

Dear Members

Planning Committee

A meeting of the Planning Committee will be held on **Wednesday, 16 July 2025** 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.



Head of Law and Governance

PLANNING COMMITTEE - 16 JULY 2025

Chairman - Councillor A Nixon

Vice-Chairman - Councillor S N Spencer

AGENDA

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

Details of Delegated applications will be circulated separately to Members.

	Page Nos
5 Planning Applications	3 - 23
6 Planning Appeals	24 - 34
7 Enforcement Matters	-

MEMBERSHIP

Chairman - Councillor A Nixon

B M Cross	A R McNaughton
P C Edgeller	A Nixon
A D Hobbs	M Phillips
J Hood	A J Sandiford
R A James	S N Spencer
R Kenney	

ITEM NO 5

ITEM NO 5

PLANNING COMMITTEE - 16 JULY 2025

Ward Interest - Nil

Planning Applications

Report of Head of Economic Development and Planning

Purpose of Report

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

		Page Nos
24/39044/FUL	Walton Bank, Stafford Road, Walton, Eccleshall	4 - 12
The application was called in by Councillor P Jones.		
Officer Contact - Richard Wood, Development Lead Telephone 01785 619324		
24/39689/HOU	Cambrilles, Green Park, Fulford, Stoke-On-Trent	13 - 23
The application was called in by Councillor M G Dodson.		
Officer Contact - Jodie Harris, Planning Officer Telephone 01785 619623		

Previous Consideration

Nil

Background Papers

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

Application: 24/39044/FUL
Case Officer: Hannah Cross
Date Registered: 22 April 2024
Target Decision Date: 17 June 2024
Extended To: -
Address: Walton Bank, Stafford Road, Walton, Eccleshall, Stafford
Ward: Eccleshall
Parish: Eccleshall
Proposal: Variation of condition 5 on application 23/37150/FUL (retrospective)
Applicant: Mr J Holt
Recommendation: Approve subject to conditions

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor P Jones (Ward Member for Eccleshall) for the following reasons:-

There is no evidence provided that supports this course of action. The Council's planning officers are also aware that residents have submitted evidence that not only is the noise still a significant problem but that the condition is being breached. In my opinion it must have been obvious from the outset that the work to be carried out by this business could not do so and adhere to the condition.

1.0 Context

Application site

- 1.1 The site comprises a group of former agricultural buildings which have since been converted to B2 (industrial) and storage and distribution use (B8). The site is located in a rural location with the parish of Eccleshall, and is accessed via a long private driveway off the A5013 adopted highway.

Background

- 1.2 Planning permission was granted retrospectively by Planning Committee on 17 January 2024 under application 23/37150/FUL for the use of the units for B2 and B8 use (industrial/ storage and distribution). Unit 5, being the subject of this application, was approved for use by a vehicle repairs and modification business, Roadspeed Developments. This permission was granted subject to a number a

conditions, one being condition 5, the subject of this application, which reads as follows:

The roller shutter doors at unit 5 shall remain in a closed position during the business hours of operation. No works shall be undertaken outside of this unit at any time.

- 1.3 This condition was deemed necessary at the time given the findings of the noise impact assessment submitted as part of 23/37150/FUL, reference P6571-R1-V3 dated 15 September 2023.

The proposal

- 1.4 Unit 5 remains occupied by Roadspeed Developments and the application seeks the retrospective variation of condition 5 to allow for the roller shutter doors at Unit 5 to be kept open while works on cars are being carried out. It is stated that the doors are required to be opened for safety and ventilation reasons. The application initially proposed removal of the condition in its entirety, however following comments received by Regulatory Services it is now proposed to vary the condition so the second part of the condition, which prohibits works from being carried out outside of the unit, is retained.
- 1.5 It is stated within the planning statement submitted under the current application that the noise impact assessment submitted under 23/37150/FUL did not accurately reflect typical day-to-day activities at the site. It is stated that at this time Noise Air requested that the tenant at unit 5 make as much noise as possible and turn on all his equipment at the same time at its highest volume, and that at the date of assessment, the grain dryer in the neighbouring agricultural building was on constantly. It is stated that in light of this, Noise Air carried out a second assessment which the applicant considers is a more accurate representative of the typical operations at the site.
- 1.6 The application is supported by this new noise impact assessment Ref: P6571-R1-V5 dated 14 March 2024. This document was initially indexed as 'high security' in error and therefore was unable to be viewed by the public. The document has since been made viewable to members of the public and neighbouring occupiers have been re-consulted on the information.
- 1.7 This application is retrospective and follows an enforcement investigation COND2/00019/EN24.

Officer Assessment - Key Considerations

In this case the key material consideration with the application is the impact of the proposal upon residential amenity.

2.0 Residential amenity

- 2.1 Policy N1 of TPSB requires the design and layout of development to take account of noise and light implications and amenity of adjacent residential areas.

- 2.2 There is a cluster of residential dwellings located to the north of the site. The proposal has received a number of objections and comments following consultations with the neighbours in respect of noise emanating from Unit 5.
- 2.3 Many of these comments raise objections surrounding the principle of the industrial use of this unit. As above, the use of the building has been approved and is unchanged from the previous submission. As such the only consideration with this application is whether the variation of condition 5, as proposed, is acceptable.
- 2.4 The noise impact assessment undertaken by Noise Air dated 14 March 2024 is considered. This concludes that the excess of rating level above the existing background sound level is +3dB(A) and indicates a low impact at the nearest noise sensitive receptors. The agent for the application has confirmed that this assessment (and the previous) was carried out with roller shutter doors open.
- 2.5 Regulatory Services have been consulted on this information and have provided the following comments:

I have read and noted the conclusions and findings of the Noise Impact Assessment (Report Ref: P-6571-R1-V5) submitted in support of the application and agree with its methodology and its conclusions that the impact upon those residential properties closest to the application site is low.

This opinion is further supported by recent unannounced visits to the site (with handheld noise monitoring equipment) which showed that the levels of noise encountered by residents from the operations of Road Speed Developments (RSD) are acceptable when compared to the levels attributable to passing (heavy) traffic on the A5013 to the north of the site and the residential properties. This opinion is further reinforced by the fact the roller shutter door was open at all times during these observation visits (in contravention of this existing condition but helping to prove its invalidity).

No objection is made to the removal of the first sentence of the condition - however, I would still advise that carrying out works outside the units on site is undesirable and could result in statutory noise nuisance complaints should works be undertaken outside the RSD buildings.

- 2.6 Whilst not the subject of this application, condition 6 was also attached to permission granted under 23/37150/FUL which required submission of a noise management plan within 2 months of the permission. This was submitted within 2 months of the decision under a discharge of conditions application, 24/38914/DCON. As a discharge of conditions application this was not subject to public consultation. The noise management plan was supported by a noise impact assessment, ref: P6571-R1-V5 dated 14 March 2024, being the same report submitted under this application.
- 2.7 Under 24/38914/DCON it was considered by Regulatory Services that the noise impact assessment submitted to support the application was not accurate, and the noise management plan was subsequently refused on this basis on 20 June 2024.

- 2.8 Since the determination of this application, Regulatory Services have carried out unannounced visits to the site and undertaken their own assessment in terms of noise, and now consider the results of the noise impact assessment submitted to be accurate.
- 2.9 Taking account of the latest noise impact assessment together with the Regulatory Services comments, the variation of condition 5 proposed, which would allow for works to be carried out with the roller shutter doors open, but would prohibit any works taking place outside of unit 5, is on balance, considered acceptable in terms of its impact upon residential amenity.
- 2.10 For the avoidance of doubt, this is not to say that the proposal does/would not have an impact upon noise emanating from the site, but that the impact of proposal, when taking account site context, including the levels of noise attributable to passing (heavy) traffic on the A5013 to the north of the site as referred to by the EHO, would not be harmful to an extent which would warrant refusal of the application.
- 2.11 Furthermore, given the findings of the noise impact assessment and the comments of the EHO, a condition requiring roller shutters to be kept closed would not meet the tests of a planning condition as set out in Paragraph 57 of the NPPF, in that the condition would not be necessary for the proposal to be considered acceptable. The comments surrounding the safety and ventilation of occupiers of the unit are also noted and this raises the question as to whether this part of the condition is reasonable when considering the working conditions of occupiers. As per Paragraph 57 of the NPPF, a planning condition is required to be reasonable.
- 2.12 Following refusal of application 24/38914/DCON, although the findings of the NIA are now accepted, there remains no approved noise management plan, and this does not form part of the current application. It is therefore necessary to re-attach condition 6 on any new permission granted.
- 2.13 As per the previous application conditions to restrict the operating hours of the site (condition 4), and external lighting (condition 2) should be attached in the interests of neighbour amenity.
- 2.14 In all, and subject conditions, it is considered the proposal is acceptable in terms residential amenity.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs: 57, 135

The Plan for Stafford Borough

3.0 Other matters

- 3.1 As a Section 73 application whereby the original planning permission was granted prior to biodiversity net gain legislation coming into effect, this application is exempt from statutory biodiversity net gain requirements.

- 3.2 Neighbour comments raise concerns surrounding the impact of the proposal upon property prices. This is not a material planning consideration. Neighbour comments raise other potential enforcement matters with the wider site. These matters do not form the subject of this application, and can be dealt with as a separate enforcement matter.

4.0 Conclusion

The proposal, taking account of the submitted noise impact assessment and the comments of Regulatory Services, on balance, is considered acceptable in terms of its impact upon residential amenity and it is recommended planning permission be granted subject to conditions.

Consultations

Eccleshall Parish Council:

Comments dated 5 June 2025:

Objection

It is requested that noise monitoring equipment is sited in the area to obtain a more comprehensive set of data for evaluation.

It was also noted that no detail of the noise management plan has been provided.

Comments dated 20 February 2025:

- Continues to object.
- No conclusions or further information from site visit on 7 November 2024 by EHO
- Condition 6 still not discharged by SBC

Comments dated 16 May 2024:

- Objection . There is no evidence provided that supports this course of action. The council is also aware that residents have submitted evidence that not only is the noise still a significant problem but that the condition is being breached.

Neighbours: (24 written responses received in total, all objections, raising the following material considerations):

- Noise as a result of doors being opened having an adverse impact upon residential amenity
- Removal / variation of condition 5 has/would have an adverse impact upon living conditions of neighbouring residents
- Photographs submitted showing roller shutter door open
- Concerns that Condition 5 is already being breached

- Noise management plan not been made available to residents
- Concern surrounding the industrial use of the site

It is noted videos and audio recordings have also been submitted by neighbouring residents, and these have been considered, however cannot be uploaded to the application due to their file format.

Regulatory Services:

I have read and noted the conclusions and findings of the Noise Impact Assessment (Report Ref: P-6571-R1-V5) submitted in support of the application and agree with its methodology and its conclusions that the impact upon those residential properties closest to the application site is low.

This opinion is further supported by recent unannounced visits to the site (with handheld noise monitoring equipment) which showed that the levels of noise encountered by residents from the operations of Road Speed Developments (RSD) are acceptable when compared to the levels attributable to passing (heavy) traffic on the A5013 to the north of the site and the residential properties. This opinion is further reinforced by the fact the roller shutter door was open at all times during these observation visits (in contravention of this existing condition but helping to prove its invalidity).

No objection is made to the removal of the first sentence of the condition - however, I would still advise that carrying out works outside the units on site is undesirable and could result in statutory noise nuisance complaints should works be undertaken outside the RSD buildings.

Site Notice Expiry: 4 July 2024

Relevant Planning History

00/39277/FUL - Change of Use of Redundant Farm Building To Dwelling and Alterations To Farmhouse To Form Additional Dwelling approved 6 September 2000.

03/01368/COU - Conversion of existing redundant farm building into dwelling 'The Willows'

04/02404/COU for change of use of bays 1-3 of existing building to use for light fabrication and associated storage approved 12 September 2004.

06/05930/COU for change of use of existing machinery shed / workshop to light industrial and storage from agricultural maintenance and storage approved 10 April 2006.

23/37150/FUL - Retrospective planning application for a change of use from agricultural buildings to B2 car repairs and storage and distribution – Permitted 19 January 2024

24/38914/DCON - Discharge of condition 6 on 23/37150/FUL – Refused 20 June 2024

Recommendation

Approve subject to the following conditions:

1. The development authorised by this permission shall be carried out in complete accordance with the approved drawings and specification listed below:
 - Site plan Walton Bank Farm as amended 22 December 2023 (submitted under 23/37150/FUL)
 - Drawing Number A3 Floor plans Units 1-7 received 15 June 2023 (submitted under 23/37150/FUL)
 - Design and Access statement (submitted under 23/37150/FUL)
2. All external lighting shall be low lumen down lighting and directed so as not to light up the sky above or any boundary hedges or adjacent properties.
3. The approved development shall be used for the purposes of car repairs, light fabrication and storage, and for no other use including any use within class B2 of the Town and Country Planning (Use Classes) Order 1987 as amended.
4. Notwithstanding any description/details in the application documents, the hours of operation of the uses hereby approved shall be restricted to:-
 - 08.00 am to 18:00 pm Monday to Friday inclusive;
 - 08.00am to 14.00pm on Saturdays;
 - Not at all on Sundays, Bank Holidays and other public holidays.
5. No works shall be undertaken outside of unit 5 at any time.
6. Within 2 months of the date of the planning permission a Noise Management Plan shall be submitted to the local planning authority, this shall include the following criteria;
 - Name of person(s) response for implementation of the Noise Management Plan;
 - Permitted hours of operations at the site;
 - Strict speed limits for staff/ visitor vehicles;
 - Details of operations and activities permitted to be undertaken at the development site;
 - Vehicles should not be permitted to be left idling at the development site;
 - All doors and openings should be maintained in the closed position, when doors are required to be open, this should be reduced to as small a timeframe as possible;
 - Any reversing beacons at the development site should be of 'white noise' type rather than traditional;

- Clear complaints procedure outlining how complaints should be investigated and what remedial action should be taken and who is responsible for complaint investigation; and,
- Documented record of all complaints should be maintained and made available to the LPA if requested.

From the date that the Noise Management Plan is agreed in writing by the local planning authority it shall be complied with in its entirety for the lifetime of the development.

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

1. To define the permission.
2. In the interests of residential amenity and to prevent light spillage into the wider landscape in compliance with TPSB policies N1 and N8.
3. To define the permission.
4. To safeguard the occupiers of nearby residential properties from undue noise.
5. To safeguard the occupiers of nearby residential properties from undue noise.
6. To safeguard the occupiers of nearby residential properties from undue noise.

Informatives

- 1 In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015, as amended, and the National Planning Policy Framework 2024, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.

24/39044/FUL

Walton Bank

Stafford Road

Walton Eccleshall



Application: 24/39689/HOU
Case Officer: Leon Carroll
Date Registered: 21 October 2024
Target Decision Date: 16 December 2024
Extended To: -
Address: Cambrilles, 9 Green Park, Fulford, Stoke-On-Trent, Staffordshire, ST11 9RT
Ward: Fulford
Parish: Fulford
Proposal: Ground floor front, side and rear extension, increasing the living, kitchen and utility areas
Applicant: Mr A Dawson
Recommendation: Approve with conditions

REASON FOR REFERRAL TO COMMITTEE

The application has been called in to Planning Committee by Councillor M G Dodson (Ward Member for Fulford) for the following reasons:

To give the planning committee the chance to examine if this application is appropriate for the Fulford Conservation Area as it is a large increase in area to accommodate three families and has inadequate off-street parking.

1.0 Context

The Application Site

- 1.1 The application site is a detached dwelling situated in a residential area in the village of Fulford and located within the Fulford Conservation Area. The existing dwelling and others in Green Park are constructed with red brick walls and concrete tiled roofs typical of late 20th century development in the Borough with a mix of houses and bungalows.
- 1.2 9 Green Park is a two storey dwelling with dual pitched roof and gabled sides. An attached garage extends up to the southern boundary with No 11 Green Park. The front elevation of the application dwelling sits further forward than No 11 to the south and as a result the rear elevation of No 11 extends further to the east by approximately 6m in comparison to the existing rear elevation of the application site. There is an attached garage at No 11 which runs directly along the southern boundary of the application site.

- 1.3 Green Park itself slopes gently upwards from north to south albeit differences in site levels are not significant.

Proposed Development

- 1.4 The proposal entails the construction of a single storey front extension and single storey rear/side extension. The proposed front extension would have a mono-pitched lean to roof and would project by 1.7m in front of the existing front elevation, and would have the same width as the main dwelling excluding the attached garage.
- 1.5 The existing garage has previously been converted to habitable accommodation however this will be returned to use as a garage as part of the proposals. The garage element of this part of the proposal would be 5.87m deep, essentially the same depth as the original dwelling. The proposed rear extension would take an L shaped form and would extend by a further 5.23m to the rear of the garage and would project by 3m from the existing rear elevation otherwise.

Planning policy framework

- 1.6 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.
- 1.7 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

- 2.1 The application site is located in the countryside outside of a settlement listed in the Sustainable Settlement Hierarchy under Spatial Principle (SP) 3 of the TPSB with their defined settlement boundaries set out under Policy SB1 and as shown on the associated Inset maps.
- 2.2 SP7 of the TPSB deals with the location of new development and at provision (ii) supports proposals which are consistent with the objectives of Spatial Principle 6 and policies E2 and C5 in supporting rural sustainability.
- 2.3 TPSB Policy C5 requires that in areas outside of the Sustainable Settlement Hierarchy the extension of an existing building should not result in additions of more than 70% to the dwelling as originally built.
- 2.4 The original floor area of the dwelling measured 94.44m².
- 2.5 The proposal seeks to add a further 40m² resulting in a cumulative increase of 42% over the original floor area.
- 2.6 The proposal would be within the 70% threshold provided for under Policy C5(c). As such, the principle of this element of the proposal is considered to be

acceptable, subject to other material considerations being satisfied including character and appearance, residential and amenity and car parking provision

Polices and Guidance:-

National Planning Policy Framework 2024 (NPPF)

Paragraphs 8 and 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), C5 (Residential Proposals outside the Settlement Hierarchy)

Part 2 - SB1 (Settlement Boundaries)

3.0 Character and Appearance and Impact on Heritage Assets

- 3.1 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.
- 3.2 The proposal has been amended from its original form following comments from the Council's Conservation Officer and advice from Officers. The Conservation Officer had no objection in principle to the addition of front and rear extensions but expressed concern regarding the layout and design of proposed windows, the double leaf front door with porthole feature. The high-level windows as originally proposed are considered inappropriate on a primary elevation and the porthole design of the front door would create an incongruous feature in the streetscene. The revised plans show windows which are more in keeping with the host dwelling and a more appropriate front door design. Whilst the Conservation Officer requested that the extension be set in from the existing side elevations by 300mm this is not considered reasonable or necessary in this instance. The proposed front extension is to be constructed from matching materials and officers are satisfied that this element of the proposal will not result in harm to the character of the existing dwelling, the streetscene or the wider Conservation Area.
- 3.3 The design of the rear extension has also been amended with the high level windows omitted in favour of a design and layout more in keeping with the existing dwelling. As requested by the Conservation Officer, a noticeable overhang has been shown at the eaves of the flat roof extension to break up the massing of the whole. Whilst the Conservation Officer's comments regarding the overall bulk of the extension are noted, an extension of comparable scale could be constructed under permitted development rights. The flat roof design of the extension is not entirely in keeping with the character of the existing dwelling but is a relatively common feature of dwellings of this period, especially with single storey elements. Given the location of the extension in the rear garden and its single storey design, the

extension would not be especially prominent and is not considered in its revised form to result in harm to the character of the existing dwelling, the streetscene or the wider Conservation Area.

- 3.4 The Conservation Officer's own assessment states that the application site and Green Park as a whole are of no historic or architectural interest. Notwithstanding this, its location within the Fulford Conservation Area means that any extensions or alterations have the potential to impact on the character and appearance of the conservation area; any such extensions or alterations therefore need to be sensitively designed in order to preserve or enhance the character and appearance of the Conservation Area. Officers are satisfied that the amended scheme will preserve the character of the Fulford Conservation Area.
- 3.5 One public comment was receiving objecting to the design of the proposal in a rural location. Whilst the village of Fulford is located outside the settlement hierarchy, the existing street is suburban in character in common with the majority of the late 20th century developments in the village. Officers are therefore satisfied that the proposed design is not inappropriate in this location.

Policies and Guidance:-

National Planning Policy Framework 2024 (NPPF)

Section 12 - Achieving well-designed places

The Plan for Stafford Borough 2011-2031 (TPSB)

N1 (Design), C5 (Residential Proposals outside the Settlement Hierarchy)

Supplementary Planning Document – Design (SPD)

4.0 Residential Amenity

- 4.1 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.
- 4.2 9 Green Park is flanked on either side by Nos 7 and 11 Green Park. The proposed front extension is not considered to result in any unacceptable impacts on the residential amenity of the occupants of these dwellings.
- 4.3 There is an existing rear extension containing a utility room at the rear of the garage which projects by 2.1m from the main rear elevation and the proposed extension would project by a further 3.13m from this point close to the boundary with No 11. Given the staggered layout of the relationship between the application site and No 11, and the location of the existing garage in the garden of No 11 on the shared boundary, the proposal would not project significantly to the rear of No 11. The proposed rear extension would have a flat roof with a maximum height of 2.8m. As such officers are satisfied that the proposal will not have any overbearing impact on the occupants of No 11, and being located to the north of that dwelling will not result in any overshadowing of No 11.

- 4.4 An objection was received from the occupant of 7 Green Park on the grounds of loss of light. The proposed single storey rear extension would extend by 3m from the existing rear elevation at the point nearest the boundary with No 7, which is 1m less than could be constructed under permitted development rights for a detached dwelling. The two dwellings are also separated by a detached garage and a shed in the garden of No 7 which are built adjacent to the northern boundary of the application site. Officers are therefore satisfied that the proposal would not result in an unacceptable increase in overshadowing to No 7 Green Park, nor would it result in any loss of outlook from habitable rooms or rear private amenity space.
- 4.5 In terms of the impact of the proposal on the privacy of adjoining occupants, there are no windows proposed in the side elevations closest to Nos 7 and 11 Green Park. A window is proposed in the north elevation of the L shaped rear extension which will face towards No 7, however any views of habitable windows at No 7 would be obscured by the extension itself and the private amenity space of No 7 would be screened by the existing boundary treatments. Furthermore it would remain in the power of the occupants of No 7 to erect their own boundary wall or fence should this be felt necessary. Given the proposal is single storey only, officers are satisfied that the proposed extension will not result in any increase in overlooking of Nos 3 or 5 Green Park to the rear.
- 4.6 Due to the nature of the proposals, the development is not considered to have any other adverse impact on the residential amenity of occupants of dwellings to the front or rear. Objections relating to noise and disturbance during construction are noted. Disruption from developments of this scale are generally brief and unlikely to cause undue disturbance to neighbours. Any excessive or antisocial noise or nuisance would be a matter for Environmental Protection.
- 4.7 In summary the proposal is considered to have an acceptable impact on the residential amenity of neighbouring occupants and is in accordance with Policy N1 of the Plan for Stafford Borough and Paragraph 135 (f) of the National Planning Policy Framework.

Policies and Guidance:-

National Planning Policy Framework 2024 (NPPF)

Paragraph 135(f)

The Plan for Stafford Borough 2011-2031 (TPSB)

N1 (Design)

Supplementary Planning Document – Design (SPD)

5.0 Highways and Parking

- 5.1 Appendix B of the TPSB require two car parking spaces to be provided for a three bedroomed dwelling. The proposal does not entail any increase in bedrooms therefore no additional parking would be expected to be provided as part of the development.

- 5.2 The Highway Authority objected to the original proposal on the grounds that the proposed front extension would result in vehicles parked on the driveway overhanging the footway. Following feedback to the applicant, an amended site plan has been submitted showing that the distance from the proposed front elevation to rear of the footway would be 5.53m which is more than adequate given Appendix B of the Plan for Stafford Borough requires residential parking spaces to be a minimum of 2.4m x 4.8m. The site benefits from two dropped crossings and as such the development can provide the required two off street parking spaces for a three bedroom dwelling.
- 5.3 The Highway Authority maintained its objection to the proposal following receipt of the abovementioned amended plans on the basis that modern vehicles, or vehicles with a towbar may overhang the footway and create a hazard for visually impaired pedestrians. Whilst these comments are noted, the proposal complies with the adopted policies for reasons outlined in paragraph 5.2.
- 5.4 Neighbour comments referring to the number and type of vehicles which may park at the application site are not a material consideration in the determination of this planning application, and officers can only assess the proposal against adopted policies.
- 5.5 In summary the proposed development is not considered to result in an increased demand for off street parking and the existing and proposed parking provision is in accordance with the relevant policies listed below.

Policies and Guidance:-

National Planning Policy Framework 2024 (NPPF)

Paragraphs 112 and 113

The Plan for Stafford Borough 2011-2031 (TPSB)

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

6.0 Other Issues

Impact on trees

- 6.1 Comments from neighbours expressed concern that the existing tree in the front garden of the application site would be felled to facilitate the development. The applicant has subsequently confirmed that the tree is to be retained and expressed a willingness to a planning condition to provide tree protection details should the application be approved. The location of the application site in the Fulford Conservation Area means that any tree with a stem diameter of more than 75mm is protected. Whilst the stem of the tree in question has not been measured, a visual inspection confirms that the stem is larger than 75mm.
- 6.2 The Council's Arboricultural Officer was consulted however no comments were received. It is therefore considered appropriate to attach a standard condition to

any approval requiring the submission of details of appropriate tree protection measures to be put in place throughout construction.

Flood Risk

- 6.3 The application site is located in Flood Zone 1 which has the lowest risk of flooding. Given the relatively small scale of the development the proposal is not considered to result in an unacceptable increase in surface water flooding on or off site.

Conclusion and Planning Balance

The proposed extensions and alterations have been assessed in terms of their impact on visual amenity, residential amenity, highway safety and their impact on the Fulford Conservation Area. The proposal as amended is considered to represent appropriate and good quality design which will not have significantly adverse impacts on neighbouring occupants. The proposal provides appropriate off street parking for a dwelling of this size, and the design, layout and scale of the extensions will maintain the character of the Fulford Conservation Area. The application is therefore recommended for approval.

Consultations

Highway Authority:

(Surgery) - Objection

Parish Council:

Fulford Parish Council objects to this retrospective planning application for the following reasons:

- The property is in a conservation area.
- There are inconsistencies with the address in the application and drawings, is it number 7 or 2 number 9 Green Park?
- The application does not accurately reference the height of the proposed extension, in fact there are contradictory dimensions for the height of the rear and side extension on the plans, 2.75m, 3.32m or dimensions are omitted on the drawings.
- The property and surrounding area is built on a natural spring thus susceptible to flooding. -Point 8 and additional notes under point 10 of the planning application state that the proposed works will not affect existing parking arrangements. With the increase in the footprint of the property to the front elevation there will be a reduction in available land for parking spaces.
- The application is an overall increase to the footprint of the property by 75% in a conservation area

Neighbours: 6 neighbour letters were sent and the proposal was advertised via site notice and press notice.

6 letters of objection were received. Grounds for objection, all of which are addressed in the above report, were as follows:

- Inadequate parking
- Noise and disturbance
- Removal of tree
- Overdevelopment
- Design in rural location
- Overshadowing
- Inaccurate plans
- Impact on Conservation area
- Impact on Highway Safety

The application was readvertised by neighbour letter on 6 June 2025 and two further public comments were received. Additional new comments were as follows (Officer comments in italics):

Concerns that the proposed rear extension would be 3.2m in height and that 2.2m in height should be sufficient. - The submitted scaled drawings show that the proposed rear extension would have an eaves height of 2.7m and an overall height of 3m. An extension which was only 2.2m in overall external height would be unlikely to meet building regulations requirements for internal ceiling height. By way of comparison permitted development rights allow for extensions to the rear of dwellings with a maximum overall height of 4m.

Relevant Planning History

None.

Plans

Location Plan received 5 May 2025

Proposed Site Plan and Ground Floor Plan Dwg No 01 received 5 May 2025

Proposed First Floor Plan Dwg No 02 received 5 May 2025

Proposed Front Elevation Dwg No 03 received 5 May 2025

Proposed Side Elevation (North) Dwg No 04 received 5 May 2025

Proposed Rear Elevation Dwg No 05 received 5 May 2025

Proposed Side Elevation (South) Dwg No 06 received 5 May 2025

Existing Ground Floor Plan Dwg No 07 received 5 May 2025

Existing First Floor Plan Dwg No 08 received 5 May 2025

Existing Side Elevation (North) Dwg No 09 received 5 May 2025

Existing Front Elevation Dwg No 10 received 5 May 2025

Existing Side Elevation (South) Dwg No 11 received 5 May 2025

Existing Rear Elevation Dwg No 12 received 5 May 2025

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 shall be carried out in accordance with the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-
 - Location Plan received 5 May 2025
 - Proposed Site/Ground Floor Plan Dwg No 01 received 5 May 2025
 - Proposed First Floor/Roof Plan Dwg No 02 received 5 May 2025
 - Proposed Front Elevation Dwg No 03 received 5 May 2025
 - Proposed North (side) Elevation Dwg No 04 received 5 May 2025
 - Proposed Rear Elevation Dwg No 05 received 5 May 2025
 - Proposed South (side) Elevation Dwg No 06 received 5 May 2025
 - Contextual Site Plan Dwg No 0 received 24 June 2025
3. The development shall be constructed from the external facing materials stated on the submitted plans and application forms, or shall match those of the main dwelling house.
4. No deliveries to the site shall take place between the hours of 0830 - 0930 and 1500 - 1600.
5. Prior to the commencement of the development hereby permitted, including any demolition, site preparation, groundwork, and delivery of materials or machinery to the site, a scheme for tree protection measures to BS5837:2012 shall be submitted in writing to and approved in writing by the Local Planning Authority. The approved tree protection measures shall be implemented prior to the commencement of development and shall not be moved, removed or altered for the duration of the development. There shall also be no excavations, engineering or landscaping work, service runs, or

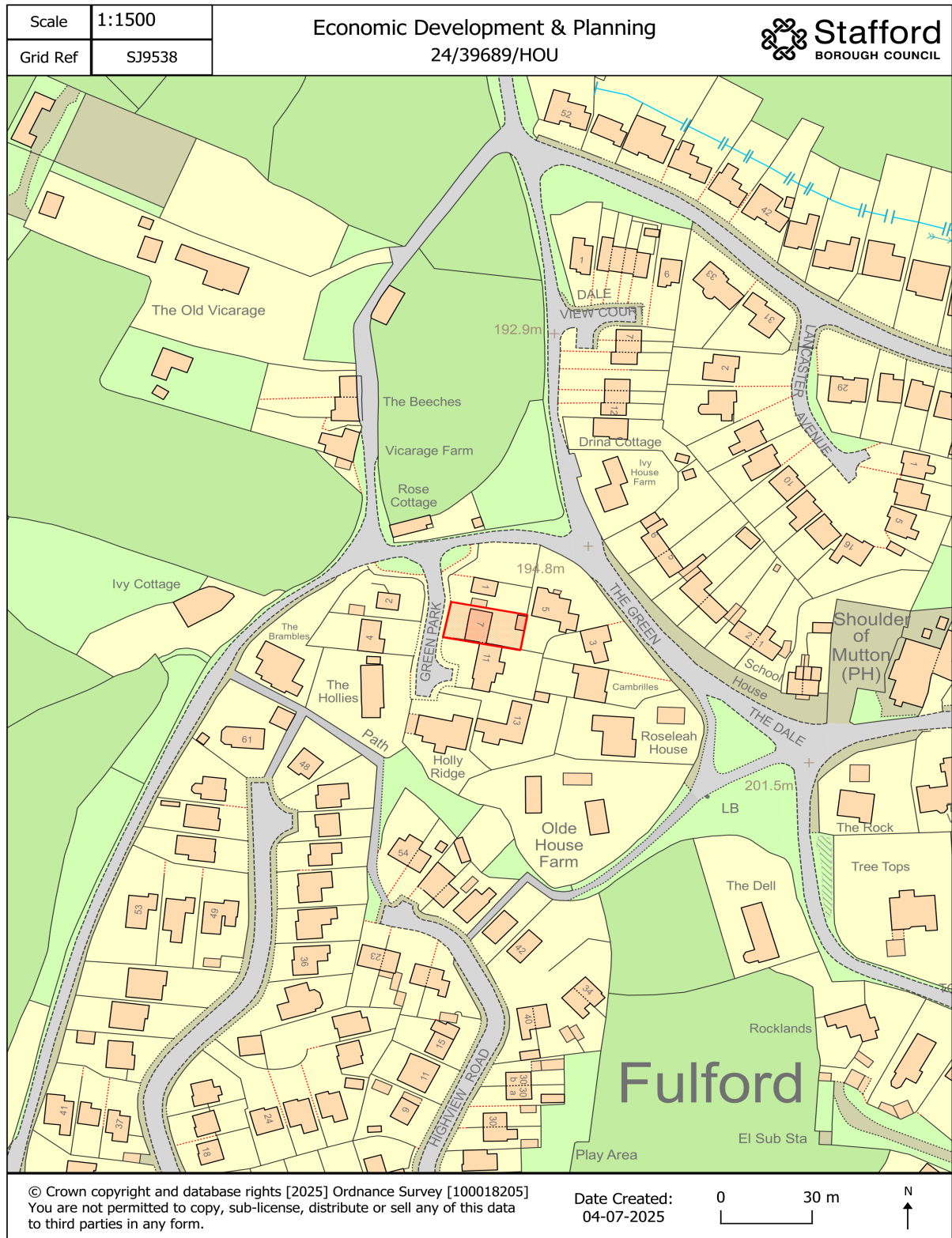
installations, and no materials shall be stored within any construction exclusion zones or tree protection areas.

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

1. The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. To define the permission.
3. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
4. In the interests of highway safety and the wellbeing of vulnerable road users.
5. To ensure that trees are adequately protected prior to development activity on the site which would otherwise unacceptably harm trees to the detriment of the visual amenity of the Fulford Conservation Area and to accord with Policy N4 of the Plan for Stafford Borough.

Informatives

- 1 In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015, as amended, and the National Planning Policy Framework 2024, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 The developer's attention is drawn to the comments by the Highway Authority regarding the delivery and storage of materials, and the parking of contractor vehicles, during construction in the context of the narrow highways in the vicinity of the development.

24/39689/HOU**Cambrilles****Green Park****Fulford**

ITEM NO 6

ITEM NO 6

 PLANNING COMMITTEE - 16 JULY 2025

Ward Interest - Nil**Planning Appeals***Report of Head of Economic Development and Planning***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
24/39718/LDCPP Delegated Refusal	64 Lichfield Road Stafford	Carrying out of works that were the subject of application 23/38495/OUT which will comprise of the demolition of the existing outbuilding, along with the erection of 2no. two-bedroomed apartments and a detached dwelling
25/40212/HOU Delegated Refusal	Rowan House Watery Lane Stafford	Erection of a carport on existing parking space adjacent to garage

Decided Appeals

Application Reference	Location	Proposal
24/39654/FUL Appeal Dismissed	The Wood Stallington Road Meir Heath	Retrospective application for change of use of land to private equestrian use, construction of stables, manege and erection of fencing

Application Reference	Location	Proposal
24/39125/FUL Appeal Dismissed	Land Off A34 Opposite George And Dragon PH Stone Road Meaford	Creation of an Electric Vehicle Charging Hub comprising 31 charging bays equipped with solar panels and a substation (Sui Generis), picnic areas and a drive-through restaurant (Use Class E), with associated access, car and cycle parking, and landscaping.

Previous Consideration

Nil

Background Papers

File available in the Development Management Section

Officer Contact

John Holmes, Development Manager, 01785 619302



Appeal Decision

Site visit made on 3 June 2025

by **N Bromley BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 July 2025

Appeal Ref: APP/Y3425/W/25/3361882

The Wood, Stallington Road, Meir Heath, Stoke-on-Trent, Staffordshire ST11 9QW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr. J. Iqbal against the decision of Stafford Borough Council.
 - The application Ref is 24/39654/FUL.
 - The development is for change of use of land to private equestrian use, construction of stables, construction of 20 x 40 metre manège, and erection of fencing."
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. I observed at the time of the site visit that the change of use of the land has occurred and is operational. The stable building has been erected and the manège has also been installed. For clarity, I have based my decision on the submitted plans. I have removed the term "retrospective application" from the development description in the banner heading above as this is not an act of development.

Background and Main Issues

3. The main parties have highlighted that the appeal site is located on Green Belt land. However, they agree that the appeal scheme would not constitute inappropriate development in the Green Belt. As such, it did not form a reason for refusal. I see no reason to disagree.
4. Consequently, the main issues raised by this appeal are the effect of the development:
 - on biodiversity; and
 - on protected trees.

Reasons

Biodiversity

5. The appeal site lies within the countryside and comprises land which is covered by a Woodland Tree Preservation Order - W1, no. 276 of 2003 (TPO). Habitats on the appeal site, and wider land, are identified as broad-leaved woodland and modified grassland.
6. As a retrospective application the appeal scheme is exempt from the statutory biodiversity net gain requirements set out in Schedule 7A of the Town and Country

Planning Act 1990 (as amended). Accordingly, the appeal scheme would not be subject to the mandatory 10% Biodiversity Net Gain (BNG) requirement. Nevertheless, there remains a requirement in the National Planning Policy Framework (the Framework) for providing net gains for biodiversity. In particular, paragraph 187 of the Framework sets out that planning policies and decisions should contribute to and enhance the natural and local environment by, amongst other things, minimising impacts on and providing net gains for biodiversity.

7. Policy N4 of The Plan for Stafford Borough 2011-2031 (the Development Plan), amongst other things, also seeks to protect, conserve and enhance the natural environment and irreplaceable semi-natural habitats, such as ancient woodlands, and ancient or veteran trees.
8. While it is suggested that the development has resulted in the loss of protected trees, aerial photographs submitted by the appellant suggest that the land where the manège and stable are located was not covered by a large number of trees before development was carried out. Nonetheless, the track, manège and stable has inevitably resulted in harm and loss of habitats on the site and the adjacent woodland. The submitted Biodiversity Net Gain Supplementary Note (the BNG Note) also identifies that habitats on and adjacent to the site have been affected by overgrazing.
9. To compensate the harm and loss to habitats on the appeal site and wider woodland, the BNG Note identifies that 10% BNG can be achieved by the enhancement of the boundary woodland through planting, underplanting and through invasive weed removal within the grassland. The appellant suggests that this could be secured by a planning condition. However, the red line boundary of the appeal site is tightly drawn around the access track, stables and manège. As such, there appears to be limited opportunity for BNG to be delivered on the appeal site.
10. Furthermore, the development has also been carried out and a Grampian condition or other negatively worded planning condition to secure the necessary BNG, on land outside the appeal site, would not be possible. Particularly because the area of woodland does not appear to be within the appellants ownership. Indeed, it is not known whether the owner of that land would be agreeable to the requirements of a BNG condition, which would also need to include the future maintenance and management of BNG once implemented on the land.
11. Consequently, it has not been demonstrated that harm to biodiversity on the land can be suitably mitigated and the development can provide an enhancement to biodiversity, including BNG.
12. For the reasons outlined, and on the evidence before me, I conclude that the development is harmful to biodiversity. It is therefore contrary to Policy N4 of the Development Plan, and the requirements of the Framework.

Protected trees

13. The stables, manège and perimeter fencing are in close proximity to a number of TPO trees on or adjoining the site, which have a high amenity value.
14. The Arboricultural Report, dated 06 September 2024 (the report) identifies that the development encroaches into the root protection area (RPA) of eight trees on site.

Of the eight trees, two are Category B trees - Moderate quality trees with 20>40 years contribution. The Category B trees are located on the boundary with the neighbouring property, 107 Hilderstone Road.

15. The perimeter fencing has steel posts with mesh in between. The posts are located at the base of the trees. The posts only encroach into a small area of the RPA of the protected trees and damage to tree roots is likely to be limited. As such, the appellants Arboricultural Method Statement, dated 09 September 2024, recommends that the trees are monitored for decline for a period of five years.
16. The Council has not identified that the perimeter fence has caused damage to the trees and there is no substantive evidence before me that long-term adverse effects has been caused. Likewise, although the manège and stables encroach into the RPA of Category C trees - Low quality trees, all of the trees can be suitably monitored. Furthermore, despite the constrained size of the red line boundary there would be an opportunity for replacement tree planting on the appeal site. The five-year monitoring period and replacement tree planting could be secured by a suitably worded planning condition.
17. For the reasons given above, I conclude that the development does not harm protected trees. Therefore, it does not conflict with Policies N1, N4 and N8 of the Development Plan, which together and amongst other things, seek the retention of landscape features, and the protection of trees.

Other Matters

18. The appellant has also identified that the Council has raised no concerns with regard to the effect of the development on highway safety, the character and appearance of the area, and the living conditions of neighbouring properties. I see no reason to disagree with the parties on these matters.
19. While the development does not harm protected trees, it causes harm to biodiversity and conflicts with the development plan as a whole. The conflict with the development plan in this respect carries significant weight and I have found no other material circumstances that would outweigh that conflict.

Conclusion

20. For the reasons given above the appeal should be dismissed.

N Bromley

INSPECTOR

Appeal Decision

Site visit made on 17 June 2025

by Zoe Raygen DipURP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 June 2025

Appeal Ref: APP/Y3425/W/25/3364648

Land Off A34 Opposite George & Dragon PH, Stone Road, Meaford, Staffordshire, ST15 0PX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by George Developments Limited against the decision of Stafford Borough Council.
 - The application Ref is 24/39125/FUL.
 - The development proposed is creation of an Electric Vehicle Charging Hub comprising 31 charging bays equipped with solar panels and a substation (Sui Generis), picnic areas and a drive-through restaurant (Use Class E), with associated access, car and cycle parking, and landscaping.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have had regard to the appellants plan reference SK01C which is little different to that considered by the Council at the application stage but takes on board the comments from the Road Safety Audit. The Council and interested parties have been able to provide comments during the course of the appeal and therefore parties will not be prejudiced by my consideration of the plan.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the area and the setting of the Meaford Conservation Area;
 - whether the appeal site can be suitably and safely accessed by sustainable travel;
 - whether the proposal makes adequate provision for car parking; and
 - If the proposal is inappropriate development in the Green Belt, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Green Belt

4. Policy SP7 of the Plan for Stafford Borough 2011-2031 adopted 2014 (the Plan) states that development in the Green Belt should be consistent with national policies for the control of development. The National Planning Policy Framework (the Framework) outlines development which would not be inappropriate, one of which is local transport infrastructure which can demonstrate a requirement for a Green Belt location, and which preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
5. I accept that the electric vehicle charging facility could be considered as local transport infrastructure. The existing site is formed from an undeveloped open field. The provision of development on the site would inevitably therefore lead to a loss of spatial openness through the provision of the charging structures and the layout and construction of car parking as well as increased activity from the cars that would be visiting and parked on the appeal site.
6. Visually the development would be in the lower area of the appeal site and would be surrounded by hedges and trees. However, while I have had regard to the findings of the appellant's Landscape and Visual Impact Assessment (LVIA) in respect of the openness of the Green Belt as a whole, it would still be visible within the local landscape and consequently would not preserve the openness of the Green Belt as required by paragraph 154(h) of the Framework. I note that the appellant accepts in their Final Comments that they are not arguing that there is no adverse impact on the openness of the Green Belt.
7. In any case I am not convinced, on the evidence before me, that a drive through restaurant would constitute local transport infrastructure as part of a charging hub in this location. I accept that it would provide a facility for people to eat and drink at while waiting to charge their vehicle, given that it contains an indoor restaurant seating area. However, it is also a drive through facility not specifically targeted at users of the charging facility as they would need to wait for the cars to be charged rather than drive through. There is nothing persuasive to suggest the drive through restaurant is dependant on the provision of the charging points. Consequently, given its location near to several large settlements, it would in my view, attract customers solely to that facility rather than passing by on their journey.
8. Therefore, the drive through restaurant would be inappropriate development irrespective of my conclusions on the charging infrastructure. In support of this view, I note that the appeal decision¹ the appellant refers to was only for electric car charging spaces and did not include a drive through restaurant. There is little detail before me in the planning committee report for the planning application also brought to my attention². However, even if the whole of that development was considered to be transport infrastructure, that proposed a hub which included retail space, café space, office space/IT equipment, lounge area, fitness zone, children's area and toilet facilities to serve 50-60 charging points While that is more than proposed here, it is not by a significant amount and includes a lot more facilities. There is also no discussion regarding the impact on openness, which I have found the proposal would cause harm to. Neither therefore lend support to the appellant's position.

¹ APP/P1940/W/19/3232159

² 21/01515/FULL

9. Paragraph 155 of the Framework outlines circumstances where development in the Green Belt would also not be inappropriate where it utilises grey belt land. The Council accepts that the land is grey belt, and I concur with that view. It is not close to any large built-up area or town whether historic or not.
10. Therefore, the development would utilise grey belt and given the extent of the appeal site, were it to be developed it would not materially affect the ability of all of the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way in accordance with the Planning Policy Guidance³.
11. Paragraph 155b requires that there be a demonstrable unmet need for the type of development proposed. I note that while both parties consider that there is a need for charging points, the Council disputes that there is a need in this location, given the other facilities available relatively close by. Nonetheless, that is not the requirement of the Framework. The appellant provides compelling evidence that there is a demonstrable unmet need for charging points in the district. However, there is no substantive evidence before me to suggest that there is demonstrable unmet need for a drive through restaurant. Therefore, the proposal does not accord with paragraph 155b of the Framework and would be inappropriate development in conflict with Policy SP7 of the Plan.
12. I have already considered the impact on openness above.

Character and appearance

13. The appeal site sits within an area of flat or gently undulating pastoral farmland dissected by hedgerows and trees as well as larger areas of trees. The River Trent is close by. The appellants Landscape and Visual Impact Assessment (the LVIA) assesses the site as being as ordinary to poor landscape character with the wider landscape being good to ordinary and therefore has a low sensitivity to change. It is true there is nothing remarkable about this landscape, but it does form part of the rural character of the open countryside on this side of the road with little influence from built development visible.
14. The appeal site forms an undeveloped field on the west side of the A34. It is bound by hedge and trees and is surrounded by open countryside. It forms part of the green verdant open countryside in this area contributing to the rural character. Limited development is visible when viewing across the site from the roundabout to the east of the site. I acknowledge the presence of the A34, a busy dual carriageway. However, this does not diminish the essential rural nature of the land beyond, or the verdant nature of this part of the A34 where the built form does not dominate even if the built up area of the Green Belt is growing.
15. Meaford Conservation Area (the CA) covers the southern part of what was historically Meaford Park. Meaford Hall, a grade II* listed building is in the northeastern part of the CA but there is no visibility to the appeal site or any functional or historic link. The remaining small number of buildings, including the lodge to the Hall in the CA are located to the south, alongside the road and unified by a common architecture of nineteenth century Domestic-Revival buildings on the edge of the park. The significance of the CA is therefore drawn from the surviving architecture and features of the buildings and their relationship to open space. Most

³ Paragraph: 008 Reference ID: 64-008-20250225

of the CA is surrounded by open countryside reflecting its original setting, little altered except for the A34 and associated traffic infrastructure.

16. The appeal site is located on the opposite side of the A34. While therefore it is within the setting of the CA it is somewhat divorced from it by the intervening road and associated infrastructure. As such, while it does contribute to an understanding of the rural nature of the CA it does so in a small way especially given that most of the buildings are not particularly visible from the appeal site due to distance and intervening vegetation.
17. The proposal would inevitably change the landscape character of the appeal site and effectively create a large area of hardstanding to accommodate the high number of cars likely to be attracted to the proposal. However, existing hedgerows and trees would be retained and new planting proposed to mitigate the urbanising impact in the landscape. While the appellant suggests limited working hours, it is likely that charging points and a drive through restaurant would be open until late at night if not all through the night. As a result, there would also be lighting and signage and activity which would emphasise the development of the site significantly eroding its rural landscape character.
18. Views of the development from the immediate area would vary. The LVIA shows that mostly the development would be viewed within a strong rural context. However, dependent on the position of the receptor at some points, limited development would also be visible. The appellant's LVIA concludes that from a distance the proposal would have a neutral effect in the long term, and I would agree. The intervening landscape and vegetation would largely mean the development would not be visible in the wider landscape.
19. I note the Council's comments regarding the accuracy of the proposed street elevation. However, even using Views 1 and 2 supplied by the appellant it is evident that the proposal would be visible, and its rural character considerably eroded even incorporating low level development. While I note the appellant's comments regarding the muted nature of the development this could not be reasonably controlled. I also accept that signage would need to be approved by the Council. However, the whole point of signage is to advertise and draw attention to a facility. Consequently this, together with lighting would make the development more prominent. It would therefore have a moderate effect on the local appearance of the area, even with the proposed landscaping.
20. In conclusion, I have found that the proposal would be significantly harmful to landscape character and would have moderately harmful visual impacts. However, due to the distance, intervening vegetation and extent of the rural setting of the CA, with this site forming just one small part of it, I am satisfied it would not harm the setting and hence significance of the CA and therefore would comply with Policy N9 of the Plan regarding heritage assets.
21. Nonetheless for the reasons above, I conclude that the proposal would be harmful to the character and appearance of the area. It would therefore conflict with Policies N1 and N8 of the Plan which seek to ensure proposals are informed by and sympathetic to landscape character and quality and takes account of local character, context and landscape.

Highway safety

22. The charging points are, by definition, only likely to be accessed by cars and therefore there is no concern regarding the ability to safely access these by means other than the car.
23. The Highway Authority is particularly concerned about residents having to cross the A34, a busy dual carriageway, to access the drive through restaurant by foot or bicycle.
24. The appellant proposes an uncontrolled pedestrian crossing which would have a refuge in the centre of the dual carriageway. This is substantiated by reference to the use of data from two other drive through restaurant sites which concluded that the peak hourly demand would be just 9 pedestrians. The threshold for the provision of a traffic signal-controlled pedestrian crossing would be a peak hour flow of 21 pedestrians.
25. As part of the appeal submission the appellants revised their calculations and using just one restaurant in Corby closer to a residential area than the one proposed at the appeal site to a potential for 12-13 pedestrian movements per hour. This would still be below the threshold for a controlled crossing.
26. However, from the evidence before me the residents in Corby would not have to cross a dual carriageway, which if anything, would probably make it more attractive to residents there. Furthermore, most of the residents close to the proposal before me now would need to access the restaurant via an unsurfaced country footpath, a further disincentive to visit.
27. I am satisfied therefore that the figures used are relative comparators and an uncontrolled pedestrian crossing would be suitable, and the independent Road Safety Audit carried out on behalf of the appellant shows it would be safe.
28. However, the proposed pedestrian crossing would be to the north of the appeal site some distance from the restaurant, and I concur with the Council that the desire line is likely to be much closer to both the restaurant and the established residential area close to the roundabout. In my view it is unlikely that residents would walk from the residential area down to the proposed crossing and then back towards the restaurant, but instead would attempt to cross the road near to the roundabout when they reach the road. I note this view is shared by the Highway Authority. I saw at my site visit that this is a busy environment and that attempts to cross the road without a pedestrian crossing, whether controlled or not, would be unsafe.
29. I therefore consider that there would not be suitable access to the appeal site for all users which would result in harm to highway safety for pedestrians and cyclists attempting to access the restaurant. I also note that this would lead to conflict with paragraph 115 of the Framework also bringing it into conflict with paragraph 155c of the Framework regarding inappropriate development in the Green Belt.
30. For the reasons above, I conclude that the proposal would not be suitably accessed by sustainable travel modes leading to harm to highway safety. As a result, there would be conflict with Policy T2 of the Plan and paragraphs 115 and 116 of the Framework which require that development does not materially impair highway safety.

Parking

31. There would be a total of 65 parking spaces divided as 31 EV spaces, 32 standard parking spaces and 2 disabled spaces. I concur with the Council that the EV parking spaces cannot be relied upon to serve the restaurant. It is likely the two facilities would be run independently, and it is not unusual for the EV spaces to be restricted to electric vehicles only. While therefore there may be some shared usage this would be limited to electric or hybrid cars only.
32. The Council's adopted parking standards indicate a requirement for 46 parking spaces for the restaurant. The appellant has supplied analysis using TRICS data which shows that peak parking accumulation associated with fast food restaurants would be 25 vehicles, considering that some vehicles will use the drive through element only.
33. Surveys from three McDonalds sites have also been analysed which show average peak parking demand as Friday 21 vehicles and Saturday 26 vehicles. This evidence has not been disputed by any substantive evidence from the Council. From the evidence before me therefore it seems entirely reasonable that 32 parking spaces are provided for the drive through facility which would cope with the anticipated demand.
34. For the reasons above, I conclude that adequate provision for parking for the proposal would be provided. Therefore, there would be no conflict with Policy T2 or paragraph 112 of the Framework. These require that development must ensure adequate parking by taking account of the predicted traffic generation in relation to a reduction in parking standards.

Other Considerations

35. The proposal would be inappropriate development in the Green Belt and would have a moderate effect on openness. The Framework states that substantial weight should be given to any harm to the Green Belt including harm to the openness.
36. The proposal would also cause harm to the character and appearance of the area which attracts significant weight.
37. The proposal would provide environmental benefits through the provision of charging facilities, to improve the infrastructure for electric cars leading to a low carbon economy. Furthermore, there would be the creation of jobs and economic benefits during construction. These are significant considerations but would not be sufficient to clearly outweigh the harm to the Green Belt by inappropriateness and the other harm I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion

38. The proposal would be in conflict with the development plan as a whole and the considerations I have identified above, including the Framework, would not outweigh that conflict. For the reasons given, the appeal is dismissed.

Zoe Raygen

INSPECTOR