainment facilities, town centre
- Stafford cannot support a large influx of people
- Public services cannot accommodate increased usage - doctors, dentists, hospitals, schools, police, mental health service, social services

- Stafford has a lack of facilities, shops, entertainment facilities
- Stafford has a lack of employment opportunities
- Alternate locations should be considered - in a larger city centre, in the town centre, dispersed in smaller numbers into the community
- Alternate uses of the site/building should be considered - for homeless, first homes for young people, social housing, Ukrainian temporary accommodation, veterans, families, new homes, hotel, education
- Redevelopment of the site should be considered through the new local plan or a masterplan
- Site is identified for residential development in the SHELAA 2021 (site HOP03)
- Student accommodation is still required
- Specialist support/infrastructure will be required for occupants which Stafford does not have - language facilities, mental health support, employment training
- Increase in crime, anti-social behaviour, homelessness
- Safety concerns to local residents, children and MOD
- Clash of cultures, increased social tension
- Would change the population characteristics
- Lack of public engagement with local community
- Negative impacts upon local area and economy
- Cause decreased use of sports facilities
- Prevent future educational investment and regeneration
- Building is not suitable for this purpose - institutional accommodation, open prison
- Concern for welfare of occupants - standard of living, mental health, safety, freedom, living in poverty, provision for disabled occupants, lack of visitor accommodation, lack of entertainment
- Inappropriate accommodation for long term living. Suitable for initial accommodation only
- Concerns regarding management of facility
- Insufficient submission – inaccurate, lack of information
- Applicant is not the landowner
- Unsustainable development
- Environmental impact
- Light pollution
- Staffordshire has sufficient asylum seeker accommodation elsewhere
- Area has already experienced a lot of growth and development
- The student accommodation has not been fully occupied for years

18 representations of support from 18 addresses:

- Good reuse of vacant building
- Proposal will deliver a much-needed resource
- The introduction of different cultures is welcomed
- Proposal may trigger improvements to local services
- Adequate support must be provided to ensure integration with the local community
- There are local charities who could support this facility
- If granted asylum the individuals might stay in Stafford which would contribute to the community and economy

Site Notice expiry date: 20.04.2022

Newsletter Advert expiry date: 27.04.2022



## Relevant Planning History

11/15593/FUL - Installation of sixteen solar thermal panels on the south-facing roof – Approved 23.08.2011

96/34130/FUL - Second phase of student accommodation comprising a further 312 bedrooms – Approved 06.02.1997

95/32382/FUL - Student accommodation – Approved 29.01.1996

95/32526/FUL - Car park - 29.01.1996

## Recommendation

Approve, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. The development authorised by this permission shall be carried out in complete accordance with the approved plans and specification, as listed below, except insofar as may be otherwise required by other conditions to which this permission is subject;
  - NPS-00-00-DR-A-(00)-010 P4 (Site location plan),
  - NPS-00-00-DR-A-(00)-021 P2 (Proposed site plan),
  - NPS-00-00-DR-A-(00)-023 P1 (Proposed site plan),
  - NPS-ZZ-00-DR 023 P5 (Proposed ground floor),
  - NPS-ZZ-01-DR 024 P4 (Proposed first floor),
  - NPS-ZZ-02-DR 025 P4 (Proposed second floor).
3. The use hereby approved shall be discontinued on the 31st August 2029 and the use of the site shall revert back to student accommodation. The building shall be restored to its condition immediately prior to the implementation of this permission, in accordance with a scheme of work to have been previously submitted to and approved in writing by the Local Planning Authority.
4. Construction works and associated deliveries in relation to the development hereby approved shall only take place between the hours of 08:00 and 18:00 Monday to Friday; 08:00 to 14:00 Saturdays and not at all on Sundays or bank holidays.

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

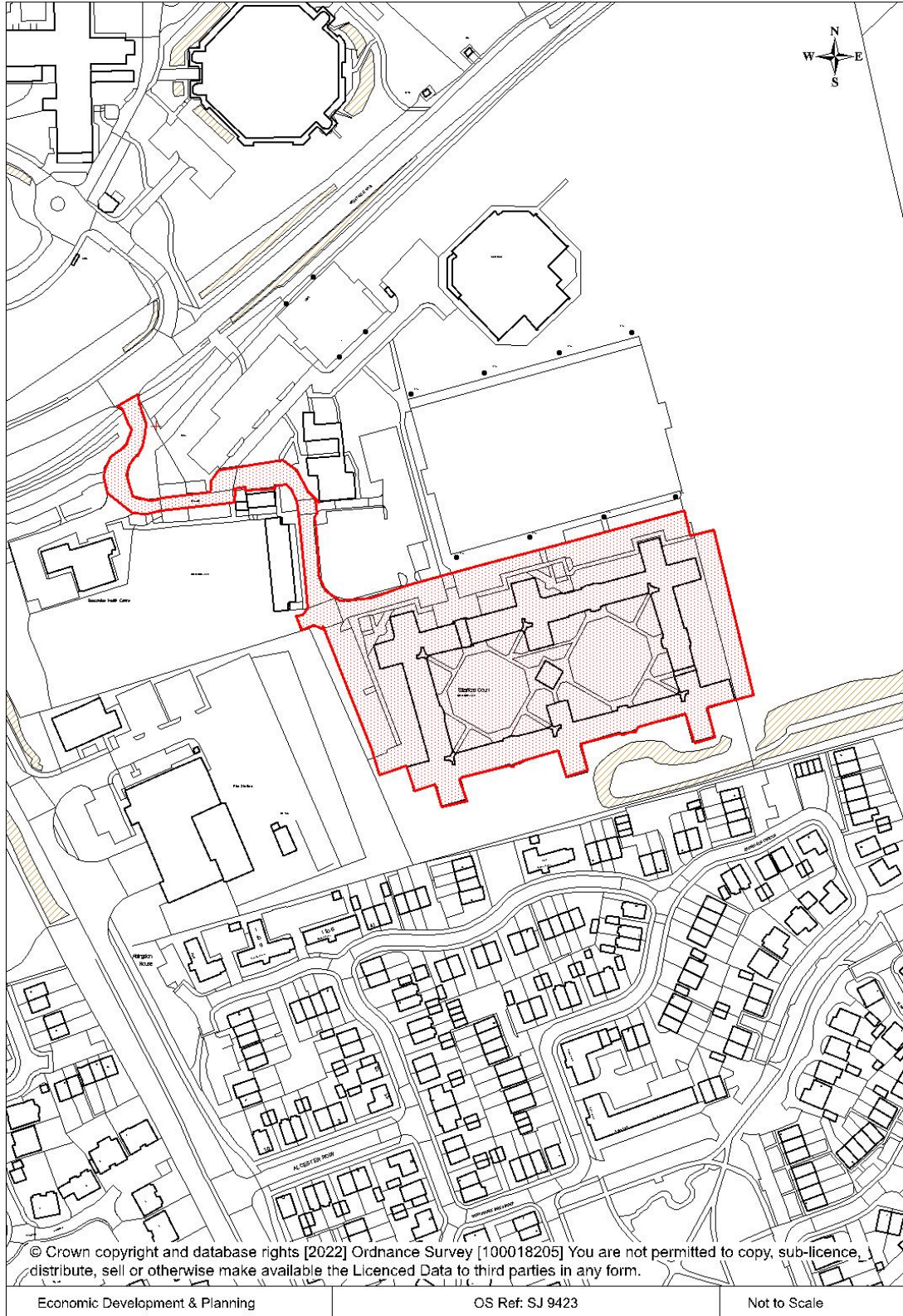
1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.

3. In accordance with the applicant's stated intentions and to ensure that the building has an authorised use after the temporary permission lapses.
4. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1e 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 2021, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 The applicant is advised to note and act upon as necessary the comments of Stafford Borough Council's Housing Team dated 11.04.2022. Where there is any conflict between these comments and the terms of the planning permission, the latter takes precedence.
- 3 This permission does not grant or imply consent for any signs or advertisements, illuminated or non-illuminated. A separate application may be required under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, or subsequent legislation.
- 4 A developer should be aware that even if the approved development's impact upon protected species was not raised as an issue by the Council when determining the application, there remains the possibility that those species may be encountered once work has commenced. The gaining of planning approval does not permit a developer to act in a manner which would otherwise result in a criminal offence to be caused. Where such species are encountered it is recommended the developer cease work and seek further advice as to how to proceed.

**22/35765/FUL**  
**Former University Halls Of Residence**  
**Stafford Education And Enterprise Park**  
**Weston Road**



## Supplementary Report

<b>Application:</b>	22/35765/FUL
<b>Case Officer:</b>	Vanessa Blake
<b>Date Registered:</b>	28 March 2022
<b>Target Decision Date:</b>	27 June 2022
<b>Extended To:</b>	29 July 2022
<b>Address:</b>	Former University Halls of Residence, Stafford Education and Enterprise Park, Weston Road, Stafford, Staffordshire, ST18 0AB
<b>Ward:</b>	Milwich
<b>Parish:</b>	Hopton and Coton
<b>Proposal:</b>	Change of use from student accommodation to asylum seeker accommodation
<b>Applicant:</b>	Serco Ltd
<b>Recommendation:</b>	Approve, subject to conditions

Supplementary Report - Observations/representations received since completion of report

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### Additional neighbour responses:

28 representations of objections from 8 additional addresses (including 2 from outside the Borough), additional material planning considerations summarised below:

- The building has not been fully occupied for years
- Staffordshire has reached its limit of acceptance of asylum seekers
- The accommodation would be unmanaged by authorities
- Occupation by students is not the same as asylum seekers – students lived here in term time and spent considerable amounts of time away from the accommodation for lectures and socialising etc
- Stafford currently has a housing shortage
- Stafford already has a lot of homeless people
- Impact upon human rights

1 representation of support from 1 address outside the Borough, additional material planning considerations summarised below:

- Existing building is suitable for proposal, requiring no external development
- Stafford currently has no provision for housing asylum seekers
- Proposal is more appropriate than housing asylum seekers in hotels

1 neutral representation from Staffordshire County Council Director of Children and Families, additional material planning considerations summarised below:

- Impact on the local area, community and services are likely to be considerable
- Mitigation measures need to be secured to control the impacts
- Further information is required regarding early years and post 16 education
- Asylum seekers in the DA will increase demand on local services, asylum seekers are likely to have more challenging health needs than students. The local health providers should confirm what impacts need to be mitigated
- Planning conditions or obligations are required to make good the assumptions made in the submission, including: temporary use until 2029, internal alterations completed before occupation, provision of outdoor space before occupation, submission for approval of a site management plan and compliance at all times, maximum bedspace and occupant numbers, provision of adequate car parking spaces and bicycle storage, provision of shuttle bus service, provision of on-site health care provision for the IA, provision of education (including early years, primary, secondary and post 16), implementation of covid and infectious diseases management systems
- SCC should be a party to any related S106 planning obligation

Additional observations:

The majority of the additional responses repeat comments already received and these comments have been addressed in the main committee report.

The comments from Staffordshire County Council Director of Children and Families are noted. The majority of the comments relate to the management of the facility which is not a material planning consideration and could not be controlled by the planning system. It is also noted that Staffordshire County Council Education Team did not request any conditions or obligations. It is therefore not considered necessary or reasonable to include any additional conditions or obligations to the recommendation.

It should be noted that the facility would be subject to other controls outside of the planning system.

<b>Application:</b>	21/35150/COU
<b>Case Officer:</b>	Teresa Dwight
<b>Date Registered:</b>	14 March 2022
<b>Target Decision Date:</b>	9 May 2022
<b>Extended To:</b>	31 May 2022
<b>Address:</b>	23 Darnford Close, Parkside, Stafford, ST16 1LR
<b>Ward:</b>	Holmcroft
<b>Parish:</b>	Stafford MB
<b>Proposal:</b>	Change of use of property from Use Class C3 (dwelling houses) to Use Class C2 (Residential Institutions)
<b>Applicant:</b>	Atlantic Colonial Properties Limited
<b>Recommendation:</b>	Approve, subject to conditions

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## REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor J K Price (Ward Member for Holmcroft) for the following reasons: -

1. Noise or disturbance resulting from use
2. Incompatible or unacceptable uses
3. Fear of crime
4. Cumulative impact on the neighbourhood
5. Lack of consultation (only 1 letter sent out when it impacts on the whole street)

## Context

The application site relates to a previously extended link detached 5-bedroomed dwelling located in the settlement boundary for Stafford as defined under SP3 of The Plan for Stafford Borough.

The dwelling is situated on Parkside, which is an established residential estate which forms one of the northern suburbs of Stafford. No. 23 Darnford Close is sited at the end of a cul de sac, where the estate borders the main A34 Stone Road dual carriageway. The dwelling is at right angles to the A34 with the side of the site forming the boundary between the estate and the main road, comprising garden walls to the side and side/rear and railings to the side/front.

There is an open aspect over a grassed area to the immediate front (north) shown to be in the ownership of Stafford Borough Council. Otherwise, the site is surrounded by other

residential properties of similar type, to include bungalows, and semi-detached dwellings. The site itself borders the rear gardens of properties along Elford Close to the south.

There is a tandem attached garage and a parking area to the front of the dwelling and an average sized rear garden.

The proposal is for the change of use of the building from Class C3 (Dwellinghouse) to C2 to form a children's care home. The premises will accommodate a maximum of three children (8 to 18 years old), with a maximum of three daytime caring staff and two night-time caring staff, working on a shift. A manager will also be present during the day. The children and staff will live together in a family-style environment, with the children attending school/local education as normal. There will be no element of nursing care provided. No external or internal changes are proposed to the building. The car parking arrangement will also remain unchanged.

## **Officer Assessment – Key Considerations**

Planning policy framework

Section 38(6) of the 2004 Planning and Compulsory Purchase Act and section 70 of the Town and Country Planning Act 1990, as amended, require decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for the purposes of this application comprises The Plan for Stafford Borough 2011-2031 Parts 1 and 2 (TPSB).

### **1. Principle of Development**

Policy C3 – Specialist Housing of the Plan for Stafford Borough encourages the provision of a range of types and tenures of additional extra care bed units.

Part (b) requires that new care home developments are located in accordance with Spatial Principle SP7 at settlements within the settlement hierarchy. It also requires that they are located in sustainable locations close to services and facilitates, are self-contained and are accessible. The supporting text of Policy C3 explains that there is a significant need for care home provision across Stafford Borough, in particular for the elderly sector, where 954 new (net) places will be required by 2030 and that the majority of the need will have to be addressed by private units. It is acknowledged that this proposal is for a care home for children, however, Policy C3 also explains that specialist housing provides a range of housing options to adults and children with a variety of care and support needs to enable them to live independently.

In this instance, the proposed change of use of the dwelling house to a C2 care home for children would be self-contained and it would also be located within the defined settlement boundary for Stafford. The existing dwelling is within an established residential estate location and in a sustainable location for access to services. The application site is accessible by car and well located in respect of modes of public transport, which are available close-by. Access by foot would be along pedestrian footpaths.

The proposal relates to a change of use of an existing dwelling rather than new build development inferred to within Policy C3. Whilst it is accepted that new build care home provision should be within a settlement boundary in accordance with Policy SP7, the proposed change of use of existing buildings within settlement boundaries (or otherwise) still needs to be assessed, in this case as a care home for up to 3 children, to assess if the new C2 use is appropriate for the area.

The proposals do not include any external alterations to the existing dwelling, no signage and no changes to the existing parking arrangement. For all intents and purposes the character of the premises would still have the appearance of a single-family dwelling.

The existing dwelling could easily accommodate a family of 5 or more given its size. At the moment, occupiers would generally need to travel to a place of work. Likewise, schools and shopping, etc. would involve travel by car, by foot or by public transport, as required.

The change of use of the dwelling as a care home for up to 3 children in this location is considered to be sustainable. The applicant states that to all intents and purposes the users will be living in the property as if it were a dwellinghouse. The key difference would be that carers would need to travel to the site daily rather than someone being there permanently. This will include a maximum of 3 carers being present during the day and 2 carers at night, changing daily on 2 days on, 4 days off rota pattern. The need for a day manager in connection with the change of use is not considered significantly different to using part of the dwelling as a home office. Other visits by other persons, such as professionals and inspectors in connection with the change of use are not considered to be significantly more than the comings and goings of various visitors to a family dwelling.

In summary therefore, the proposed care home would operate similar to a family dwelling, considering that during the day children would be attending local education whilst the support staff maintain the upkeep of the property.

Given the minimal difference in terms of occupation between a dwelling and the proposed care home, the lack of need for any external alterations and no apparent significant increase in vehicle movements it is considered that the proposal would comply with the overarching principle of Policy C3 to provide additional care home provision without detriment to the local area. On balance, given that it is already a dwelling in-situ, the principle of a care home in this location is therefore acceptable, subject to all other material considerations being met, on the basis that occupation is limited to 3 children.

Policies and Guidance: -

National Planning Policy Framework – Section 2. Achieving Sustainable Development

The Plan for Stafford Borough – Policy SP1 Presumption in Favour of Sustainable Development, Sp7 Supporting the Location of New Development, Policy C3 Specialist Housing



## 2. Character and appearance

There would be no harm to the character and appearance of the area. The change of use proposal involves no external works proposed to the property.

Policies and Guidance: -

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

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

## 3. Residential Amenity

It is not considered that there would be any undue harm with regard to visual amenity as the proposal only relates to the change of use of the premises.

The impact on residential amenity is considered to be the difference between the existing use as a dwelling compared to the use of the building as a care home.

It is stated within the submission that the proposed use is intended to provide children placed in the home with education, continuity and stability of their futures. Along with this they will be able to maintain contact with significant family members, where appropriate.

Care staff will be present through the day and night to provide support to the children as may be required. The number of children cared for on site will not exceed three, and consequently will not be materially different to that which could be reasonably expected of a five-bedroomed dwellinghouse.

No additional bedrooms or other alternations would be needed to enable the development and it is not unreasonable to assume that the premises could already accommodate a family of 5 or more given that the dwelling already has 5 bedrooms.

The primary difference would be the additional coming and goings associated with staff change-overs on a daily basis. Whilst there would be an increase in vehicle movements along the public highway and within the premises, it is considered that this would not be sufficient to cause significant harm to the occupiers of neighbouring properties.

The Environmental Health Officer has no objections to the proposal.

Neighbour concerns over adverse noise impact are noted and addressed above. In particular, the Environment Heath Officer has not raised any concerns in respect of noise. Should any issues arise, matters are better dealt with under separate legislation

The Staffordshire Police Designing Out Crime Officer has no objections to the proposal, but wishes to raise several points to include:

Appropriate and ongoing risk assessments; queries about the levels of supervision or free movement; do not recommend placing of children with mental health issues in the home due to the busy A34.

Recommendations include the installation of external door and windows contact sensors and CCTV; ask that the police are informed once the care home is operational so the police are aware of the management process for both the staff and the children in care.

The comments of The Staffordshire Police Designing Out Crime Officer relate to the management and operations of the home and are therefore subject to, and better dealt with, under separate legislation. In these circumstances, it is considered appropriate to attach the comments as an informative to any grant of consent.

Neighbour concerns about the siting of the children's home on a residential estate and any potentially adverse impacts are noted.

The presence of a care home per se does not automatically equate to a problem location and/or issues for the surrounding environment.

It is understood that in order for a care home to open and operate they need to be registered with OFSTED and be subject to their stringent requirements. Management companies will also clearly need to have well-conceived and implemented policies and procedures to reduce opportunities for problems to arise or deal with any problems that have arisen, taking into consideration the respective care needs of the individual children.

The safe running of the care home is therefore a separate matter better dealt with under the appropriate, separate legislation and is subject to scrutiny by other agencies.

In this particular case, the Staffordshire Police Designing Out Crime Officer has not objected to the proposed use of the dwelling or the location as a children's home but has made recommendations, to include that the police are informed once the care home is operational so that they are aware of the management process for both the staff and the children in care.

Therefore, in consideration of the above and in the absence of any objections from technical consultees, it is considered that, in planning terms, the proposed change of use would not have an adverse impact on neighbouring amenity and the proposals would comply with Policy N1 of The Plan for Stafford Borough and associated SPD guidance.

Policies and Guidance: -

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

#### **4. Access and parking**

A site plan has been provided detailing that 4 car parking spaces are available within the existing site frontage, which, in addition to the existing attached tandem garage, would satisfy local plan car parking standards.

The Highway Authority (HA) have been consulted and have no objections, commenting, in summary, that proposed property is on a residential street within a residential area of Stafford and has good pedestrian/cycle connectivity; the proposals are for a home for 3

children in care and to accommodate a maximum of 3 staff at any period of time; the site frontage can accommodate up to 4 car parking spaces and this parking area has recently been improved to enhance the off street parking area; with the figures supplied it is suggested that 3 car parking spaces are required.

The HA note that, as the area at the front of the property has been improved to accommodate 4 car parking spaces, the developer needs to ensure that the dropped kerbs are extended to cover all the parking area. A dropped kerb extension permit can be obtained from HA's Network Management Section and a Section 184 Notice of Approval will be required from Staffordshire County Council.

As no changes are sought to the parking area under this current change of use application and the dropped kerb works fall outside of the submitted red edge, it is considered that this matter is better dealt with via an informative.

A condition is not considered reasonable as the site can already accommodate 3 parking spaces, which the HA have suggested is the number of spaces required. Should cars cross over the pavement without an extended dripped kerb, then this is a separate matter for the HA to enforce.

Neighbour comments about highways danger and parking issues are noted and addressed above. In this particular case, the Highway Authority have not made any objections on highways grounds. Public highways are by nature available for use for a wide variety of users and the frequency of use cannot be controlled. However, should any issues arise that result in highways danger (such as the obstruction of a public highway etc), then these matters can be reported to and dealt with under separate legislation by the Highway Authority.

Policies and Guidance: -

National Planning Policy Framework  
Paragraphs: 107 & 108

The Plan for Stafford Borough

Policies: T1 Transport; T2 Parking and manoeuvring facilities; Appendix B – Car parking standards

## **5. Other Matters**

Neighbour comments are noted and addressed within the relevant parts of the report and as below:

Neighbour comments on property values are noted, however, devaluation of property is not a material planning consideration.

Neighbour comments regarding publicity are noted. The Council has a minimum statutory requirement for neighbour consultation and publicity and this has been met in the first instance (via a postal consultation and via a site notice) and thereafter enhanced with a wider neighbour postal consultation.

## 6. Conclusion

Given the minimal difference in the nature of the change use between a dwelling and the care home, and given the lack of external alterations and that no significant increase in vehicle movements and levels of activity is expected, it is considered that the proposal would comply with the overarching principle of Policy C3 to provide additional care home provision. There would be limited impact on neighbouring amenity, acceptable levels of parking and no impact on the character and appearance of the area. The proposed change of use is therefore considered to be acceptable and, subject to conditions, the development complies with the relevant local plan policies and the National Planning Policy Framework.

## Consultations

### Highway Authority:

Recommendation Summary: Acceptance

### Personal Injury Collisions.

Current records show that there were not any Personal Injury Collisions on this section of Darnford Close.

### Background.

The proposed development to change a residential property into a property for 3 children in care between the ages of 8 and 18 years.

### Proposal

The proposed property is on a residential street within a residential area of Stafford. The residential road is subject to a 30mph speed limit and has good pedestrian/cycle connectivity. The proposals are for a home for 3 children in care and to accommodate a maximum of 3 staff at any period of time. The development, as shown on the approved plan, can accommodate up to 4 car parking spaces and this parking area has recently been improved to enhance the off-street parking area. With the figures supplied it is suggested that 3 car parking spaces are required.

### Recommendations:

I have no objection

### Note to Planning Officer

It is noted that the area at the front of the property has been improved to accommodate 4 car parking spaces. However, the developer needs to ensure that the dropped kerbs are extended to cover all the parking area. A dropped kerb extension permit can be obtained from our Network Management Section. Please note that you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing to widen the access. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to

nmu@staffordshire.gov.uk) Vehicle access crossing (dropped kerb) - Staffordshire County Council.

Environment Heath Officer:

Environmental Health has no objection to this application.

Staffordshire Police Designing Out Crime Officer: Summarised:

Staffordshire Police have no objection to this application.

However, we do wish to raise the following points:

The planning statement indicates that there will be at least two members of staff on site at all times, including at night.

The plan is to have a maximum of children aged between 8 and 18 years of age staying at any time, however, there is no indication of what risk assessments will be undertaken when introducing a new child to the home. Each child should be risk assessed again in relation to any new arrival.

There is no indication of what level of supervision will be provided to each child, will they be able to freely leave and return to the home? Are there policies in place if a child should go missing?

The home is located near the busy A34. It is highly recommended that any child with mental health or suicidal ideations is not placed at this address.

It is recommended door contact sensors are installed on all external doors and windows, especially those above the rear flat roof of the garden room, which will then alert the staff if a door or window has been opened during the night.

It is recommended CCTV is installed, to provide coverage of the front of the property. This will be helpful, especially if a child goes missing, this will be able to provide vital information regarding time of departure, clothing worn and if any vehicle collected the child.

If planning permission is granted, it is very important to notify the police once the care home is operational, so the police are aware of the management process for both the staff and the children in care.

Neighbours (97 consulted):

82 representations received; comments summarised as:

Objections:

Insufficient/illegible publicity and lack of notification and consideration – found out about the application second hand.

Insufficient information about how the home will be run and the potential behavioural needs of the children to be housed.

No indication of any risk assessment or environmental consideration of the vulnerable children in care;

Not beneficial to the area/community or suitable use for a residential estate.  
 A residential area in a cul-de-sac next to a busy road with limited parking is not an appropriate site for either for the existing residents or the children;  
 Fear and risk to safety of local residents and children from commercial use.  
 Concerns about lack of supervision.  
 Concerns about use of open space/green already used by locals to include dog walking, local children as a play area and for community events;  
 Disruptive to other residents.  
 Impacts on quiet residential area;  
 Concerns about impacts on younger children and the elderly and nearby primary school.  
 Concerns about behavioural issues, damage to property, pets and people during times of crisis;  
 Not suitable area for the use which may result in home being forced to close - need to be in a more isolated location;  
 Inappropriate location - better in a rural area;  
 Suggest purpose-built facility in an appropriate area or an existing empty council building instead of a change of use in an estate location where issues can arise;  
 Concerns about protection if issues arise.  
 Concerns about trouble, missing children including at night, police involvement;  
 Property provides far too many options for a child who may be likely to run away (e.g. bus stop close by etc);  
 Site frontage is not enclosed/secure.  
 Potential (increase in) vandalism and anti-social behaviour, alcohol and drug abuse;  
 Not opposed to/have sympathy for the children, but not suitable for this location.

Noise and nuisance from use and from occupiers.  
 Use will cause constant disruption day and night;  
 Neighbours have experienced similar issues before.

Highway danger to include to children from busy road (A34).  
 Insufficient parking/turning, already problems in this cul-de-sac location.  
 Highway impacts on existing disabled and elderly users the close.  
 Increase in vehicle movements, staff cars, mini-buses, other visitors e.g. social workers, etc; Concerns staff and visitors will park in cul de sac turning head and block turning area;

Devaluation of property.  
 Willing to take objections to court.

In support (5):  
 Support the application.  
 Children will benefit from nice area.

Site Notice:  
 Expiry date: 29.04.2022

### **Relevant Planning History**

75/02595/FUL Kitchen & porch extension. Approved  
 85/17736/FUL Bedroom extension. Refused.  
 85/18091/FUL Lounge And Bedroom Extension. Approved.

## 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 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: -  
  
Ordnance Survey based Location Plan  
DRG No. 21-095/02A  
Drawing 21-095/01 dated FEB 2022
3. The care home hereby approved shall not be occupied by more than 3 resident children at any time.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the premises shall only be used for the purposes specified in the application and for no other purpose (including any other purpose in Class C2 - Residential Institutions on the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order).

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

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.
3. To ensure that the development carried out in accordance with the submitted proposals and if necessary, to further consider the suitability of the premises for additional residents (Policy C3 of the Plan for Stafford Borough).
4. To define the permission.

### 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 2021, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 That the applicant's attention be drawn to the comments of the Highway Authority available for view on public access in respect of this application and as summarised within the case officer 's report, and in particular to the following informative:

'It is noted that the area at the front of the property has been improved to accommodate 4 car parking spaces. However, the developer needs to ensure that the dropped kerbs are extended to cover all the parking area. A dropped kerb extension permit can be obtained from our Network Management Section. Please note that you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing to widen the access. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk) Vehicle access crossing (dropped kerb) - Staffordshire County Council. '

- 3 That the applicants attention be drawn to the comments of the Staffordshire Police Designing Out Crime Officer available for view on public access in respect of this application and as summarised within the case officer 's report.



**21/35150/COU**  
**23 Darnford Close**  
**Parkside**  
**Stafford**



<b>Application:</b>	21/35369/HOU
<b>Case Officer:</b>	Hannah Cross
<b>Date Registered:</b>	24 March 2022
<b>Target Decision Date:</b>	19 May 2022
<b>Extended To:</b>	N/A
<b>Address:</b>	Gorsty Hill Farm, Yarnfield Lane, Yarnfield, Stone, ST15 0NJ
<b>Ward:</b>	Swynnerton and Oulton
<b>Parish:</b>	Yarnfield and Cold Meece
<b>Proposal:</b>	Extensions, alterations and refurbishment of existing detached dwelling
<b>Applicant:</b>	Mr T Wardle
<b>Recommendation:</b>	Approve subject to conditions

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## REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor R A James (Ward Member for Swynnerton and Oulton) for the following reason: -

"I wish to "Call-in" the above Planning Application as I have reservations on its effect not only to neighbouring properties but to the historic nature of the surrounding area, in particular I would ask the Planning Committee to consider the detrimental effect on the Principle Window of the neighbouring property (Ashgate House) and further to consider what I believe to be inappropriate alterations to a building which has historic implications to both it and the surrounding area".

### 1.0 CONTEXT

#### The Application Site

Gorsty Hill Farm is a detached two storey dwelling located in the village and designated settlement of Yarnfield. The dwelling is a historic former farmhouse with a characterful cottage character. There exists with some historic interest by virtue of existing internal parquetry and as such the dwelling is considered a non-designated heritage asset.

#### Proposed Development

The proposed development is for extensions, alterations and refurbishment of the existing dwelling comprising the following:

Two storey rear extension

Two storey rear extensions involving the demolition of the existing gabled wing of 1.5 storeys in height. The extension is to form a double height kitchen on ground floor and a bathroom on first floor and consists of red facing brick and roof tiles to match existing. External dimensions measure approximately 6.3m (depth) x 4.5m (width) with a ridge height of 5.7m and an eaves height of 3.5m.

Single storey pantry extension

Beyond the two storey rear extension is a timber mono-pitched extension serving a pantry measuring 1.8m (d) x 4.3m (w) with a maximum height of 3.2m and an eaves height of 2.2m.

Single storey corridor link

There is a single storey mono-pitched extension which would serve as a corridor link through the dwelling measuring 2.3m (d) x 5.3m (w) and a maximum height of approx. 3.3m and an eaves height of 2.5m. The link is glazed with three sets of French doors to rear and roof tiles with 3 x rooflights above.

Single storey timber framed orangery

There is a flat roof (with roof lantern above) timber framed, single storey orangery style extension proposed to rear to form a dining room. The extension measures external dimensions of approx 3.1m (d) x 4.5m (w) with a maximum height of approx 3.3m (to top of roof lantern).

Single storey gabled wing extension

A single storey dual-pitched wing extension with solar panels on roof is proposed to form a wet room and bedroom extension. The extension consists of facing brick and roof tiles and measures approximately 8.5m (d) x 4.6m (w) with a maximum height of 4.5m and an eaves height of 2.4m.

Attached to the South West side elevation of this extension is a small canopy to be used for bin storage and heat pump, and a flat roof timber garden store measuring 2.9m (d) x 1.5m (w) x 2.4m (h) and flat roof side porch measuring 2.4m (d) x 1.5m (w) x 2.6m (h).

Front porch

The front porch extension would comprise of a timber frame with a pitched tiled roof measuring approximately 1.5m (d) x 2.9m (w) with a maximum height of 3.5m and an eaves height of 1.9m.

Other external alterations

Other external alterations include the rearrangement of the roof dormers to the front elevation which are proposed to sit more evenly spaced apart, and the rendering of the existing dwelling in a white render finish.

The existing timber windows are proposed to be replaced with painted hardwood windows, which would be double glazed. The design would match the existing side opening timber casements with glazing bars.

Plans also indicate changes to the landscaping of the site to include a parking and turning area on the property frontage and additional block paving to the rear of the site.

### Amended Plans

Plans have been amended since the submission of the original scheme to remove the proposed garage/car port structure to the side of the dwelling following concerns surrounding the impact upon neighbour amenity with respect to an adjacent neighbouring principal window at 'Ash Gate House'.

### Planning policy framework

Section 38(6) of the 2004 Planning and Compulsory Purchase Act and section 70 of the Town and Country Planning Act 1990, as amended, require decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for the purposes of this application comprises The Plan for Stafford Borough 2011-2031 Parts 1 and 2 (TPSB) .

## **OFFICER ASSESSMENT – KEY CONSIDERATIONS**

### **2.0 PRINCIPLE OF DEVELOPMENT**

The application site is located within Yarnfield which is listed as one of the settlements in the Sustainable Settlement Hierarchy under Spatial Principle 3 of TPSB and its defined settlement boundary under Policy SB1 and as shown on the associated Inset map

The principle of development is therefore considered to be acceptable given that the property is located within a sustainable location in the Yarnfield settlement boundary, but subject to other material considerations being satisfied, including: -

- Impact upon the character and appearance of the host dwelling and the surrounding area;
- Residential amenity;
- Car parking provision.

#### Polices and Guidance: -

National Planning Policy Framework 2021 (NPPF)

Paragraphs 8 & 11

The Plan for Stafford Borough 2011-2031 (TPSB)

Part 1 – Spatial Principle 1 (Presumption in Favour of Sustainable Development, Spatial Principle 3 (Sustainable Settlement Hierarchy), Spatial Principle 7 (Supporting the Location of New Development)

Part 2 – SB1 (Settlement Boundaries)

### **3.0 CHARACTER, APPEARANCE & HERITAGE**

Policy N1 of the TPSB sets out design criteria including the requirement for design and layout to take account of local context and to have high design standards which preserve and enhance the character of the area. Section 8 of the Supplementary Planning Document on Design (SPD) then provides further detailed guidance on extensions and alterations to dwellings. Policy N9 requires that development proposals pay due regard to, and where possible enhance existing heritage assets.

### Rear extensions

Whilst the proposed two storey rear extension and single storey gabled wing extension to comprise of facing brickwork and a tiled roof are considered substantial, the extensions sit comfortably below the ridge of the main dwelling and their pitched design is considered to relate well with the main dwelling. In all the extensions are considered sympathetic to the design and composition of the host dwelling.

Other extensions include a modest single storey, timber framed orangery style extension to and mono-pitched corridor are of a modest scale and their design and character is considered sympathetic to the character of the dwelling.

In all the rear extensions are considered to take a subservient and sympathetic appearance to the existing dwelling.

The extensions will be viewable above the existing boundary wall and fence from the vantage point of 'High Lows Lane' however considered the overall subservient appearance of the extensions as described above it is not considered any detrimental harm to the appearance of the streetscene will result.

### Front porch

The front porch sits centrally on the principal elevation of the dwelling and takes a modest form and scale of a sympathetic design to the main dwelling. This addition is therefore found acceptable.

### Other external alterations

The existing brickwork is noted to be mismatched and as such the rendering of external walls is considered acceptable subject to an appropriate finish. There are other rendered dwellings in the area to which the dwelling relates, notably the grade II listed buildings of Boundary Cottage, Elton Cottage and Boundary House approximately 40m south-east of the application site.

The proposed alterations to the existing dormer windows to set these more equally apart is considered acceptable.

The replacement of existing timber windows with replacement timber casements with double glazing is considered acceptable.

### Landscaping

The proposal involves the addition of a gravel surfacing on the property frontage to provide a turning area for vehicles, and additional paving slabs to the rear of the site. There is also Marshalls Grass Guard paving proposed to create three parking spaces on the property frontage. Whilst the gravel turning area and additional paving slabs would reduce some of the soft landscaping (lawn) on the site, it is considered sufficient greenery through hedge planting, trees and the grass guard surfacing to parking area would be retained to avoid this having a detrimental impact on the appearance of the streetscene. The permitted development rights of the dwelling must also be acknowledged in this regard.

### Heritage impact

The Conservation Officer considers that whilst of some age and character, the application property is not of exceptional architectural quality. The Officer however notes the parquetry internally is of historic interest, and the building has a characterful cottage like appearance. As such the dwelling is considered a non-designated heritage asset warranting consideration under paragraph 203 of the NPPF. The Conservation Officer raises no objections to the proposal, considering the proposals in some ways to enhance the appearance of the property by concealing mismatched brickwork and providing more uniformity to the building frontage. Conditions surrounding details of external facing materials and the use of timber for windows, doors and bargeboards and fascias have been requested and can be included on any permission granted. Subject to conditions it is not considered the proposal will have an adverse impact on the heritage significance of the building or surrounding area.

In all it is not considered the proposal will result in harm to the character, appearance or heritage value of the building or the surrounding area.

### Policies and Guidance: -

National Planning Policy Framework 2021 (NPPF) Paragraph 203  
 Section 12 - Achieving well-designed places  
 The Plan for Stafford Borough 2011-2031 (TPSB)  
 N1 (Design)  
 Supplementary Planning Document – Design (SPD)

## **4.0 RESIDENTIAL AMENITY**

Criteria (e) of Policy N1 of the TPSB and the SPD require design and layout to take account of adjacent residential areas and existing activities.

The proposed rear windows to the extensions on ground floor would face a 1.8m high close boarded boundary fence and hedgerow in between the application property and 'Chestnut House'. There is an obscure glazed side access door and obscure glazed W/C window to Chestnut House which would face towards the extensions however given the existing boundary treatment, and the secondary nature of the windows it is not considered the proposal will be detrimental to the amenities of these neighbouring occupiers.

On first floor there is a triangular section of glazing within the rear gable which would provide light into the double height kitchen. Given there is no first-floor access to this window and its height above the kitchen floor level, it is not considered this will result in any additional overlooking to neighbouring properties.

Following amendments to remove the car port/garage structure to the side of the dwelling, the extensions are sited at a sufficient distance to avoid any in any technical breaches to the Council's SPD Guidelines with respect to amenity (requiring a distance of 8m between principal windows and single storey rear extension and 12m to two storey extensions), and is not considered to be otherwise detrimental to the amenities of occupiers at 'Ash Gate House'.

There is a boundary fence and access track between the application property and nearby flats (nearest being nos 5 and 6) on Chestnut Drive, and whilst the proposal will be viewable at an angle from first floor windows, the proposal will not result in any technical

breaches to the Council's SPD Guidelines with respect to amenity and is not considered to be otherwise detrimental to the amenities of these neighbouring occupiers.

There are no other residential amenity concerns associated with the application and in all it is not considered the proposal will result in undue harm to residential amenity.

Policies and Guidance: -

National Planning Policy Framework 2021 (NPPF)

Paragraph 130

The Plan for Stafford Borough 2011-2031 (TPSB)

N1 (Design)

Supplementary Planning Document – Design (SPD)

## 5.0 HIGHWAYS AND PARKING

Appendix B of The Plan for Stafford Borough requires 3 parking spaces for a 4-bed dwelling.

This parking provision is shown on the proposed parking area to the property frontage, with further parking provision along the existing access.

The Highway Authority have been consulted on the application and raise no objections to the proposal.

Policies and Guidance: -

National Planning Policy Framework 2021 (NPPF)

Paragraphs 110 and 111

The Plan for Stafford Borough 2011-2031 (TPSB)

Policies T1 (Transport), T2 (Parking and Manoeuvring Facilities), Appendix B – Car Parking Standards

## CONCLUSION AND PLANNING BALANCE

The proposal is acceptable in principle and is not considered to harm the character and appearance of the dwelling or wider area. There are no significant residential amenity concerns and parking provision is acceptable. It is therefore recommended planning permission be granted subject to conditions.

## CONSULTATIONS

**Parish Council (to original scheme):** Seeking clarification on the heritage status/designation of the building. Note the carport/garage on the boundary would have a detrimental effect on Ashgate House.

**Parish Council (to amended scheme):** Welcome the amendment to the plan to remove the proposed car port, however still concerns about the impact of the development on Gorsty Hill Farm and the protection of this heritage asset in the par

**Neighbours (original scheme):**

(16 consulted): 4 representations received raising the following material considerations: -

1 in support – The proposed development will be in-keeping with surrounding buildings. Noting the building is in need of renovation.

3 objections –

- Raising concerns surrounding the impact of the proposed garage in relation to the principal ground floor window at Ash Gate House
- The impact on the character of the historic building and surrounding heritage assets will be harmful.
- Proposed turning area is not discretely located.
- Front porch and realigned first floor windows considered unnecessary domestication of the building's frontage.
- Use of external render will destroy traditional appearance of the building.
- Insufficient publicity has taken place on the application

**Neighbours (following amendments to show reduction in height of garage): 5 objections, 3 in support raising the following material considerations:**

#### Objections

- Proposed garage by virtue of its proximity will result in harm to the amenities of neighbouring occupiers at Ash Gate House
- Concern surrounding the extent of the works on the existing farmhouse. Use of reclaimed materials would improve the visual aspect.

#### In support

- The building will be more attractive than existing
- The property is in need of modernisation and the plans will result in a significant improvement to the outer aspect when passing through the village
- The proposal will allow a tired property to be brought back to life

**Neighbours (following final plans to show removal of garage): 3 representations (2 in support, 2 objections) raising the following material considerations:**

#### Objections

- Raising concerns over publicity
- Concerns raised surrounding the accuracy of the Conservation Officer's report
- The porch constitutes a domestic feature which should not be supported on a historic building
- Objection to the proposed render

#### In support

- Comments noting the proposal would enhance the property aesthetically.
- The building in question is not Listed as should not be restricted as such
- Welcoming the removal of the garage extension to the side of the property

**Conservation Officer (comments summarised):**

Whilst the proposed works to the historic farm cottage are substantial, particularly the rear extensions, overall, I consider them to be in keeping with the rural character of the area, and in some ways would enhance the properties appearance aesthetically by concealing mismatched brickwork and providing more uniformity to the building frontage. No



alterations are proposed to the ground floor reception rooms of the original dwelling, which contain the inglenook fireplace and the pargeting, which are the most significant of the building's historic features. There is no conservation objection to the proposed development, subject to the below conditions.

### Conditions

1. Notwithstanding any description, details and specifications submitted, detailed specifications and/or samples of the facing brickwork, render, cladding and the roof tiles to be used in the construction of the extension shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works. The development shall thereafter be carried out in accordance with the approved details.
2. Notwithstanding any description, details and specifications submitted, all new windows, doors, bargeboards, and fascia boards shall be in timber, and thereafter retained as such for the life of the development.

**Highways Authority:** No objections to parking and turning areas proposed  
**Surgery:** 20.04.2022

### Relevant Planning History

None.

### Recommendation

Approve subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. The development authorised by this permission shall be carried out in complete accordance with 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: -
  - Drawing Number 6135-002D
  - Drawing Number 6135-003
  - Drawing Number 6135-004B
3. Notwithstanding any description, details and specifications submitted, detailed specifications and/or samples of the facing brickwork, render, cladding and the roof tiles to be used in the construction of the extension shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works. The development shall thereafter be carried out in accordance with the approved details.
4. Notwithstanding any description, details and specifications submitted, all new windows, doors, bargeboards, and fascia boards shall be in timber, and thereafter retained as such for the life 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 ensure the satisfactory appearance of the development in the context of the historic building and its surrounding area (Policy N1 and Policy N9).
4. To ensure the satisfactory appearance of the development in the context of the historic building and its surrounding area (Policy N1 and Policy N9).

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 2021, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.

**21/35369/HOU  
Gorsty Hill Farm  
Yarnfield Lane  
Yarnfield**



<b>Application:</b>	22/35606/FUL
<b>Case Officer:</b>	Hannah Cross
<b>Date Registered:</b>	22 February 2022
<b>Target Decision Date:</b>	19 April 2022
<b>Extended To:</b>	N/A
<b>Address:</b>	6 Mill Farm Barns, Mill Street, Stone, Staffordshire, ST15 8BA
<b>Ward:</b>	St Michaels and Stone Field
<b>Parish:</b>	Stone Town
<b>Proposal:</b>	Erection of 1.6m high black powder coated steel railings (part replacement of existing fence)
<b>Applicant:</b>	Dr G Rhys
<b>Recommendation:</b>	Approve subject to conditions

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## PREVIOUS CONSIDERATION BY COMMITTEE

A report on the application was considered by Planning Committee on 15 June 2022 when it was resolved:

“that planning application No 22/35606/FUL be deferred to enable Officers of the Planning Department to seek clarification from the Owner of the land in question regarding the relationship between the railings and associated earth bund, and to clarify his future intentions in respect of the site”.

## UPDATE

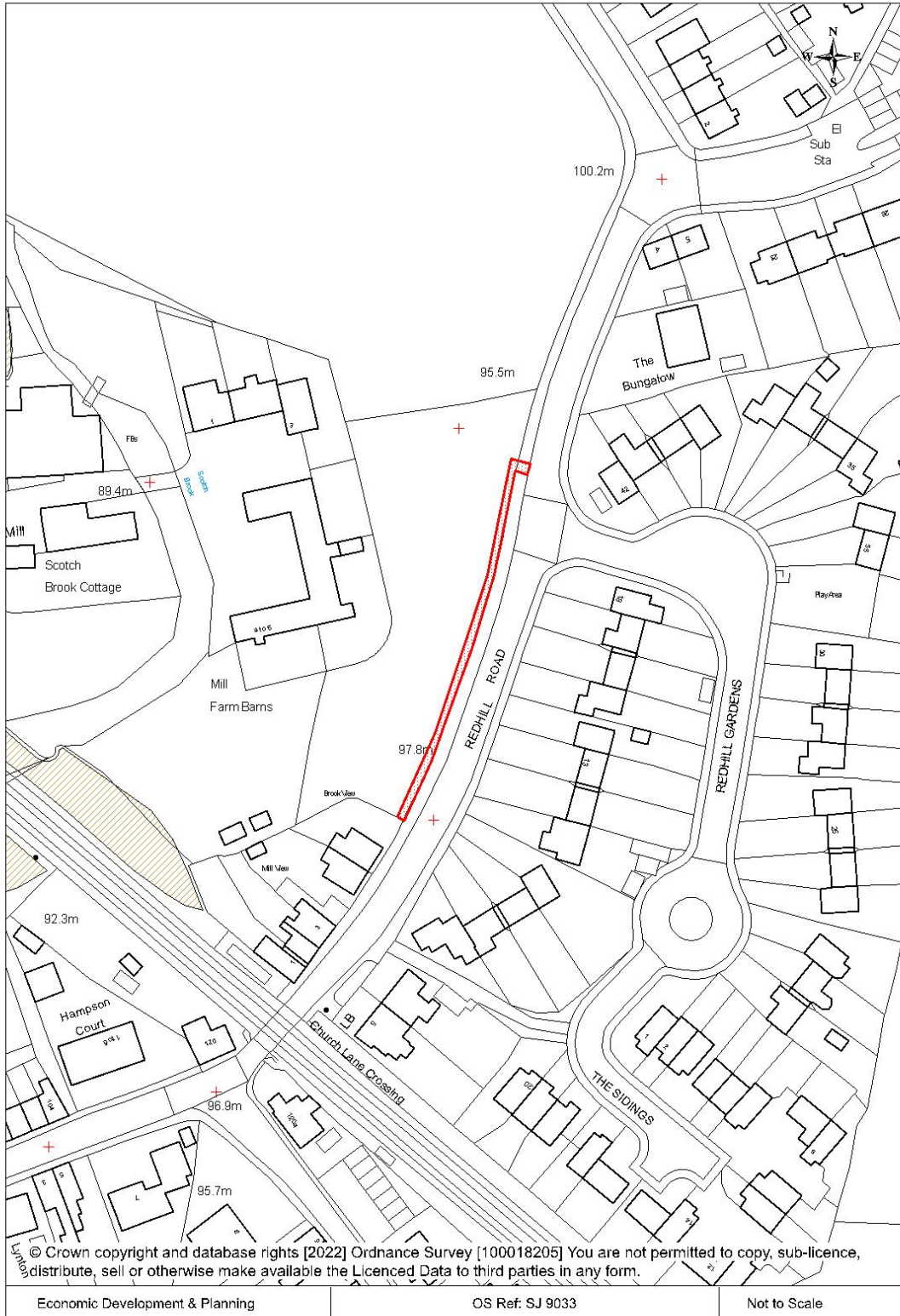
A site meeting has been held with the applicant, and officers have inspected the entire length of the boundary within the application site and it is evident that no bund has been created, but in most parts the existing land level within the application site is higher than the pavement level. Whilst photographs have been taken, it is difficult to show on any photograph the land immediately within the boundary in comparison to the pavement height due to the presence of the fence and dense vegetation.

It is therefore recommended that the Committee resolve to undertake a site visit prior to determining the application in order to understand the relationship between the proposed railings and the existing land levels for the pavement on Redhill Road and on the application site.

## RECOMMENDATION

That a Committee site visit is undertaken prior to the determination of this application.

**22/35606/FUL**  
**6 Mill Farm Barns**  
**Mill Street**  
**Stone**



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 PLANNING COMMITTEE - 27 JULY 2022
 

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**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
21/34026/HOU Delegated Refusal	23 Burton Manor Road Stafford ST17 9QJ	Upgrade of conservatory using existing base
21/34152/ANX Delegated Refusal	Grange Barn Broad Hill Beffcote	Demolish existing timber double garage, replace with new double garage and granny annexe
21/35123/HOU Delegated Refusal	55 Porlock Avenue Weeping Cross Stafford	Proposed two storey side and single storey rear domestic extension with extended dropped kerb.

### Decided Appeals

Application Reference	Location	Proposal
21/34390/FUL Appeal Dismissed	The Hough Retail Park Foxearth Sports Prestige Lichfield Road	Retrospective application for proposed amendments to site layout to allow for additional gravelled vehicle display areas and proposed grassed area.
21/33764/COU Appeal Allowed	Osborne House 190B Main Road Milford	The change of use of land from agricultural to purposes incidental to the enjoyment of a dwellinghouse (domestic garden).

### Previous Consideration

Nil

V1 18/07/2022 10.43

## **Background Papers**

File available in the Development Management Section

## **Officer Contact**

John Holmes, Development Manager Tel 01785 619302



## Appeal Decision

Site visit made on 29 March 2022

by **F Rafiq BSc (Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31 May 2022

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**Appeal Ref: APP/Y3425/W/21/3283112**

**Foxearth Sports Prestige, The Hough Retail Park, Lichfield Road, Stafford ST17 4LU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr C Maguire (Foxearth Sports, Prestige and 4x4) against the decision of Stafford Borough Council.
  - The application Ref 21/34390/FUL dated 18 May 2021 was refused by notice dated 2 September 2021.
  - The development proposed is amendments to site layout to allow for additional gravelled vehicle display areas and proposed grassed area.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. At the time of my visit, the grass and gravel areas were in place with some vehicles parked in this area to the east of the building. The site arrangements reflected the plans before me and for clarity, I have dealt with the appeal based on the submitted plans.

### Main Issues

3. The main issues are:
  - whether the development would preserve or enhance the character and appearance of the Forebridge Conservation Area, and
  - the effect on highway safety, with regard to parking provision.

### Reasons

#### *Conservation Area*

4. The appeal site is a mixed car showroom and café business situated on a large retail park and comprises of a detached building with car parking and open areas around it. Part of the site, including the existing building and the area to its east are within the Forebridge Conservation Area (CA).
5. My attention has been drawn to the Forebridge Conservation Area Appraisal 2013 (CAA) which identifies the appeal building as a positive building and the external area around it as a neutral space. The appeal site falls within the 'Lichfield Road Character Area' which is said to contain properties that are set back from the road which contributes to the spacious feel to the road. The significance of the area is derived from the mix of traditional buildings set along



historic roads and the presence of open space areas and mature planting. The appeal site, whilst not being identified specifically as a green space within the CAA, and despite having seen previous unsympathetic changes to its historic fabric internally, still contributes positively to the CA's character and appearance.

6. The appeal site was previously granted permission<sup>1</sup> for a change of use to a mixed-use car showroom/café including an outdoor vehicle display area. The Council has referenced that the area to the east of the building was approved with an open landscaped aspect with no vehicular parking. The appeal development would not introduce any building or other permanent fixture. It would result in a sizable grass area, which the appellant refers to as some 60% of the original landscaped area, but this would be surrounded on three sides by the parking of vehicles.
7. I was able to see hedgerows around the periphery of the site which softens views of the site. The hedgerows are however at a low level and given the higher land levels within the site, the introduction of vehicular parking, even if vehicles were spaced out, would be clearly visible and prominent in views along Lichfield Road.
8. The site is bounded by a large car parking area to the south, and a modern signage board for the retail park is also on its periphery. Nevertheless, given the width and the positioning of the signage, it has a limited effect on blocking views of the appeal building and the external area to its east. It has also been stated that the Council has accepted the use of porous tarmac for customer parking and vehicle display areas and that in comparison, the use of gravel, such as that proposed can provide a softer finish.
9. Although the retail park has a large car parking area which adjoins the appeal site, this is to the south of the site, away from Lichfield Road and outside the CA. The proposal would however see the introduction of parking in a prominent location that was approved as a landscaped area. This would have a significant impact in reducing openness and obscuring views of the traditional façade of the appeal building.
10. Taking the above points together, and mindful of the duties arising from section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), the proposal would fail to preserve or enhance the character or appearance of the CA and would not meet this duty, which sets out the desirability of preserving or enhancing the character or appearance of the conservation area. The harm to the CA would be less than substantial and therefore in line with paragraph 202 of the National Planning Policy Framework (the Framework) this harm should be weighed against any public benefits of the proposal. Despite the harm being less than substantial, the Framework states that great weight should be given to the asset's conservation.
11. The appellant has set out that the proposal would support the car sales and café business, which has suffered adversely from the pandemic. The proposal would benefit the business through the provision of a larger vehicle display area, but this would be of little benefit to the public at large. I recognise that the provision of toilet facilities would be beneficial as the retail park does not have consumer toilets. Although the café element of the business may be more

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<sup>1</sup> LPA Reference: 17/27360/COU

visible following the proposal, the provision of the toilet facilities could be provided without the external changes sought as part of this appeal application. The Framework advises that any harm to the significance of the designated heritage asset should require clear and convincing justification. I have found that the public benefits would cumulatively attract moderate weight to be given to the conservation of the heritage asset and would not therefore outweigh the harm found to the significance and the weight to be given to the conservation of the heritage asset.

12. As such, the proposal would be contrary to Policies SP1, SP7, N1, N4, N8 and N9 of The Plan for Stafford Borough 2011-2031, 2014 (The Plan), which seek, amongst other matters, development proposals to sustain and where appropriate enhance the significance of heritage assets. It would also be contrary to the Framework, the National Design Guide the Planning Practice Guidance and Design Supplementary Planning Document 2018 insofar as they seek to ensure that heritage assets are conserved in a manner appropriate to their significance.

### *Highway Safety*

13. The Council have stated that insufficient information has been provided to calculate whether adequate customer parking would be available for the proposed outdoor vehicle display. The appellant accepts that additional parking provision should be provided and references the gain of 2 customer car parking spaces. The existing and proposed parking areas however both provide 15 parking spaces, and it is not clear from the information before me where the 2 additional spaces would be provided.
14. The appellant has also stated that the additional display area would provide a maximum of 14 spaces as the vehicles for sale would be spaced out. Whilst I have no reason to doubt the appellant's figures, in the absence of information on additional customer parking provision or on whether customers would be able to use the large adjacent retail park, I have insufficient information to clearly demonstrate the proposal would provide adequate parking provision. As such, I cannot be certain that the proposal would avoid parking overspill on to surrounding roads, including the A34 Lichfield Road, where from my site observations, such parking could impede the free flow of traffic and lead to material harm to highway safety.
15. I therefore conclude that in the absence of any evidence to the contrary, the development would cause harm to highway safety in terms of parking provision. It would therefore conflict with Policy T2 of The Plan, which seeks, amongst other matters, to ensure adequate parking is provided for all new development.

### **Other Matters**

16. Reference has been made to the planning history of the site and the appeal building not being listed. I note that gravel was used following the removal of the trees to allow the ground to settle and because it acts a water retainer. I have taken into account these matters but they do not outweigh my conclusions in relation to the main issues. Other factors such as the pedestrian, customer and delivery access points remaining unchanged are neutral matters.

17. The appellant has referenced delays in the processing of the application and the reasons for submitting the application retrospectively. These are administrative matters and are outside the scope of this appeal.

**Conclusion**

18. For the reasons given above, having considered the development plan taken as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

*F Rafiq*

INSPECTOR



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# Appeal Decision

Site visit made on 16 May 2022

**by Hannah Ellison BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 24 June 2022**

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**Appeal Ref: APP/Y3425/W/21/3285871**

**190B Main Road, Milford, Stafford ST17 0UN**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr and Mrs John Maude against the decision of Stafford Borough Council.
  - The application Ref 21/33764/COU, dated 25 January 2021, was refused by notice dated 22 October 2021.
  - The development proposed is the change of use of land from agricultural to purposes incidental to the enjoyment of a dwellinghouse (domestic garden).
- 

## Decision

1. The appeal is allowed and planning permission is granted for the change of use of land from agricultural to purposes incidental to the enjoyment of a dwellinghouse (domestic garden) at 190B Main Road, Milford, Stafford ST17 0UN, in accordance with the terms of the application Ref 21/33764/COU, dated 25 January 2021, and the plans titled DCRP2021.01.01-01 Rev A Location Plan and DCRP2021.01.01-02 Rev A Site Plan.

## Preliminary Matter

2. At the time of my site visit the change of use had already occurred, with the extended garden area laid out in accordance with the submitted plans and post and rail fencing around its perimeter. I have determined the appeal accordingly.

## Main Issue

3. Whether the part of the appeal site is suitable for a change of use, having regard to the development plan and the effect on the character of the area.

## Reasons

4. The appeal site is located to the rear of a cluster of dwellings and includes a detached dwellinghouse and garage. There is an enclosed parcel of land to the rear of the appeal site which rises steeply upwards and to the north west is a wider agricultural field. The site is immediately adjacent to the Cannock Chase Area of Outstanding Natural Beauty (AONB).
5. The enlarged part of the garden, subject of this appeal, now has a distinct domestic identity rather than appearing to form part of the agricultural field. Nevertheless, the character of the area immediately to the rear of the appeal site is rural and it is within this context which the enlarged part of the garden would have previously been read. However, the amended garden boundary results in a continuation of the adjoining domestic boundaries to the rear,

which do not follow a strict uniform line. It is suggested that the adjoining garden boundary is unlawful however it appears well established and there are no further details before me to indicate that the Council is actively engaged in enforcement action relating to its use.

6. Furthermore, the enlarged garden is of a very limited size and would have formed the southern corner of the field. Given its location and relationship with adjoining boundaries, it does not significantly interrupt the field boundaries or the landscape of the rural/urban divide in this locality. Whilst the change of use is not readily apparent in the street scene it is nevertheless read in context with the adjoining built form within the settlement boundary. As such, the erosion of the rural character of the area is nominal in this instance and the intrusion would not appear awkward or out of character given the layout of adjoining boundaries and pattern of adjacent domestic development.
7. The existing sub-division of the field to the rear which I observed during my site visit has resulted in an intervening strip of land between the appeal site, the enclosed field and the wider agricultural land. The extension of the domestic curtilage has nevertheless resulted in encroachment onto agricultural land, whether subdivided or not, and the appellant has indicated that the enlarged garden area was formally used for the grazing of horses.
8. Despite this however, there is no conclusive evidence before me to indicate that the encroachment has prejudiced any viable agricultural operations on a farm or other existing viable uses on the adjoining parcels of land. The extended garden area is of a narrow, linear layout and is limited in overall size. The change of use does not appear to prevent access to the wider agricultural field or the enclosed parcel of land. Without convincing evidence to the contrary, collectively these factors ensure that the land could continue to be used effectively for agricultural purposes.
9. Accordingly, the development does not have an adverse impact on the character and appearance of the area and does not prejudice the use of the adjoining agricultural land. It therefore accords with Policies E2, N1 and N8 of The Plan for Stafford Borough 2011-2031 (June 2014) and the National Planning Policy Framework (the Framework) which collectively seek to ensure that developments are sympathetic to local context and landscape quality, do not prejudice agricultural operations and therefore make effective use of land.

### **Other Matter**

10. There are concerns that the appeal development could create opportunities for the erection of a further dwelling. The enlarged part of the garden area is of a limited size and there is nothing before me to indicate that the suggested development would occur. Furthermore, each proposal is determined on its own merits. I therefore afford this matter limited weight.

### **Conditions**

11. A condition specifying a time limit is unnecessary as the development has already taken place. As the development involves a change of use only, it is also not necessary for me to attach a condition specifying the approved plans. I do however note the Council's concern regarding the site boundaries. Although I consider the garden extension to be in accordance with the submitted plans,

in the interests of certainty, I have referred to the plans in the effective part of the decision above.

12. The Council has suggested that a condition is attached which removes certain permitted development rights. The enlarged garden area is outside of the AONB, which is located to the east of the site, and the boundary consists of mature hedging. Additionally, I have found that the site is read in context with the adjacent built form to the south which is within the urban area. There is also nothing before me to suggest that permitted development rights for the host dwelling and its original garden have previously been removed. As such, the removal of permitted development rights to the garden extension hereby approved would be unreasonable and unnecessary, and thus would fail to accord with the tests in the Framework.
13. Similarly, a requirement for landscaping details to be submitted is unnecessary as I have found that the enlarged garden area does not harm the rural character of the area given its visual association with the adjacent built form.

### **Conclusion**

14. The development complies with the development plan as a whole and there are no material considerations worthy of sufficient weight that indicate a decision otherwise than in accordance with it. The appeal should therefore be allowed.

*H Ellison*  
INSPECTOR