

Dear Members

Planning Committee

A meeting of the Planning Committee will be held on **Wednesday 21 October 2026** 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 - 21 OCTOBER 2026

Chairman - Councillor B McKeown

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.

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5 Planning Applications	3 - 123
6 Planning Appeals	124 - 132
7 Enforcement Matters	-

MEMBERSHIP

Chairman - Councillor B McKeown

B M Cross	B McKeown
P C Edgeller	A R McNaughton
A D Hobbs	D M McNaughton
J Hood	A J Sandiford
R A James	S N Spencer
P W Jones	

ITEM NO 5

ITEM NO 5

PLANNING COMMITTEE - 21 OCTOBER 2026

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
25/41476/PIP	Land West of Old House Farm, Lodge Lane, Woodseaves The application was called in by Councillor M J Winnington and Councillor S N Spencer Officer Contact - Leon Carroll, Interim Deputy Development Manager Telephone 01785 619184	5 - 26
25/41553/FUL	Land to the Rear of The Glen, Seighford The application was called in by Councillor J T Rose Officer Contact - Elaine Harvey, Planning Validation Officer Telephone 01785 619537	27 - 51
26/41723/FUL	Hickorys Smokehouse, Kingsway The application was called in by Councillor D P Rouxel Officer Contact - Leon Carroll, Interim Deputy Development Manager Telephone 01785 619184	52 - 60

26/41989/FUL Land Adjacent to Stone Road, Norton Bridge 61 - 70

The application was called in by
Councillor P W Jones

Officer Contact - Richard Wood, Development Lead
Telephone 01785 619324

26/42092/PIP Land Off Stallington Road, Stallington, Stoke On Trent 71 - 99

The application was called in by
Councillor A J Sandiford

Officer Contact - Leon Carroll, Interim Deputy Development
Manager
Telephone 01785 619184

25/41528/FUL Land Adjacent 8 Radford Bank, Stafford 100- 123

The application was called in by
Councillor J P Read

Officer Contact - Elaine Harvey, Planning Validation Officer
Telephone 01785 619537

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: 25/41476/PIP

Case Officer: Emma Bailey

Date Registered: 20 November 2025

Target Decision Date: 5 January 2026

Extended To: 30 October 2026

Address: Land West of Old House Farm, Lodge Lane, Woodseaves, Stafford, ST20 0NZ

Ward: Gnosall and Woodseaves

Parish: High Offley

Proposal: Permission in Principle - Not more than two dwellings and access point

Applicant: Nigel Talbot

Recommendation: Refuse

Pre-commencement conditions required:	Pre-commencement conditions agreed
No	

REASON FOR REFERRAL TO COMMITTEE

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

“Affect on streetscene, massing of proposed homes in Woodseaves and negative impact on creaking infrastructure.”

This application has been called in by Councillor S N Spencer Ward Member for Gnosall and Woodseaves for the following reason(s):

“Highway safety and sustainability Cumulative Impact to Woodseaves and surroundings.”

Committee update following deferral

This application was reported to Planning Committee in July 2026, where Members resolved to defer determination of the application to allow officers to undertake further consideration of the potential effects of the proposed development on the Midland Meres and Mosses Phase II RAMSAR site and the implications of the Habitats Regulations.

Following this review, the Council has reassessed the proposal against the provisions of the Town and Country Planning (Permission in Principle) Order 2017 (as amended) and its duties as the competent authority under the Conservation of Habitats and Species Regulations 2017.

The Council's updated position is that the proposal constitutes Habitats Development for the purposes of Article 5B of the Town and Country Planning (Permission in Principle) Order 2017 (as amended). As such, Permission in Principle cannot lawfully be granted. Officers have concluded that sufficient information is not available to rule out the likelihood of significant effects on the Midland Meres and Mosses Phase II RAMSAR site and that any necessary mitigation measures cannot be secured through a Permission in Principle consent, as planning conditions and planning obligations cannot be attached at this stage.

Accordingly, officers now recommend that the application be refused as Permission in Principle cannot be granted for development that falls within the definition of Habitats Development.

Officers acknowledge that earlier reports advised that habitats matters could be addressed at the Technical Details Consent stage. Following further review of the legislative requirements, it is now considered that this approach would not be lawful in the circumstances of this case.

CONTEXT

Proposed development

This application seeks permission in principle for the erection of up to two dwellings at the site.

The applicant is not required or expected at permission in principle stage to supply any detailed plans in regard to the proposal. However, the submitted site location plan indicates that a new access would be created centrally within the plot egressing onto Lodge Lane. It is unknown at this time if the existing egress to the south of the site is to be retained or be permanently closed. These matters would however be assessed at the Technical Details Consent stage.

The application is supported by the following technical reports:

Document	
Biodiversity net gain assessment / metric	☐
Design and access statement	☒
Ecological report	☐
Flood risk assessment	☐
Great crested newt assessment	☐
Heritage statement	☐
Land contamination assessment	☐
Planning statement	☐
Preliminary ecological assessment	☐
Transport statement	☐
Tree survey / assessment	☐
Other:	

Site and surroundings

The application site comprises a rectangular parcel of land measuring about 0.165ha located to the north eastern side of Lodge Lane in Woodseaves. The site slopes gently from north west to south east. Directly to the north west boundary of the site is the dwelling of 'The New Grange' with all other boundaries being to agricultural land.

The site benefits from a field access at the southern part of the site giving access onto Lodge Lane. Post and rail fencing makes up the boundaries within the site, with the road boundary and north boundary with the dwelling of 'The New Grange' being hedge.

The site is located outside of the defined settlement boundary of Woodseaves but is located directly adjacent to it on the northern aspect.

Constraints

Site constraints:

- Outside of the settlement boundary
- Green Impact Zone for Great Crested Newts
- Flood Zone 1

- Within 5km buffer zone of Aqualate Mere, Cop Mere SSSI, RAMSAR SITE,
- Within 5km buffer zone of Doley Common and Loynton Moss SSSI

SITE HISTORY

Planning Applications

None

Previous relevant appeals

None

Legislative 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.

Policy and Guidance

The Plan for Stafford Borough 2011-2031 (TPSB)

SP1 - Presumption in Favour of Sustainable Development

SP2 - Stafford Borough Housing and Employment Requirements

SP3 - Stafford Borough Sustainable Settlement Hierarchy

SP4 - Stafford Borough Housing Growth Distribution

SP6 - Achieving rural sustainability

SP7 - Supporting the Location of New Development

T1 - Transport

T2 - Parking and Manoeuvring Facilities

C1 - Dwelling Types and Sizes

C5 - Residential proposals outside the settlement hierarchy

C7 - Open space, sport and recreation

N1 - Design

N2 - Climate change

N3 - Low carbon sources and renewable energy

N4 - The natural environment and green infrastructure

N5 - Sites of European, National and Local Nature Conservation Importance

N8 - Landscape character

Supplementary Planning Documents (SPD)

Design SPD 2018

National Planning Policy Framework 2026 (NPPF)

S3 - Presumption in favour of sustainable development

S5 - Principle of development outside settlements

GB6 - Control of development in the Green Belt

GB7 - Development which is not inappropriate in the Green Belt

TR3 - Locating development in sustainable locations

L2 - Making effective use of land

DP3 - Key principles for well designed places

N6 - Areas of particular importance for biodiversity and geodiversity

National Planning Practice Guidance

The Town and Country Planning (Permission in Principle) (Amendment) Order 2017

CONSULTATION

Site Notice Expiry	Press Notice Expiry
6 January 2026	N/A

High Offley Parish Council

December 2025

Objection

- Not an obvious extension to the village and would be an obtrusive encroachment into the rural landscape.
- It is on a road which is currently subject to the national speed limit of 60mph meaning visibility splays could not be achieved.
- Application is one of two submitted by the same applicant on the same farm holding and is set at numbers that will not trigger the requirement for affordable housing.
- When taken into consideration with the application for up to 100 houses behind Dickeys Lane, the consequence could be to overwhelm Woodseaves, its infrastructure and resources.

Gnosall Parish Council

12 December 2025

Objection

- Site sits outside the current settlement boundary of the parish, is on an unsuitable highway with a 60mph speed limit, no pedestrian access and no public transport facilities, has made no visible provision for adequate splays and is in unsustainable location.
- Application does not have the support of the community
- Will be the start of many smaller applications on this site, derived to avoid triggering the requirement for affordable housing and resulting in a very large development over time.

SCC - Highway Authority

9 December 2025

Objection

- The application does not provide visibility splays from an individual access or any individual access onto Lodge Lane therefore safe and suitable access/es has not been demonstrated.
- The proposed development would exacerbate the risk of conflict between vehicles, pedestrians and cyclists due to no segregated facilities and no street lighting on a relatively busy rural road subject to the national speed limit and are unsuitable to cater for this proposed development leading to an increase in the likelihood of danger to highways users particularly those considered vulnerable.

- The proposed development does not constitute sustainable development in transport terms and is entirely reliant on the private car and does not enable future residents to reasonably choose a safe sustainable mode of transport to access the site as required by national and local planning policies.

SBC - Biodiversity Officer

15 December 2025

Further information required to make any assessment Ecology

- No ecology information submitted therefore it is not possible to make any sound comment.
- A Preliminary Ecological Appraisal (PEA) will need to be undertaken to assess the ecology of the site.
- Any removal of hedgerows will need to be properly assessed and compensated for, along with consideration of nesting birds.
- Loynton Moss SSSI appears to be within a mile of the proposal and therefore any potential impacts should be considered during the PEA.

SBC - Forward Planning

9 December 2025

No objection

- Site is on a greenfield site in close proximity to the Woodseaves settlement boundary, which is one of eleven Key Service Villages in the sustainable settlement hierarchy of TPSB.
- Development considered acceptable within the context of SP7 a) to c) but it is noted that alongside other sites the total amount would be over 36.4% increase in scale for Woodseaves.
- Stafford Borough Council does not have a 5 year housing land supply and TPSB is more than 5 years old meaning that the NPPF para 11, presumption in favour of sustainable development applies.
- Taking into account NPPF para 11, 110 and 115 together with the full weight of SP7 the planning policy position is to support the proposal taking into consideration other material planning considerations.

Newt Officer

3 December 2025

No objection

- Site is in the Green Impact Risk Zone and does not have any connectivity to ponds or sustainable habitats therefore it is unlikely that any impacts to great crested newts will arise from it

Contributors

6 neighbouring objections have been received and can be summarised as follows:

Combination of current applications:

- 3 applications have been submitted by the same land owner 25/40683/OUT, 25/41473/PIP and 25/41476/PIP - predatory attempt to over develop Woodseaves by stealth.
- Remaining land in applicants ownership is outlined in blue for 'future development'.
- Ultimate aim is for 111 new homes - a 37% increase in a village capped at 12% growth under Policy SB1 of the Local Plan.
- Unlawful and catastrophic over development.
- The PIP applications are an attempt to bypass the rules, constraints and requirements of a major application.
- Case law and PINS appeal decisions confirm that the council must treat 25/41473/PIP and 25/41476/PIP together.
- NPPF para 111 requires decision makers to give substantial weight to the cumulative impact of development proposals.

Principle of development:

- Outside of development boundary.
- Direct breach of the adopted Development Plan - Section 38(6) Planning and Compulsory Purchase Act 2004.
- Policy SB1 caps growth at 12% (~36 homes).
- No amount of 'tilted balance' rhetoric can override Section 38(6). Approval of the application would be unlawful.

- No demonstrated local need.
- Emerging local plan identifies that Woodseaves has reached its housing capacity.
- Provision of 2 market houses contributes negligibly to the annual housing requirement of 786 dwellings.
- Proposal fails to comply with policy C5A, SP3, SP4 and SP7 of the Local Plan.
- Unsustainable location - reliant on private car, poor public transport, limited local services, away from education and health facilities.

Highways:

- Lodge Lane is substandard, lacking footways, lighting, safe visibility, vehicle passing widths and pedestrian provision
- Vehicles already speed down Lodge Lane
- Proposal will create dangerous congestion and gridlock, including dangers for school children highways response for 25/40683/OUT requires a Stage 1 Road Safety Audit. 700-800 extra daily vehicle movements
- Result in unsustainable car dependant sprawl
- New access cannot provide visibility splays
- Safe and suitable access has not been demonstrated

Impact upon infrastructure:

- Sewerage - Woodseaves STW is already at capacity / breaking point
- Surface water flooding - increased housing will increase surface water flooding
- Healthcare - primary care facilities are already challenged and insufficient
- Education - Woodseaves CE Primary Academy is at 70% capacity with no room to expand

Impact to neighbouring properties:

- New dwellings in direct line of sight of neighbouring dwellings
- Result in overlooking, loss of privacy and overbearing impact contrary to Policy H6 of the Local Plan and NPPF para 135(f)

- Application site is 1.7m higher than the neighbour at The New Grange and as such houses in this location would be 1 storey higher - overbearing, overlooking and oppressive

Impact to the character of the village:

- Loss of prime agricultural land and open countryside
- Unresolved historical landfill contamination risks
- Irreversible loss to the character of the village
- Represents encroachment into the open countryside
- Erosion of rural setting of lodge lane

Ecology / Biodiversity:

- Inadequate ecological survey submitted
- No BNG metric has been submitted
- Loss of hedgerows and ecological corridors

Water quality/ nitrates:

- Natural England have confirmed on application 25/40683/OUT that the foul water pathways lead to Aqualate Mere SSSI/Ramsar
- Natural England has confirmed that the competent authority must undertake a Habitats Regulation Assessment (HRA) where foul flow from a development may affect protected species
- No HRA has been undertaken
- No evidence of nutrient budget, mitigation for phosphorous, ammonia, or storm spill increase has been submitted
- Any new dwelling will add foul sewage into the same failing wastewater catchment
- As a PIP application cannot secure mitigation the LPA has no lawful way to control the downstream harm to the SSSI/ Ramsar site

Drainage:

- No drainage strategy submitted
- Site is known to contain impermeable clay soil generating fast run off

- Drains towards Lonco Brook which received frequent STW storm overflow discharges
- Site is hydrologically linked to nationally imported wetlands
- New houses will increase hydraulic load worsening ecological harm downstream

Future development:

- Concerns that the land edges in blue owned by the applicant will also be developed for housing

PERMISSION IN PRINCIPLE CONTEXT

What is the permission in principle consent route?

The permission in principle consent route is an alternative way of obtaining planning permission for housing led development which separates the consideration of matters of principle for proposed development from the technical details of development. The permission in principle consent route has 2 stages: the first (or permission in principle stage) establishes whether a site is suitable in principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.

What matters are within the scope of a decision on whether to grant permission in principle?

The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. The determination of the application must be made in accordance with relevant policies in the development plan unless there are material considerations, such as those in the National Planning Policy Framework and national guidance, which indicate otherwise.

Local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission. It is not possible for conditions to be attached to a grant of permission in principle nor can planning obligations be secured.

Exemption of certain developments

The determination of this application should be assessed firstly as to whether the proposal is an exempt development as set out in Article 5B as set out in the Town and Country Planning (Permission in Principle) (Amendment) Order 2017. Should the proposal fall within an exception then a permission in principle cannot be granted.

- (1) A local planning authority may not grant permission in principle, on an application to the authority, in relation to development which is-

a) *Major development*

Major development is defined as involving one or more of the following: the provision of 10 or more houses; the provision of a building(s) where the floor space to be created is 1,000m² or more; the development site has an area of 1 hectare or more. This is further defined within The Town and Country Planning (Development Management Procedure) (England) Order 2015, Article 2.

This application seeks the development of up to 2 dwellings and has a site area of approx. 0.165ha. The development is therefore not major development.

b) *Habitats development*

Habitats development is defined as “development which is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects) and is not directly connected with or necessary to the management of the site”.

The application site lies around 5km from Cop Mere SSSI and approximately 4.7km from Aqualate Mere SSSI, designated as RAMSAR sites under the Convention on Wetlands of International Importance (especially as Waterfowl Habitat). Both Cop Mere and Aqualate Mere are features of the Midland Meres and Mosses Phase II RAMSAR site and they were designated on 2 February 1997.

The RAMSAR is susceptible to eutrophication, the introduction of non-native plant species and pollution. To mitigate these adverse effects and make the development acceptable, there is a requirement for measures to ensure that no foul water impacts on the designated sites.

Since the local planning authority, as the competent authority under The Conservation of Habitats and Species Regulations 2017, has not received sufficient information to determine whether the proposal is likely to have a significant effect on the RAMSAR site the proposal represents 'habitats development' under Article 5B of the Town and Country Planning (Permission in Principle) Order 2017 (as amended). Consequently, under the Town and Country Planning (Permission in Principle) Order 2017 (as amended), permission in principle must not be granted for habitats development. Furthermore, measures to mitigate any potential significant effects of the development either alone or in combination with other proposals on the European site's conservation objectives cannot be secured as planning obligations and conditions cannot be attached to a permission in principle.

c) *Householder development*

The proposal seeks to erect up to 2 dwellings and is therefore not classed as householder development.

d) *Schedule 1 development*

(2) A local planning authority may not grant permission in principle, on an application to the authority, in relation to Schedule 2 development unless

- (a) the local planning authority has adopted a screening opinion under regulation 6 of the EIA Regulations that the development (up to and including the maximum net number of dwellings) is not EIA development;
- (b) the Secretary of State has made a screening direction under regulation 7 of the EIA Regulations that the development is not EIA development; or
- (c) the Secretary of State has made a direction under regulation 63 of the EIA Regulations that the development is exempted from the application of those Regulations.

The proposal is not Schedule 2 development as defined in regulation 2 of the EIA Regulations.

Consultation before applying for permission in principle

The proposal does not include development specified in Article 5C, therefore no consultation is required prior to submitting the permission in principle application.

OFFICER ASSESSMENT

The scope of permission in principle is limited to location, land use and amount of development.

LOCATION OF DEVELOPMENT

Conflict with TPSB Policy

Spatial Principle 3 (SP3) of The Plan for Stafford Borough (TPSB) sets out the settlement hierarchy for the borough and directs the majority of future development towards the towns of Stafford and Stone and the defined Key Service Villages.

Spatial Principle 4 (SP4) of TPSB states that the annual targets for the distribution of housing development, supported by necessary infrastructure will be: Stafford (70%), Stone (10%), Key Service Villages (12%) and Rest of Borough Area (8%).

Woodseaves constitutes a Key Service Village as set out within SP3 of TPSB. However, the application site adjoins but is outside of the Woodseaves settlement boundary as defined within the TPSB. The development site is therefore, in policy terms, located within 'open countryside' and falls within the 'Rest of Borough Area'. Policy SP7 requires in part that development in the countryside will only be supported where it is consistent with the objectives of SP6, E2 and C5 in supporting rural sustainability. Policy E2 deals with Sustainable Rural Development and supports residential development outside of designated settlements provided this is in accordance with Policy C5.

Policy C5 (A) states that where development sits outside of the identified settlements, proposals for new residential development will be required to meet the criteria in policy SP7 alongside three other criteria. These require demonstration that provision cannot be accommodated within the identified boundaries of settlements in the hierarchy; supported by a parish based local housing needs assessment and appraisal showing that it meets the defined needs, and that the development is of high quality reflecting local character.

Overarching Policy SP1 reiterates the presumption in favour of sustainable development.

The submitted application does not provide information on whether the development can be provided within the settlement boundary and is not supported by a parish based local housing needs assessment and appraisal showing that it meets any defined needs. Accordingly, the proposed development would conflict with Policies SP3, SP7, E2 and Policy C5A whose objectives have already been outlined above.

Assessment against the NPPF

The National Planning Policy Framework (NPPF) was published on 17 August 2026 and is a material consideration to which significant weight must be afforded in the determination of planning applications. The Framework confirms that the purpose of the planning system is to contribute to the achievement of sustainable development by managing the use and development of land in the long-term public interest. Development plans and decisions should actively guide development towards sustainable solutions whilst responding to the character, needs and opportunities of individual areas.

The 2026 NPPF introduces National Decision-Making Policies (NDMPs), which are material considerations that apply directly to planning decisions. Of particular relevance in this case are NDMP S3, which establishes the presumption in favour of sustainable development, and NDMP S5, which relates to development proposals located outside defined settlements.

Policy S5 (1) outlines that only certain forms of development should be approved outside settlements, as set out in the exemption list in S5. It states these should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision making policies in the Framework. Of this exemption list, criteria j is relevant to this development.

- J) Development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test 27), and where the development would:
- i. Be physically well related to an existing settlement 28 (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; or
 - ii. Comprises major development for freight and logistics purposes which accords with policy E3.

The Council cannot currently demonstrate a five year housing land supply with the published statement confirming that the supply stands at 1.95 years. There is therefore a demonstrable unmet need for the proposed development.

Criterion j(ii) relates to major freight and logistics development and is not applicable in this case. The assessment therefore turns to criterion j(i), which requires the development to be physically well related to an existing settlement and of a scale capable of being accommodated having regard to available infrastructure.

The application site lies directly adjacent to, but just outside the designated settlement boundary for Woodseaves which is identified as a tier 3, Key Service Village under the sustainable settlement hierarchy (SP3) and is classed as a settlement in terms of the NPPF Glossary definition.

Within Woodseaves, a range of local services and facilities are available, including a post office/ convenience store, public house, primary school and a village hall. Collectively, these provide a basic yet adequate level of provision for future occupiers which is consistent with its designation as a key service village.

In physical terms, the site is closely related to the built form of the village. Access to Woodseaves is available via Lodge Lane, with the junction of Newport Road (A519) located approximately 100 metres from the site. Whilst it is acknowledged that Lodge Lane is narrow in places, lacks footways and street lighting, and contains sections where boundary treatments constrain pedestrian movement, these limitations occur over a relatively short distance. Beyond the junction with Newport Road, pedestrian conditions improve significantly through the provision of footways, street lighting and a reduced 30mph speed limit.

Consequently, future residents would have reasonable access to the services and facilities available within Woodseaves by walking or cycling. Whilst the route may not be attractive to all users, it nevertheless provides a practical and available means of accessing the settlement without reliance on a private vehicle for every journey.

The village also benefits from the 432 bus service, providing regular connections to Stafford and Eccleshall during the week and on Saturdays. Whilst opportunities to maximise sustainable transport options are recognised as being more limited in rural areas, the Framework acknowledges that this should be reflected in decision making. The combination of local facilities, pedestrian connectivity and access to public transport means that residents would have realistic alternatives to private car use for at least some day to day journeys.

With regard to scale, Woodseaves comprises approximately 300 dwellings. The proposal would deliver up to two additional dwellings and is therefore modest in scale when considered in isolation. It is acknowledged that there are other residential commitments within the village, including planning permissions for eight dwellings and a pending outline application for up to 100 dwellings. If all development were to come forward, the cumulative increase would be approximately 36.4% of the existing housing stock. However, the overwhelming majority of that increase would arise from the larger outline proposal rather than from the development currently under consideration.

Significantly, the site subject to the pending outline application was previously identified through the Council's Preferred Options consultation process, which recognised that area as a sustainable location capable of accommodating more substantial housing growth. Furthermore, no technical consultees have identified infrastructure constraints that would indicate that the addition of two dwellings would place unacceptable pressure on local services, facilities or infrastructure.

Having regard to its immediate relationship with the settlement, access to services and facilities, availability of public transport and the limited scale of development proposed, the Council is satisfied that the proposal is physically well related to Woodseaves and is of a scale capable of being accommodated by existing and proposed infrastructure. The proposal therefore satisfies the requirements of Policy S5(1) (j), i), which weighs in favour of the development.

LAND USE

The existing site is greenfield and appears to be in either agricultural or equestrian use. The proposal would result in a loss of this agricultural / equestrian land use.

The Natural England Provisional Agricultural Land Classification (ALC) dataset identifies the site as Grade 3 which is known as good to moderate quality. Without the benefit of a bespoke ALC survey it is not possible to determine if the land is Grade 3a (good quality agricultural land) or Grade 3b (moderate quality agricultural land).

National policy seeks to protect the "Best and Most Versatile" land (Grades 1, 2, and 3a), and while Grade 3b is not afforded the same level of protection, the principle of safeguarding agricultural resources remains important. Regardless of the omission of an ALC survey, the loss of the agricultural land weighs against the proposed development.

In terms of compatible land uses, the site lies directly adjacent to the settlement boundary and a number of residential dwellings. Whilst agricultural fields and ongoing arable agricultural operations exist adjacent to the site, it is not considered that the surrounding agricultural operations would prejudice residential development in this location.

Overall, the proposed land use would sit comfortably within the prevailing pattern of development and would not undermine the existing mix of residential, equestrian and agricultural character in the area. The proposal would not introduce a form of development that would be inappropriate in principle or detrimental to the amenity of neighbouring occupiers.

AMOUNT OF DEVELOPMENT

Under the statutory provisions governing Permission in Principle (PiP) applications, the assessment of the amount of development is limited to whether the number of dwellings proposed is acceptable for the location, without determining detailed layout or design matters.

TPSB Policy N1 sets out design criteria including the requirement for design and layout to take account of residential amenity and local context and have high design standards. Policy N8 states that new development should respect the character of the landscape setting through layout. Policy C1 advises that new development should provide an appropriate mix of dwelling types, tenures and sizes.

The proposal is seeking a maximum of 2 dwellings on a site area of about 0.165ha. Given the broadly rectangular shape of the site, it is considered that there would be adequate space to provide up to 2 dwellings, including the necessary supporting development such as vehicular access to the proposed dwellings, front and rear gardens and off street parking.

It is noted that the site slopes upwards towards the south east and as such the proposed dwellings are likely to be on slightly higher ground than the adjacent neighbouring properties. Any scale, design and window orientation should be sensitively designed to neighbouring properties particularly 'The New Grange' which is located directly adjacent to the site. These matters however will be fully assessed at TDC stage.

The site is located within Flood Zone 1 (i.e at lowest risk of flooding), which is compatible with the vulnerability of residential development/use.

For the purposes of the Permission in Principle application, up to 2 dwellings appear to be an acceptable quantum of development. It is considered that the development could be designed to not significantly harm the amenities of neighbouring residents in respect of outlook and privacy. The details of design, scale, layout and access would be considered at the Technical Details Consent stage (TDC) should permission be granted.

Other Matters

Flood Risk / Drainage

The site is located within Flood Zone 1 (i.e. lowest risk of flooding), which is compatible with this type of development/ use.

At Technical Details Consent Stage the applicant should provide details of how foul and surface water drainage will be managed on the site. Any surface water drainage strategy should follow the hierarchy as outlined in the NPPF, prioritising infiltration, then discharge to watercourse, and only where demonstrated to be unfeasible, connection to a sewer. The strategy should be informed by site specific ground conditions and where infiltration is proposed, include the results of a percolation test.

The submitted details should demonstrate that surface water will be managed sustainably, will not increase flood risk on or off site, and will be capable of being maintained for the lifetime of the development.

It is noted that neighbouring representations have raised concerns that the site is known for being on impermeable clay soil generating fast run off. As such details of percolation tests and details of surface water drainage are imperative to be submitted at the TDC stage. Neighbours have also raised concerns that the Waste Water Treatment Works are currently at capacity and cannot take any additional loads from new housing. This matter is not required to be concluded at the Permission In Principle stage and could instead form part of the informed submission of the TDC application.

Flood risk and drainage would be fully assessed at the TDC stage.

Highways

Limited details have been submitted at this stage regarding highways however noting the application route (permission in Principle) this is to be expected.

The submitted site location plan has indicated that a new access would be created centrally within the site giving direct access onto Lodge Lane. It is unknown at this time if the existing field access to the southern side of the site is to remain in operation.

The highways authority have recommended refusal. They note that visibility splays have not been demonstrated. Owing to the speed limit being 60mph, visibility splays of 215m x 2.4m are required in each direction from any new access. Visibility splays need to be within land under the control of the applicant or within highway land. Parking needs to be in accordance with Stafford Borough Councils parking standards (Appendix B). These matters would need to be fully demonstrated at TDC stage and are not required under the PIP application.

The highways authority comments also raise issue with the sustainability of the site and potential conflicts with vehicles and pedestrians as there are no dedicated footpaths on Lodge Lane. These matters have already been addressed above in the body of this report. The case officer disagrees with the highway authority's assessment in terms of sustainability and is satisfied that the site, being adjacent to the settlement boundary of Woodseaves, a tier three settlement is sustainable. It is acknowledged that footpaths are not present on Lodge Lane however noting the short distance (100m) to footpaths on Newport Road, this should not be prohibitive for future occupants to walk or cycle this short distance. In coming to this conclusion, the case officer has had mind to a recent appeal (APP/C3430/W/24/3355879) whereby the planning inspectorate found a site was sustainable in similar circumstances to this.

It is expected at TDC stage that visibility splays and parking will be fully demonstrated. Highway matters of providing a safe access and sufficient parking would therefore be assessed at the TDC stage.

Ecology

No ecology information has been submitted at this stage. There are mature hedges on some site boundaries which may house species of ecological importance.

The site is in the Green Impact Risk Zone for Great Crested Newts. The Newt Officer has confirmed no objection to the application stating that the site does not have any connectivity to ponds or sustainable habitats therefore it is unlikely that any impacts to great crested newts will arise from the proposed development.

To inform the TDC application it is expected that a Preliminary Ecological Assessment (PEA) be submitted to assess the surrounding land and hedgerows for protected and other species. The results of this survey and any necessary mitigation should be presented at the TDC stage.

Ecology matters would be fully addressed at the TDC stage.

Biodiversity Net Gain (BNG)

At TDC stage a Biodiversity Net Gain Assessment report and BNG metric will be required. Any onsite BNG provision will be required to be provided within the red edge. A legal agreement at TDC stage may be required to secure any BNG.

BNG matters would be fully assessed at the TDC stage.

Other designations - Loynton Moss and Doley Common SSSI

Loynton Moss (LM) SSSI is situated around 1km from the site. Doley Common (DC) SSSI is located about 3km from the site. Unlike Cop Mere and Aqualate Mere these are not RAMSAR sites, nor are they SAC. As such, they are not required to be included in the HRA relating to this development. However, as part of the TDC application, the impact to these designations should also form part of the submitted suite of information.

Neighbouring representations received

Neighbouring objections have been received which raise issues that are not appropriate to consider at this stage, through the Permission in Principle application route the Applicant has submitted. Most of the issues raised would be considered at the second, Technical Details Consent stage, if the scheme progresses to that stage. At that stage neighbours would be consulted again and those issues would be considered during the determination of the Technical Details Consent application. Only those objections which relate to location, land use and amount of development can be considered at this stage.

CONCLUSION AND PLANNING BALANCE

The site lies 4.7 kilometres from Aqualate Mere and 5 kilometres of the Cop Mere Midland Meres and Mosses designated European RAMSAR site. Since the local planning authority, as the competent authority under The Conservation of Habitats and Species Regulations 2017, has not received sufficient information to determine whether the proposal is likely to have a significant effect on the RAMSAR site the proposal represents 'habitats development' under Article 5B of the Town and Country Planning (Permission in Principle) Order 2017 (as amended). Consequently, under the Town and Country Planning (Permission in Principle) Order 2017 (as amended), permission in principle must not be granted for habitats development. Furthermore, measures to mitigate any potential significant effects of the development either alone or in combination with other proposals on the European site's conservation objectives cannot be secured as planning obligations and conditions cannot be attached to a permission in principle.

Recommendation

As a result of the above, it is recommended that permission in principle be refused.

1. The site lies 4.7 kilometres of Aqualate Mere and 5 kilometres of the Cop Mere Midland Meres and Mosses designated European RAMSAR sites. Since the local planning authority, as the competent authority under The Conservation of Habitats and Species Regulations 2017, has not received sufficient information to determine whether the proposal is likely to have a significant effect on the RAMSAR site the proposal represents 'habitats development' under Article 5B of the Town and Country Planning (Permission in Principle) Order 2017 (as amended). Consequently, under the Town and Country Planning (Permission in Principle) Order 2017 (as amended), permission in principle must not be granted for habitats development. Furthermore, measures to mitigate any potential significant effects of the development either alone or in combination with other proposals on the European site's conservation objectives cannot be secured as planning obligations and conditions cannot be attached to a permission in principle.



Application:	25/41553/FUL
Case Officer:	Ian Lunn
Date Registered:	24 December 2025
Target Decision Date:	18 February 2026
Extended To:	6 October 2026
Address:	Land to the Rear of The Glen, Seighford, Stafford, Staffordshire
Ward:	Seighford and Church Eaton
Parish:	Seighford
Proposal:	Sub-division of existing plot to create a building plot for 2no three bedroom houses with associated gardens, access and parking
Applicant:	Trustees of the Seighford Settled Estate
Recommendation:	Approve, subject to conditions

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor J T Rose (Ward Member for Seighford and Church Eaton) for the following reasons:-

- a) Access to site, poor road infrastructure, poor visibility,*
- b) Drainage and flooding already prevalent,*
- c) Development on Green Belt.*

CONTEXT

1.0 Site and Surroundings

The application site is an irregularly shaped plot of approximately 0.09 hectares in area. It is located approximately 30 metres south of the junction of Main Road and Smithy Lane at the northwestern end of the village of Seighford. The surrounding development is primarily residential.

The site is currently disused, grassed and slightly overgrown. It is described by the agent as having previously been used as part of a residential garden although there is evidence to suggest that it may also have previously been used as allotments.

2.0 Proposed Development

Planning permission is sought to construct two detached three-bedroomed houses on this site.

OFFICER ASSESSMENT - KEY CONSIDERATIONS

3.0 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).

4.0 Principle of Development

The National Planning Policy Framework 2026 ("the NPPF") sets out the Government's planning policies for England and how they should be applied. It advises that the purpose of the planning system is to contribute to the achievement of sustainable development by managing the use and development of land in the long-term public interest. Achieving sustainable development means the planning system has three overarching objectives (economic, social and environmental) which are interdependent and should be pursued in mutually supportive ways.

National legislation requires planning applications to be determined in accordance with an adopted Local Plan:

'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' (Planning and Compulsory Purchase Act 2004, 38(6)).

The NPPF, published in August 2026, is a material consideration of significant weight in determining planning applications. Paragraph 3 of the NPPF reflects the position of the Planning and Compulsory Purchase Act 2024.

On the basis of NPPF paragraph 3 Stafford Borough Council can use its adopted local plan for decision-making purposes. For the purposes of this application the adopted local plan comprises:

- The Plan for Stafford Borough Part 1 (2011-2031) - adopted June 2014
- The Plan for Stafford Borough Part 2 (2011-2031) - adopted January 2017.
(Hereafter referred to as TPSB)

It should be noted that the adopted TPSB has 6 years remaining through to 2031. The court of appeal in *Peel Investments v Secretary of State for Housing, Communities and Local Government* [2020] EWCA Civ 1175 confirmed that the expiry of a local plan period does not automatically render the policies of a plan out-of-date. Therefore, Stafford Borough's adopted Plan policies, including the Borough's development strategy, must continue to be used for decision-taking.

Emerging policy

The Council decided on 6 March 2025 to stop work on the emerging Local Plan 2020-2040, which had reached the Preferred Options Stage in 2022 with some advanced draft policies, and begin a new plan-making process in the context of the current NPPF. The Council is currently preparing its evidence base for the new Local Plan 2025 - 2045.

Application of local plan policy

Spatial Principle (SP) 4 of TPSB states that the annual targets for the distribution of housing development, supported by necessary infrastructure will be: Stafford (70%), Stone (10%), Key Service Villages (12%) and Rest of Borough Area (8%).

Seighford does not constitute a Key Service Village as set out within SP3. The proposed development is therefore, in policy terms, located within 'open countryside' and falls within the 'Rest of Borough Area'. Policy SP7 requires in part that development in the countryside will only be supported where it is consistent with the objectives of SP6, E2 and C5 in supporting rural sustainability. Policy E2 deals with Sustainable Rural Development and supports residential development outside of designated settlements provided this is in accordance with Policy C5.

Policy C5 (A) states that where development sits outside of the identified settlements, proposals for new residential development will be required to meet the criteria in policy SP7 alongside three other criteria. These require demonstration that provision cannot be accommodated within the identified boundaries of settlements in the hierarchy; supported by a parish based local housing needs assessment and appraisal showing that it meets the defined needs, and that the development is of high-quality reflecting local character.

The submitted information does not provide information on whether the development can be provided within the settlement boundary and is not supported by a parish based local housing needs assessment and appraisal showing that it meets any defined needs. Accordingly, the proposed development would conflict with Policies SP3, SP7, E2 and Policy C5A.

Five-year housing land supply position

The Borough's mandatory housing target is currently 749 dwellings per year. Consequently, Stafford Borough does not currently have a 5-year housing land supply which, based on the year end date of 31 March 2026, is currently 1.95 years.

Consideration of the National Planning Policy Framework

As the Council can no longer demonstrate a 5-year housing land supply the aforementioned housing it is acknowledged that there is an evidenced unmet need for residential development within Stafford Borough and that the NPPF, is a material consideration in the determination of this application.

Policy S3 of the NPPF (2026) states that decisions on development proposals should apply a presumption in favour of sustainable development. This means:-

- a) that Policy S4 in this Framework should be applied when considering development proposals within settlements;
- b) that outside settlements, policy S5 should be applied; and
- c) that in all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.

The NPPF identifies 'settlements' as 'cities, towns, villages and other predominantly built-up areas' including 'areas defined as a settlement in the development plan' but excluding 'hamlets and scattered groups of houses located outside predominantly built-up areas' and 'villages which lie within and are defined as part of the Green Belt in the development plan'.

Seighford is located outside of Stafford and Stone and is not identified as a Key Service Village in TPSB. However:-

- a) it is clearly a small rural village having a pub, a church, a village hall and a school, and
- b) it does not lie within identified Green Belt.

With this in mind and having regard to the requirements of the current NPPF it is considered that it is a 'settlement'. The application site is an 'infill' plot located within the confines of the village which is within easy walking distance of the services and facilities that are available within it. Consequently, it is considered that the scheme the subject of this application should also be treated as a proposal to develop land within a settlement.

Given the above, the current development proposal needs to be considered against the requirements of Policy S4 of the NPPF. This advises that 'development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework'. It advises that the situations where the latter may apply are where the development proposal would:-

- a. Have a substantial adverse impact in relation to:
 - i. The allocation or safeguarding of land or buildings for particular uses in the development plan, unless there is no reasonable prospect of an application coming forward for the allocated use, or there is evidence that the safeguarding is no longer appropriate; or
 - ii. The application of the policies in this Framework for existing recreational land and facilities (HC7), Local Green Space (HC8), areas of particular importance for biodiversity and geodiversity (N6), Protected Landscapes (N4) and development within residential curtilages (L2(1)(d)).
- b. Involve the whole or partial loss of undeveloped land which is used for a cemetery or burial ground; or for water storage and/or flood risk management (unless suitable compensatory provision is made that does not increase the risk of flooding either on or off-site); or
- c. Fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.

None of these circumstances apply in this instance:-

- a) The site is not currently allocated for any form of development in TPSB and is not currently in use for any of the purposes identified in (a)(ii) and (b) above,
- b) It is considered that the proposed development will reasonably comply with the national decision-making policies as set out in the current NPPF, and
- c) the development is considered to be acceptable in all other respects, for reasons outlined later in this report.

It is therefore considered that the proposed development would not give rise to any adverse effects that would outweigh the benefits of the scheme. The default position, therefore, having regard to the advice contained within the current NPPF, is that the development should be treated as being sustainable and should therefore be approved.

Other Relevant Considerations

Section 6 of the NPPF seeks, in part, to ensure 'the delivery of a substantial increase in the supply of homes'. An approval of this proposal would help to meet this aim in so far as it would assist the Borough in meeting its housing targets albeit in a very small way.

In support of their application the agent has referred to a number of appeal decisions (see 'Publicity' section below) where previously refused development has subsequently been allowed at least in part on sustainability grounds. Consideration has also been given to a much more recent, and more comparable, decision in Hilderstone where an appeal was dismissed on grounds of lack of sustainability. However, since all of these decisions were made before the revised version of the NPPF came into force, it is felt that they can no longer be given significant weight.

Conclusion

Having regard to the adopted policies of TPSB the development is considered to be unsustainable, the application site being located outside of any of the settlements identified by Policy SP3 of TPSB within a village that has only limited services and where there are only very limited choices of available transport. Furthermore, it has not been satisfactorily demonstrated that the proposed development cannot reasonably be located within any of the settlements identified in the Settlement Hierarchy, nor has the scheme been accompanied by a Parish Based Local Housing Needs Assessment which reasonably demonstrates that the development will meet an identified local need.

However, the Council does not currently have a 5-year housing land supply and as such its development plan housing policies are out-of-date. The presumption in favour of sustainable development as set out in the NPPF sets out that planning permission should be granted for the proposed development within the settlement of Seighford unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. It is considered that having regard to policies S3 and S4 of the NPPF the proposed development would be sustainably located within an identified settlement and would not give rise to any adverse effects that would outweigh the benefits of the scheme. The default position therefore is that the development should be approved.

In view of the above, and as the development would assist the Borough in meeting its housing targets albeit in a very small way, the proposal is in this instance considered to be acceptable in principle.

Policies and Guidance:-

National Planning Policy Framework (2026)

Section 4 - Achieving Sustainable Development

Section 6 - Delivering a Sufficient Supply of Homes

Section 15 - Promoting Sustainable Transport

The Plan for Stafford Borough: Part 1

Policy SP1 - Presumption in Favour of Sustainable Development

Policy SP2 - Stafford Borough Housing and Employment Requirements

Policy SP3 - Stafford Borough Sustainable Settlement Hierarchy

Policy SP4 - Stafford Borough Housing Growth Distribution

Policy SP6 - Achieving Rural Sustainability

Policy SP7 - Supporting the location of new development

Policy E2 - Sustainable Rural Development

Policy C5 - Residential Proposals outside the Settlement Hierarchy

The Plan for Stafford Borough: Part 2

Policy SB1 Settlement boundaries

5.0 Character and Appearance

Policies N1 and N8 of TPSB, Sections 14 and 19 of the NPPF, and the Council's adopted Design SPD 2018 collectively require that development should be of a high standard of design, should be sympathetic to landscape character and quality, should have regard to the local context, and should add to the overall quality of an area.

Whilst the site is visible to users of Smithy Lane and the occupiers of the dwellings that immediately surround it, it does not occupy an unduly prominent position in the street scene or the general landscape. It occupies a 'backland' position hidden from the main road serving the village and it is largely enclosed on all sides by buildings.

This aside, the proposed houses are considered to be acceptable in both design and scale terms despite concerns to the contrary. They will appear in scale with their surroundings standing approximately 8.4 metres high to ridge in both cases. They are also considered to be acceptable in design terms:-

- a) incorporating 'gabled' pitch roofs that will both match and reasonably harmonise with other roofs in the vicinity,
- b) constructed of light red facing brick and 'Antique Brown' plain concrete tiles with red brick lintel and sill detailing, white upvc windows and doors and black upvc rainwater goods, materials that will reasonably match and harmonise with others used in this area, and
- c) incorporating single storey 'open' porches to the front of each property constructed of green timber.

The proposals for treating the site boundaries of the development involve the retention of the existing fence along the northeastern site boundary, the erection of 1.8m high fencing along all other boundaries to the rear of the dwellings and 0.9m high fencing in front of them. Given the context of the site these arrangements are considered to be acceptable in this instance.

The associated amenity space for the new dwellings will be provided largely to the rear of the properties. This space will amount to in excess of 170 square metres per dwelling which is considered to be acceptable. The treatment of these areas is also considered acceptable with the respective spaces shown as being largely laid to lawn and planting with only relatively small areas of hard surfacing, in the form of associated pathways and patios constructed using buff concrete paving slabs, laid around the dwellings.

The car parking spaces are to be located in front of each property and are to be constructed using brindle block pavements edged with charcoal pavements to delineate the spaces. The shared access connecting the site with Smithy Lane is to be surfaced using tarmac to match the surface treatment of that highway. Both treatments are considered acceptable visually in this case.

The proposal makes satisfactory provision for the storage of refuse. Space for three wheeled bins are shown to be provided in secluded positions to the rear of each dwelling. Space will be available to the side of each dwelling to enable those bins to be brought to the front on 'bin collection' days.

Policies and Guidance:-

National Planning Policy Framework (2026)

Section 14 - Achieving well-designed places

Section 19 - Conserving and Enhancing the Natural Environment

The Plan for Stafford Borough: Part 1

Policy N1 - Design

Policy N8 - Landscape Character

Supplementary Planning Document (SPD) – Design

6.0 Amenity

Policy N1 of TPSB, Section 17 of the NPPF and the Council's Design SPD collectively require, in part, that development proposals should reasonably safeguard the residential amenities enjoyed by the occupiers of neighbouring residential properties. It is considered that the proposal will satisfy this requirement for the reasons set out below.

a) Light

The development will not significantly affect the level of light currently received by the surrounding residential properties. With the exception of 1 Smithy Lane, the new houses will stand a minimum of 21 metres away from the properties enclosing the site thus meeting the guidelines set out in the Council's Design SPD in this regard. They will stand approximately 19 metres away from a conservatory and a window in the gable of 1 Smithy Lane. However, since this property lies to the south of the site the light that it receives will not be unduly affected by the proposal.

b) Overlooking

It is not envisaged that the proposal will lead to unacceptable overlooking of neighbouring properties despite concerns to the contrary being raised by neighbours. Again, with the exception of 1 Smithy Lane, the proposed houses will stand a minimum of 21 metres away from the properties enclosing the site, thus meeting the guidelines for safeguarding privacy as set out in the Council's Design SPD. The distance between windows in the front elevations of the proposed properties, the window in the gable of 1 Smithy Lane and the conservatory to the rear of that property will be slightly less than this (approximately 19 metres). However, on balance, it is not envisaged that this will lead to unacceptable overlooking in this case because: -

- a) the ground floor windows will face a boundary fence which stands between the site and that property,
- b) two of the three facing first floor windows in each new property will be obscure glazed, and

- c) whilst the nature of the room served by the window in the gable of 1 Smithy Lane is not currently known, it is small and appears to be a secondary opening.

Two first floor bedroom windows are proposed within the side elevation of the dwelling to be erected on plot two and these will directly face the rear garden of 1 The Cumbers at very close quarters. However, they are to be obscure glazed and a condition is proposed to ensure this.

- c) Overdevelopment

The dwellings will occupy less than 50% of the defined application site with the remaining areas allocated for external amenity space and car parking. It is therefore contended that the proposal will not lead to the overdevelopment of the land despite concerns to the contrary.

Policies and Guidance:-

National Planning Policy Framework (2026)

Section 17 - Pollution, Public Protection and Security

The Plan for Stafford Borough: Part 1

Policy N1 - Design

Supplementary Planning Document (SPD) - Design

7.0 Access, parking, and the local highway network

Policy T2 of TPSB requires, in part, that development proposals should not impair highway safety or traffic movement. Appendix B sets out the normal parking requirements for development in the Borough. It is considered that this proposal would reasonably satisfy the requirements of both.

The new properties would each have three bedrooms. Appendix B of TPSB requires that two associated 'off-street' car parking spaces be provided in conjunction with each property. A site Layout plan has been submitted which shows two spaces provided in front of each house; it is, therefore, considered that a suitable level of associated 'off-street' parking would be provided in conjunction with the proposed development.

The submitted details also show a shared access constructed between the site and Smithy Lane. It is considered that this would reasonably allow vehicles exiting the parking spaces to satisfactorily turn around within the larger site and enter Smithy Lane in a forward gear. The proposal is therefore also considered to be acceptable in this respect.

Visibility splays of 2m x 43m are shown as being provided on either side of the vehicular access from the site onto Smithy Lane. Splays of 2.4m x 43m are also shown at the junction of Smithy Lane and Main Road. These are considered to be acceptable and would reasonably allow vehicles safe access to and from both highways.

Smithy Lane is considered to be capable of satisfactorily accommodating the very limited additional vehicular use that this development is likely to generate.

The proposal has been considered by County Highways who, whilst raising concerns about the development on sustainability grounds, raise no objection with regard to highway safety.

Policies and Guidance:-

The Plan for Stafford Borough

T2 - Parking and Manoeuvring Facilities

Appendix B - Car Parking Standards

8.0 Ecology

Policy N4 of TPSB seeks to protect the Borough's natural environment. This is reflected, in part, in Section 19 of the NPPF. Policy N5 seeks to protect Sites of European, National and Local Nature Conservation Importance, and Policy N6 similarly seeks to safeguard the Cannock Chase SAC.

The site lies within a larger identified red/amber impact risk zone where great crested newts are very likely to be present. The applicants have obtained an updated Licence from the District Licensing Officer (Great Crested Newts) which gives them authorisation to carry out the works subject to them meeting certain specified requirements. The proposal is therefore considered to be acceptable in terms of its likely impact upon newts. A condition is to be attached to any approval to ensure that the proposed development will not result in harm to great crested newts.

A small sites Biodiversity Net Gain Metric and a 'Proposed BNG Plan' (drawing no. YBD05403-P-003 Rev C) have been submitted in support of the application. The former states that the development will achieve a degree of 'on-site' Biodiversity net gain, through the planting of two trees within the rear gardens of the properties, equating to an increase of approximately 13.25%. The latter plan shows the proposals for 'off-site' BNG gain in the form of 103.5 square metres of neutral grassland and three additional trees located due southwest of the proposed shared access driveway. These proposals have been assessed by the Council's Biodiversity Officer who considers them to be acceptable.

The site lies within 15 kilometres of the Cannock Chase Special Area of Conservation (SAC). Consequently, the agent has indicated that their clients are willing:-

- a) to pay the required developer contribution of £739.16 to mitigate against any negative effects that the development may have upon that area, and
- b) to submit a signed Section 111 Agreement formally declaring that they have done so.

Subject to the payment of the contribution and the submission of the required Agreement it is considered that this issue will have been satisfactorily addressed, a view supported by Natural England.

The site is not considered to have any other particular ecological value, a view supported by the Council's Biodiversity Officer. They have therefore raised no objections to the proposal subject to conditions preventing development from being carried out during the bird nesting season unless it can be satisfactorily demonstrated that no birds are present, requiring the provision of one swift brick under the eaves of each house and requiring gaps to be left in the boundary fencing to allow for the passage of hedgehogs. Whilst conditions covering the last two of these are considered appropriate, it is considered that nesting birds are adequately protected under separate legislation and an informative to bring this matter to the attention of the applicant will be sufficient in this instance.

In view of the above, subject to the imposition of appropriate conditions and informatives and the payment of the required SAC contribution, it is not envisaged that the proposal would cause undue harm to the ecological value either of the site itself or of sites of nature conservation importance nearby. This is despite the concerns expressed by some local residents to the contrary.

Policies and Guidance:-

National Planning Policy Framework (2026)

Section 19 - Conserving and Enhancing the Natural Environment

The Plan for Stafford Borough: Part 1

Policy N4 - The natural environment and green infrastructure

Policy N5 - Sites of European, National and Local Nature Conservation Importance

Policy N6 - Cannock Chase Special Area of Conservation (SAC)

9.0 Land Contamination

The site is not known to be contaminated and is understood to have previously been used either as residential garden or as allotments. It therefore seems unlikely, on the balance of probability, that the future occupiers of the new dwellings will be at significant risk from contamination in this instance. As a safeguard however it is recommended that an informative is imposed advising the applicants to cease works should any contamination be found during the subsequent construction works, and to agree appropriate mitigation measures with the Local Planning Authority before re-commencing. This approach is supported by the Council's Environmental Health Service. Subject to such an informative being imposed it is considered that the proposal will be acceptable in land contamination terms reasonably meeting the requirements of Section 17 of the National Planning Policy Framework in this regard.

Policies and Guidance:-

National Planning Policy Framework (2026)

Section 17 - Pollution, public protection and security

10.0 Drainage

The agent has advised that foul water from the development will be discharged into the mains sewer and surface water drained via soakaways. This has led to concerns from some local residents and the Ward Councillor as they consider that the existing drainage system in the village is currently unable to cope with any additional housing. Severn Trent Water Authority have been consulted for their views on this and whilst they have not directly commented on the current proposals for draining the development they have not objected to them out of hand. Instead, they have recommended conditions requiring that details of the proposed means of draining foul and surface water from the development are formally agreed with the Local Planning Authority prior to the commencement of development, and that the agreed means of draining the site is subsequently fully implemented before the dwellings are first occupied. Given those comments, and since the site is located within the village, it is considered very likely, on the balance of probability, that the development can be satisfactorily drained. It is therefore considered that there are no substantive reasons for opposing it on drainage grounds in this case and as such it is considered that it will reasonably satisfy the requirements of Section 18 of the National Planning Policy Framework in this regard.

Policies and Guidance:-

National Planning Policy Framework (2026)

Section 18 - Managing flood risk and coastal change

11.0 Other Issues

A number of concerns have been raised by local residents and the local Ward Councillor about this proposal and these are set out in the 'Publicity' section below. These have been assessed but they are not, in this case, considered to represent sufficiently compelling reasons for refusing the scheme for reasons given earlier in this report and below:-

- a) the site is not located within the Green Belt,
- b) whilst there is likely to be some disruption during the construction of the development this is likely to be relatively 'short lived' and the application cannot reasonably be refused on those grounds. It is not envisaged that a development of two houses will generate significant noise once completed and occupied, and it also seems highly unlikely, on the balance of probability, that the number of vehicular movements generated by that development will lead to a significant increase in noise or light pollution in the area either.
- c) a planning application cannot reasonably be refused on the grounds that it would set a precedent for other similar forms of development in the future. All applications must be considered on their own merits having regard to relevant planning policy and material considerations.
- d) concerns about loss of view and the likely effect that the development may have upon property values cannot currently be taken into consideration when assessing a planning application as neither are deemed to be material planning considerations.

12.0 Conclusion

The proposal is considered to be acceptable in planning policy terms seeking the sustainable development of an 'infill' plot within a village.

The proposed dwellings would be of an appropriate scale and design for the area and would reasonably safeguard its character and appearance. The development would not cause harm to neighbouring properties by reason of overlooking or light loss, would not harm highway safety or the ecology of the area, would be capable of being satisfactorily drained and future occupiers of the new properties would not likely be at significant risk from contaminants. The development is therefore considered to be in accordance with the requirements of The Plan for Stafford Borough and the National Planning Policy Framework (2026).

CONSULTATIONS

Parish Council

No representations received.

County Highways

Object to the proposal on the grounds that the site does not occupy a sustainable location and the proposal would therefore lead to future trips being made to and from the site solely by private car. Otherwise raise no objections. Following recent amendments to the proposed visibility splays at the site access onto Smithy Lane and at the Smithy Lane/Main Road junction they consider that satisfactory visibility will now be available to vehicles entering both highways. They also consider the proposed parking and turning arrangements, the proposal to surface those areas using tarmac, and the proposed arrangements for storing and collecting refuse to be acceptable. In the event of the application being approved they recommend conditions requiring the submission of a Construction Method Statement; preventing the delivery of materials to the site during school 'dropping off' and 'picking up' times; and controlling the position and orientation of gates should they be proposed.

SBC Environmental Health

No objections subject to conditions limiting the hours of construction of, and deliveries to and from, the development; and requiring that additional measures for the remediation of the site are submitted to the Council for approval if unidentified contamination is found during the construction works.

Biodiversity Officer

Have no objections to the development of the land as it has low ecological value. However, recommend conditions preventing development from being carried out during the bird nesting season unless it can first be satisfactorily demonstrated that no birds are present, requiring the provision of one swift brick under the eaves of each house and requiring gaps to be left in the boundary fencing to allow for the passage of hedgehogs. At the Biodiversity Gain Condition stage, they will also require the submission of a completed Metric and Biodiversity Gain Plan, along with a brief management plan, that demonstrate how the BNG area will be maintained for 30 years.

Naturespace District Licensing Officer (Great Crested Newts)

No objections. The applicants have a current Licence authorising them to carry out the proposed development. Mandatory conditions and informatives within the Certificate must be used in verbatim on the decision notice to comply specifically with conditions in the Council's district licence.

Natural England

No objections provided that the developer pays the required contribution to mitigate against any negative effects that the development may have upon the Cannock Chase Special Area of Conservation.

Severn Trent Water

No objections subject to conditions requiring that details of the proposed means of draining foul and surface water from the developed site are formally agreed with the Local Planning Authority before development commences, and the agreed means of draining the site are subsequently fully implemented before the dwellings are first occupied.

PUBLICITY

The application was advertised in this instance by sending individual letters to surrounding properties, by posting a site notice outside of the site, and by inserting an advertisement in a local newspaper. These were sent/posted/inserted on 16th, 19th and 21st January 2026 respectively giving 21 days for public comment. The publicity period expired on 11th February 2026 and nine letters of objection (including two from the occupiers of 1 The Cumbers) have since been received. The objections are:-

- a) that the development will unduly detract from the open rural character and appearance of the area.
- b) that the new dwellings will unacceptably overlook neighbouring properties.
- c) that an approval of this proposal will not be in the best interests of highway or pedestrian safety in the area. It will lead to an unacceptable increase in the vehicular use of the substandard Smithy Lane leading to congestion and further damage to the highway surface; it will exacerbate existing problems of parking on that highway; vehicles will be unable to safely enter Main Road from Smithy Lane due to 'on-street' parking on both highways, limited visibility at the junction, and the high volumes and high speeds of traffic using the former.
- d) that noise, fumes and dust generated during the construction of the development, once the development is occupied, and from the subsequent increased vehicular use of the site and adjoining roads, will adversely affect surrounding residents.
- e) that light generated both by the development itself and by vehicles using it will adversely affect surrounding residents and will harm the dark rural character of the area.
- f) that the proposal will represent overdevelopment.
- g) that the development will cause harm to local wildlife.

- h) that the development will adversely affect the views currently enjoyed by the neighbouring properties.
- i) that the value of surrounding properties will be adversely affected if this development is to receive approval and be built.
- j) that an approval of this proposal will set an unwelcome precedent for further 'backland' and 'infill' residential development in the area.
- k) that the existing sewerage and drainage system in the village is currently unable to cope with any additional housing.
- l) that it would be more beneficial to use the site to provide parking for residents in Bramhall Close who currently lack satisfactory parking facilities.

The agent has submitted Planning Statements and an e-mail in support of their application in which they state:-

- a) that whilst the proposal will not fully comply with the relevant housing policies of the adopted Local Plan these are out-of-date as the Council cannot currently demonstrate a 'five year' housing supply. Furthermore, these policies do not now align with the requirements of the current NPPF.
- b) that the development will be sustainable. The application site lies within the village of Seighford which is clearly identified as a settlement in the current NPPF.
- c) that the development will meet an evidenced unmet housing need in the village.
- d) that the development is to be constructed on previously developed land and as such meets the Governments' aim of providing quality housing on such land. It will also help the Council to meet its housing targets.
- e) that a development of two dwellings cannot reasonably be viewed as 'significant'.
- f) that the development will be in scale and keeping with the character of the area.
- g) that the development will not adversely affect the level of privacy currently enjoyed by the occupiers of the surrounding residential properties.
- h) that whilst accepting that the construction of the development may lead to some short-term disruption of local residents the developer will seek to keep this to a minimum. The development will not cause any significant noise, dust, light or other issues once completed,
- i) that whilst not a recognised 'planning matter' the development should have a positive effect on property values in the area.

- j) that the development will not have any impact on the storm drain in Smithy Lane as surface water from it is to be drained via separate soakaways.
- k) that the proposal will not give rise to any significant highway or pedestrian safety concerns. Smithy Lane is considered capable of satisfactorily accommodating the additional vehicular use likely to be generated by this development. It is also considered to be reasonably well surfaced and wide enough to allow vehicles and pedestrians using it to reasonably co-exist. Traffic using this highway is unlikely to be travelling very quickly, and issues of visibility have now been addressed. The proposed development will not add to any existing 'on-street' parking problems in the area as it makes satisfactory provision for the associated 'off-street' parking of cars within the development site.
- l) that there is no need to provide public open space in conjunction with a development of this scale.
- m) that the development will not harm local wildlife.

To bolster their sustainability case the agent has also submitted a Transport Statement. This states that the development will also be sustainable because:-

- i) it will incorporate electric vehicle charging points and facilities for storing cycles,
- ii) it will incorporate photovoltaic panels thus ensuring that it is served by a sustainable form of power,
- iii) it will generate only very limited additional vehicular movements to and from the site and will not give rise to any undue highway safety concerns overall,
- iv) it will help to enhance and maintain the vitality of this rural community,
- v) it will be located within 10 minutes (800 metres) walking, and 5 kilometres cycling, distance of local services. These were determined, in a Planning Inspectorate Webinar on Sustainable Locations held in May 2025, to be acceptable distances.
- vi) the village is linked to nearby schools (Sir Graham Belfour High School and Stafford Grammer School) by school bus services.
- vii) the site lies just five kilometres from the County Town of Stafford which has a full range of facilities and services. Any car-borne trips to and from the village to the Town will therefore be relatively short reducing the environmental impact of car-based travel.
- viii) the village previously benefitted from settlement boundaries and these were identified in the Stafford Local Plan 2001. These have since been removed from the adopted Local Plan but there were proposals to re-introduce them in the emerging Local Plan for Stafford 2020 to 2040.

The agent has also referred to a number of appeal decisions that in their view support their proposal. These are as follows:-

- a) an Inspector's decision to allow a recent planning appeal against decisions by Three Rivers District Council to refuse two applications for outline planning permission. These collectively sought approval for 92 houses and a doctors surgery (see Burlington Property Group v Three Rivers District Council). This appeal was allowed because, in the view of the Inspector, 'very special circumstances' had been demonstrated that the proposed development would provide substantial benefits for the area.
- b) an Inspector's decision to allow a recent appeal against the decision of St Albans City Council to refuse planning permission for a single house on an infill plot (see Laxton Properties v St Albans City Council). In that case the site was located in a rural area outside of a recognised settlement. The plot was located between two other houses with others visible nearby and the Inspector took the view that as a result of this, and because the land lay within reasonable cycling distance (4 kilometres) of Harpenden Railway Station and reasonable walking distance (one kilometre) of the nearest bus stop, the development would be sustainable. Accordingly, they allowed the appeal.
- c) an Inspector's decision to allow a recent appeal against the decision of Tandridge District Council to refuse planning permission for the demolition of a dwelling and its replacement with two residential units (see developer v Tandridge District Council). The Inspector took the view that whilst this was clearly a rural area the presence of other dwellings nearby meant that the site was not isolated. With this in mind, as there were bus stops nearby, and as the site was well connected by road to other settlements nearby, they concluded that the development would be sustainable.

RELEVANT PLANNING HISTORY

The site has not been the subject of any recent previous planning history.

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 full accordance with the following drawings and documents, except where indicated otherwise by a condition attached to this permission, in which case the condition shall take precedence:

YBD05403-P-001 Rev C - Location and Existing Site Plans

YBD05403-P-002 Rev D - Proposed Site Layout Plan

YBD05403-P-010A Rev B - Proposed Floor Plans (Plot One)

YBD05403-P-010B Rev B - Proposed Floor Plans (Plot Two)

YBD05403-P-011A Rev B - Proposed Elevations (Plot One)

YBD05403-P-011B Rev B - Proposed Elevations (Plot Two)

YBD05403-P-003 Rev C - Existing and Proposed BNG Plans

3. The materials to be used in the construction of the external wall(s) and roof(s) of the extension(s) shall be those detailed on drawing YBD05403-P-011A Rev B and YBD05403-P-011B Rev B.
4. Before any dwelling hereby permitted is first occupied, the boundary fencing to the northwest and southeast boundaries of the site and to the boundary between the rear gardens shall be erected in accordance with details which shall first have been submitted to, and approved in writing by, the local planning authority. Such details shall include gaps to be left in the fencing to allow for the passage of hedgehogs. The means of enclosure shall thereafter be retained as such.
5. The approved landscape and planting scheme (YBD05403-P-003 Rev C) shall be provided within six months of the development first being brought into use, or the next available planting season whichever is the sooner.
6. Before any dwelling is first occupied, the measures for storing and collecting refuse, as shown on drawing YBD05403-P-002 Rev D, shall be implemented and they shall thereafter be retained.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any subsequent legislation revoking or superseding that Order, no windows, doors or other openings, other than those shown on the approved plans, shall, at any time, be formed at first floor level within the front (southwestern) facing elevations of either dwelling, or at first floor level within the side (southeastern) facing elevation of the dwelling to be erected on Plot Two.
8. The first-floor windows to the (southeastern) side-facing elevation of unit 2 shall be obscure glazed to a minimum of level three obscurity. These windows shall be non-opening up to 1.7m in height above floor level and shall thereafter be retained as such.

9. The approved hard landscaping works shall be provided within six months of the development first being brought into use and thereafter retained as such.
10. The development shall not be brought into use unless and until visibility splays have been provided in accordance with details to first be submitted to and approved in writing by the Local Planning Authority. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600mm above the adjacent carriageway level.
11. No development shall commence unless and until a Construction Transport Management Plan (CTMP) has been submitted to, and approved in writing by, the local planning authority. The CTMP shall include details relating to construction access; hours of construction; routing of HGVs; delivery times; the location of the contractors' compounds, cabins, material storage areas, and contractors parking; and a scheme for the management and suppression of dust and mud from construction activities, to include the provision of a vehicle wheel wash. All site operations shall then be undertaken strictly in accordance with the approved CTMP for the duration of the construction programme.
12. Any gates provided across the vehicular access shall be a minimum of five from the carriageway edge and shall open away from the highway.
13. No construction activities, including demolition, site works, and associated deliveries to the site, shall be undertaken outside the hours of 8:00am to 6:00pm Monday to Friday and 8:00am to 2:00pm on Saturdays. No construction activities shall be carried out on Sundays or bank / public holidays.
14. The development shall not be occupied unless and until one swift brick has been installed beneath the eaves of each dwelling hereby permitted.
15. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR148, or a 'Further Licence') and with the proposals detailed on plan "Land to the rear of The Glen: Impact plan for great crested newt District Licensing (Version 1)" dated 4 March 2026.
16. Notwithstanding any description/details within the application documents, no above-ground works shall commence unless and until details of separate foul and surface water drainage systems have been submitted to, and approved in writing by, the local planning authority. The drainage scheme shall be provided in accordance with the approved details before the development is first occupied and shall thereafter be retained.

17. No development above ground shall commence unless and until details of the finished floor levels of the dwellings hereby permitted, in relation to proposed ground levels of the site and the adjacent highway, have been submitted to, and approved in writing by, the local planning authority. The development shall thereafter be implemented in accordance with the approved details.
18. To ensure the provision of adequate off-street facilities in the interests of the convenience and safety of users of the highway. (Policy T2d of The Plan for Stafford Borough).

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 (Policies N1 g and h of The Plan for Stafford Borough).
4. To ensure an adequate level of privacy for occupiers of the proposed dwellings and to ensure that the development results in an enhancement in biodiversity within the site. (Policy N1e of The Plan for Stafford Borough and Policy N2 of the National Planning Policy Framework).
5. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
6. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).
7. To ensure an adequate level of privacy for occupiers of adjacent residential properties (Policy N1e and Stafford Borough Council Space About Dwellings Guidance)
8. To ensure an adequate level of privacy for occupiers of adjacent residential properties (Policy N1e and Stafford Borough Council Space About Dwellings Guidance)
9. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
10. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).

11. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
12. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
13. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1e of The Plan for Stafford Borough).
14. In order to ensure that the development results in an enhancement in biodiversity within the site. (Policy N2 of the National Planning Policy Framework).
15. In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR148, or a 'Further Licence'), Section 19 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.
16. To prevent the increased risk of flooding both on and off site and to ensure that appropriate arrangements are made for the disposal of foul sewage to prevent a risk of pollution. (Policy N2 of The Plan for Stafford Borough).
17. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).
18. The development shall not be brought into use until parking and manoeuvring facilities are provided in accordance with the approved plan (YBD05403-P-002 Rev D) and they shall thereafter be retained.

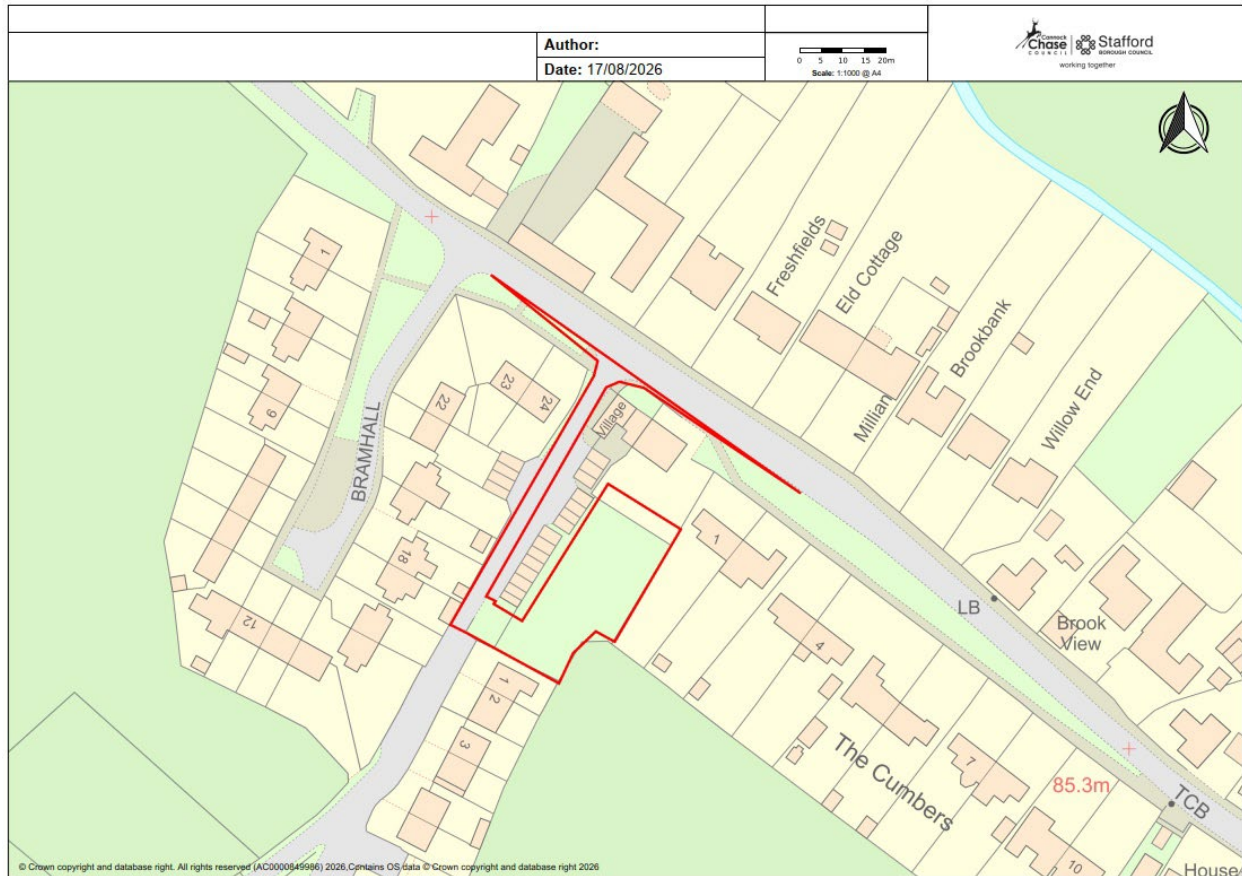
Informatives

- 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 2026, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 The applicant's attention is drawn to the protected status of nesting birds and the requirement that they are not disrupted during the nesting season (March to August).

- 3 It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR148, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newt are thereby committed then criminal investigation and prosecution by the police may follow.
- 4 It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.
- 5 Any off-site highway and vehicle access works will require a Highway Works Agreement with Staffordshire County Council. The applicants are therefore requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an online application form. Please complete and submit online or contact highway.agreements@staffordshire.gov.uk for more information. The applicants are advised to begin this process well in advance of any works taking place in order to meet any potential timescales.
- 6 The applicant is reminded that the granting of planning permission does not constitute authority for interference with a public right of way, or its closure or diversion. For further information the applicant is advised to refer to section 7 of DEFRA's Rights of Way Circular (1/09) and that any proposal to divert or extinguish a right of way will require consent under section 257 of the Town and Country Planning Act 1990.
- 7 During the period of construction should contamination be found on site no further works shall be undertaken in the affected area. Prior to further works being carried out in the affected area, and within a maximum of five days from the discovery, the contamination shall be reported to the Local Planning Authority, a contaminated land assessment shall be carried out, and appropriate mitigation measures shall be identified and agreed in writing with the Local Planning Authority. The development shall thereafter be undertaken in accordance with the agreed mitigation scheme.

The applicant is advised that they have a duty to adhere to Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework and the current Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.
- 8 The applicant's attention is drawn to the comments of Severn Trent Water. All comments can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).

25/41553/FUL
Land to the Rear of The Glen
Seighford
Stafford



Application: 26/41723/FUL
Case Officer: Ceri Porter
Date Registered: 17 April 2025
Target Decision Date: 14 June 2025
Extended To: 7 August 2026
Address: Hickorys Smokehouse, Kingsway, Castlefields, Stafford. ST16 1BE
Ward: Rowley
Parish: -
Proposal: Retention of play equipment
Applicant: MTP Town Planning Ltd
Recommendation: Permit

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor D P Rouxel (Ward Member for Rowley) for the following reasons:

1. *“There are a number of concerns regarding noise on the site, which has increased since this new play area was installed. This is impacting residents on the Newport Road quite significantly. Some degree of noise control for the site is really needed to ensure that the business can continue serving it's customers without significantly impacting the lives of residents around them.*
2. *There are also a number of concerns about the appearance and design of the taller tower, which is out of character for the area and sticks out significantly - this section of Newport Road has a significant number of older properties and retains a fairly cohesive design language, including listed buildings, which this doesn't fit with. This could be addressed through a tower more in keeping with the local area or screening of the play area - which would also help with the noise concerns.”*

1.0 Context

Application Site

- 1.1 The site comprises of a purpose-built detached restaurant/bar located on the corner of the A518 Newport Road with Kingsway. The building is set lower than the adjacent A518
- 1.2 The land surrounding the site has a mixture of residential, commercial and other uses. There is a former rugby pitch to the north of the site. To the east are two business units: Gym and Tonic, Vets4Pets, and their associated carparks.
- 1.3 To the west of the site on the opposite side of Kingsway is a retirement living complex (Deans Park Court). To the south, on the opposite side of Newport Road is are traditional dwellinghouses. The Hawthorns (27 Newport Road) is a Grade II Listed Building.
- 1.4 The site is within 15km of the Cannock Chase Special Area of Conservation (SAC) and Red and Amber Great Crested Newt Impact Zones.

Proposed Development

- 1.5 The proposal is for the retention of play equipment that has been installed within the garden of Hickory's alongside the building on the southern elevation close to the southeast corner. The equipment comprises:
 - A wooden climbing frame with ropes connected by a low timber bridge to a hexagonal 'tower' with slide.
 - The tower is 3.4m high to the top of the roof and a diameter of 2.3m. The tower is finished in timber cladding and painted red to match Hickory's main building and branding.
 - The climbing frame is untreated timber, measuring 2.3m high and in plan form measures 3.3m x 3.3m

OFFICER ASSESSMENT - KEY CONSIDERATIONS

2.0 Principle of Development

- 2.1 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. Furthermore, National Decision Making Policy (NDMP) S3 of the National Planning Policy Framework (NPPF) states that decisions should apply a presumption in favour of sustainable development. The Development Plan for the purposes of this application comprises The Plan for Stafford Borough 2011-2031 Parts 1 and 2 (TPSB).
- 2.2 The application site is within the designated settlement hierarchy, outlined within Spatial Principle 7 of TPSB. A public house/restaurant (formerly use class A3/A4) was approved at the site including a play area in 2012. The King's Horse opened in 2014 and became Hickory's in 2024.
- 2.3 Given that play equipment has been on the site, close to the south-east corner of the building since its opening, the principle of such ancillary equipment is considered acceptable subject to all other material considerations.

Policies and Guidance:-

National Planning Policy Framework 2026 (NPPF):

NDMP - S3 - Presumption in favour of sustainable development

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 6 (Achieving Rural Sustainability), Spatial Principle 7 (Supporting the Location of New Development), Policy E2 (Sustainable Rural Development)

The Plan for Stafford Borough 2011-2031 (TPSB) Part 2 - SB1 (Settlement Boundaries)

3.0 Character and Appearance

- 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.
- 3.2 In addition, Policy N9 seeks to ensure that proposals sustain and, where appropriate, enhance the significance of heritage assets, avoiding unnecessary loss of historic fabric and detail of significance.

- 3.3 Approximately 50m to the south of the site is the grade II listed building 'The Hawthorns' at 27 Newport Road. This property is a Georgian style two storey brick villa with symmetrical frontage c1830s.
- 3.4 In this instance, the proposal involves play equipment that is clearly purpose built for its function. The timber climbing frame is lightweight by its nature with the ability to view through it. The tower, whilst more substantial has been placed centrally in relation to the adjacent restaurant window, with a pitch reflecting the opening. The tower is clearly subservient to the restaurant building and the colour and branding blends with the existing form on site.
- 3.5 The play area and seating area sits lower than the A518 and is glimpsed from the west behind the signage for the business with trees behind. These trees equally screen the play equipment when approaching from the east.
- 3.6 In respect of the impact upon heritage assets, the Conservation Officer has reviewed the development and considers it *'not overly prominent or dominating in the street scene nor the setting of the listed building which it has no impact on.'*

On this basis there is no conservation objection to the retention of the play area which would not result in any harm to the setting or significance of the adjacent listed building.'

Policies and Guidance:-

National Planning Policy Framework 2026 (NPPF):

NDMP DP3: Key principles for well-designed places

NDMP HE4: Securing the conservation of heritage assets

The Plan for Stafford Borough 2011-2031 (TPSB):

Policies N1 (Design) and N9 (Historic Environment)

Supplementary Planning Document - Design (SPD)

4.0 Residential Amenity inc. Noise

- 4.1 Criterion (e) of Policy N1 of the TPSB and the Design SPD requires design and layout to take account of noise and light implications together with the amenity of adjacent residential areas or operations of existing activities.

- 4.2 Policy P3 of the NPPF states that *‘Development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity. In assessing the potential effects of pollution, consideration should be given to the potential sensitivity of the site, and its intended occupiers and users, as well as that of the environment and population in the surrounding area (including where certain groups could be particularly vulnerable to its effects, such as children and older people).’*

And should:

b. Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site.

As discussed within the ‘Principle’ section, the overall site was purpose built including an associated play area for over a decade.

- 4.3 The application site can be considered as a somewhat busy environment, with road noise from the A518 (Newport Road) and roundabout junction with Kingsway as well as noise and movement associated with restaurant and the commercial buildings (inc. a gym and vets) to the northeast. This is reflected in the findings when permission was granted in 2012 where supporting assessments demonstrated noise from the development would be significantly below background levels.

- 4.4 The Environmental Health Protection Team has reviewed the proposal and state:

‘We do not foresee the play equipment giving rise to extreme noise from the children that may play on it because of the size of the play area. The Play area is not very big. Any incidental issues can be dealt with under the provisions of the Environmental Protection Act 1990. This unit has no comments regarding this application.’

- 4.5 Overall, in terms of noise, given the existing use, the nature and scale of the play equipment, officers do not consider that the proposal would cause unacceptable harm to living conditions. It must also be noted that the business could bring out play equipment into the garden every day without requiring the benefit of planning permission.

Policies and Guidance:-

National Planning Policy Framework 2026 (NPPF):

NDMP P3: Living conditions and pollution

The Plan for Stafford Borough 2011-2031 (TPSB):

Policy N1 (Design)

Supplementary Planning Document - Design (SPD)

5.0 Access, Parking and Highway Safety

- 5.1 The site has existing access off an extensive car park to the north, and the proposal does not affect this. The proposal is therefore considered acceptable in terms of access, parking and highway safety.

Policies and Guidance:

National Planning Policy Framework 2026

NDMP TR2: Local parking standards

The Plan for Stafford Borough 2011-2031 (TPSB)

Policy T2 (Parking and Manoeuvring Facilities), Appendix B - Car Parking Standards

6.0 Biodiversity

- 6.1 Whilst the site is within an Amber Impact Risk Zone, as a retrospective form of development the proposal would not be covered by the District Licence scheme. Given the nature of the development the Newt Officer did not consider play equipment likely to be an issue regardless.

Policies and Guidance:

National Planning Policy Framework 2026

NDMP N2: Improving the natural environment

The Plan for Stafford Borough (TPSB) 2011-2031:

Policy N4 (The Natural Environment and Green Infrastructure)

7.0 Other Matters

- 7.1 Neighbour responses have referred to safeguarding concerns regarding children being left unsupervised. This is not a planning matter and should be taken up with the restaurant manager/company directly.

- 7.2 A comment has also been raised regarding property devaluation as a result of the development. The planning system is concerned with the public interest in the use and development of land, not private interest and case law has established property value to not be a material planning consideration.

8.0 Conclusion and Planning Balance

- 8.1 The proposal is considered to represent an appropriate form that provides ancillary equipment to an established business. No harm to nearby heritage assets is identified and the proposal in respect of neighbouring residential amenity is considered acceptable in the context of the surrounding area. The proposal has been found to comply with the provisions of TPSB and the NPPF and approval is recommended.
- 8.2 As the proposal is retrospective and considered acceptable, no conditions are recommended other than a condition to define the permission relating to the approved plans.

CONSULTATIONS (comments summarised)

Conservation Team: No harm to heritage assets identified

Environmental Health: No comments - do not foresee the play equipment giving rise to extreme noise from the children that may play on it because of the size of the play area. The Play area is not very big. Any incidental issues can be dealt with under the provisions of the Environmental Protection Act 1990.

Newt Officer: retrospective it can't be covered by the District Licence. I don't think play equipment is likely to be an issue regardless, so I have no comments on this application.

Neighbours and public representations:

Representations received are summarised as follows:

8 support:

- Valuable resource for families dining out
- Play area gets children moving and away from screens
- Live nearby and never affected by playground
- The road is louder

2 objections:

- Noise and Disturbance

- Height, scale and visual disturbance of slide tower
- Design not in keeping with surroundings and loss of view
- Child safeguarding concerns
- Loss of Value
- Impact on Grade II listed building

PUBLICITY

Site Notice Expiry: 16 July 2026

RELEVANT PLANNING HISTORY

12/17373/FUL - Erection of public house/restaurant (Use Class A3/A4) with management accommodation above; play area; means of access; 109 parking spaces - Permitted January 2013

24/39166/FUL - Erection of a new entrance canopy and veranda - Permitted 10 October 2024

Recommendation

Approve subject to the following condition:

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

Location Plan 5517/50/A

PLAN 13045 - Hickory's Stafford

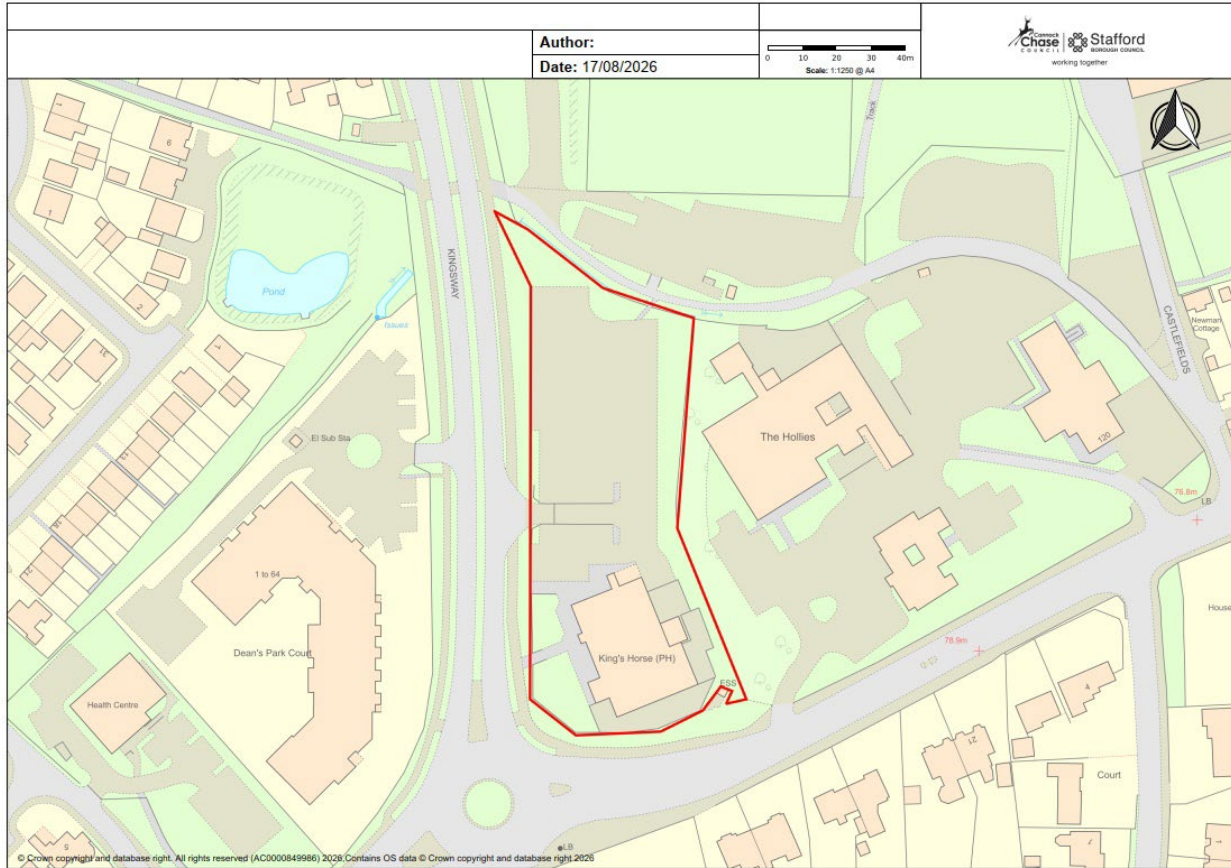
The reasons for the Council's decision to approve the development subject to the above conditions are:

1. To define the permission.

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 2026, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.

26/41723/FUL
Hickorys Smokehouse
Kingsway
Castlefields



Application: 26/41989/FUL
Case Officer: Tom Cannon
Date Registered: 8 May 2026
Target Decision Date: 3 July 2026
Extended To: Requested
Address: Land Adjacent to Stone Road, Norton Bridge, Stone
Ward: Eccleshall
Parish: Chebsey
Proposal: Change of use of land for the stationing of a static caravan and associated works to include the installation of a septic tank and creation of a hardstanding (retrospective). The caravan is to function as a greeting room/office and toilet facilities to serve a five touring caravan and motorhome certified site which has a conditional approval from the Caravan and Motorhome Club.
Applicant: Mr J Evans
Recommendation: Approve, subject to conditions.

REASON FOR REFERRAL TO COMMITTEE

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

- *The location is totally unsuitable;*
- *The site is not suitable for overnight or longer visits;*
- *Access onto the road is unsuitable for caravans;*
- *The site is near to railway lines and two roundabouts on the B5026;*
- *Booking for the caravans would be arranged online therefore no reason for a static caravan to be used as a reception area and rest room for staff. The applicant indicated that the static van was going to be used as a welfare unit;*
- *There are concerns that the applicant may turn the site into a permanent caravan park.*

CONTEXT

1.0 Site its surroundings and background

- 1.1 The application site comprises of a roughly rectangular parcel of land situated between the B5026 (Stone Road) and the main west coast railway line. It benefits of an existing vehicular access, with the main road occupying an elevated position in comparison to the application site. Established tree planting lies between the site boundary and the railway line which extends to the east.
- 1.2 The site lies in the open countryside, outside the North Staffordshire Green Belt. The section of the B5026 from which the site is accessed is not a classified road which falls under the responsibility of Staffordshire County Council, who have confirmed that Network Rail hold the title for this stretch of road and are responsible for it.
- 1.3 It is understood that the site has a long history of enforcement proceedings against its residential use, culminating in a successful court action by the Council. In 2025 the applicant gravelled and part tarmacked the land/its entrance, erected fencing and stationed additional touring caravans, a shed and other associated paraphernalia on the site. Although the touring vans, shed and their accompaniments have now been removed, the mobile home remains on the land. It is the applicant's intention to utilise the site as a certified, 5 van caravan club site. Details of the pending Caravan and Motorhome Club (5VCS) site registration have been supplied by the applicant. As the change of use of the land for the stationing of a static caravan and physical works described above require the benefit of planning permission, the Enforcement Team requested the submission of this application.
- 1.4 The application was on the agenda for the committee meeting on 2nd September, however, following the publication of the new National Planning Policy Framework (the 2026 NPPF) the meeting as a whole was deferred.

2.0 Proposed development

- 2.1 This application seeks retrospective planning permission for the change of use of land for the stationing of a static caravan and associated works to include the installation of a septic tank and creation of a hardstanding (retrospective). The caravan is to function as a greeting room/office and toilet facilities to serve a five touring caravan and motorhome certified site which has a conditional approval from the Caravan and Motorhome Club.

- 2.2 The applicant has confirmed that the proposed staff welfare unit (static caravan) is required to provide basic welfare facilities for personnel responsible for the day-to-day operation, maintenance and management of the caravan site. Whilst bookings and customer enquiries may be undertaken online or by telephone, the site still requires regular on-site attendance for guest arrivals, site inspections, grounds maintenance, cleaning, health and safety checks, and responding to operational issues. The applicant has also indicated that the unit will provide essential welfare facilities, including a WC, kitchenette and small office space, enabling staff to undertake these duties in accordance with good management practice and relevant health and safety requirements. The office element will also provide a secure location for record keeping, administration and communication associated with the operation of the site. The proposal is therefore not intended to facilitate additional residential accommodation but to provide proportionate welfare and management facilities necessary for the effective operation of the caravan site.

- 2.3 The application is supported by the following technical reports:

Document	
Design and access statement	
Planning statement	

3.0 Legislative framework

- 3.1 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.
- 3.2 The development plan for the purposes of this application comprises The Plan for Stafford Borough (TPSB) 2011-2031 Parts 1 and 2.
- 3.3 The following policies and guidance are relevant to the consideration of this application:

National Planning Policy Framework (2026 NPPF)

DM3: Determining development proposals

DM8: Unauthorised development and enforcement

S3: Presumption in favour of sustainable development

E2: Meeting the need for business land and premises

E4: Rural business development

DP3: Key principles for well-designed places

DP4: The design process

TR3: Locating development in sustainable locations

TR4: Street design, access and parking

N2: Improving the natural environment

N6: Areas of particular importance for biodiversity and geodiversity

The Plan for Stafford Borough (Part 1)

Policies: SP1 Presumption in favour of sustainable development; SP6 Achieving rural sustainability; SP7 Supporting the location of new development; E2; Sustainable rural development; E6: Tourism; N1 Design; N4 The natural environment and green infrastructure; N8 Landscape character; T1 Transport; T2 Parking and manoeuvring facilities; Appendix B - Car parking standards

The Plan for Stafford Borough: Part 2

Policies: SB1 Settlement boundaries

Supplementary planning documents

Design SPD (2018)

OFFICER ASSESSMENT - KEY CONSIDERATIONS

4.0 Principle of development

- 4.1 Policies E2 and E4 of the 2026 NPPF support the sustainable growth and expansion of business in rural areas, including sustainable rural tourism which respects the character and appearance of the countryside. It also acknowledges that such development in rural areas may have to be found adjacent to or beyond existing settlements. Policies E2, E6, SP6 and SP7 of The Plan for Stafford Borough (TPSB) seek to encourage proposals for sustainable facilities which support the rural economy/tourism and therefore closely align with paragraphs 88 and 89 of the Framework.

- 4.2 The proposal provides welfare facilities and essential infrastructure works in association with the 5VCS and would therefore provide sustainable facilities which support the rural economy and tourism. As such, it would accord with Policies E2 and E4 of the 2026 NPPF and Policies E2, E6, SP6 and SP7 of TPSB. Thus, the principle of development is acceptable in this case. It now turns to assess the impact of the development on, amongst other things the character and appearance of the countryside, its effect on highway safety, biodiversity and the amenity of the area.

5.0 Character, and appearance

- 5.1 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.
- 5.2 The application site comprises of an irregular shaped parcel of land positioned between two railway lines and the B5026. It also occupies lower ground, with the B5026 raised above the land, with thick vegetation extending across the rear of the site adjacent to the railway line. Given the minor nature of the works (static caravan, hardstanding, septic tank etc), surrounding ground levels, and presence of existing landscaping/transport infrastructure (railway lines, road etc), the development preserves the character and appearance of the area, in accordance with Policy N1 of TPSB. Furthermore, the works which have been undertaken do not directly impact on any existing trees/landscape features along the boundaries of the site/adjoining land.

6.0 Access and parking

- 6.1 Policy T2 requires development proposals to provide adequate means of access and sufficient car parking provision in accordance with the parking standards as set out in Appendix B of the PSB.
- 6.2 The site benefits from an established access off the B5026. This section of road is not a classified road for which the County Council is responsible. Therefore, whilst the Parish Council and the local Ward Councillor have raised concerns about the access, the Highway Authority do not object to the scheme. As the owner of this section of the B5026, Network Rail (NR) are satisfied that the proposed access arrangement are satisfactory, providing the operation of the site is undertaken in accordance with an Assets Protection Order with NR, to ensure that the works do not impact the safe operation, stability, integrity of their land. An informative note is recommended to this effect.

7.0 Residential amenity

- 7.1 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.
- 7.2 There are no residential properties within the vicinity of the site who are directly affected by the development.

8.0 Ecology and biodiversity

- 8.1 As this is a retrospective application, the development is not subject to the mandatory requirement to deliver a 10% increase in the biodiversity value of the site under Schedule 14 of the Environment Act 2021 and Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO).
- 8.2 Notwithstanding the above, the works which have been undertaken retain existing boundary vegetation which continues to provide ecological value and habitat opportunities and has not therefore resulted in any significant harm to biodiversity interests.
- 8.3 The site is within 15km of the Cannock Chase Special Area of Conservation and relates to a 5VCS. Due to the nature of the proposal (static caravan and associated development), it is not considered that the development would result in any impact on the reasons for the designation of the SAC i.e. the physical works associated with this application would not increase visitor pressure on the SAC as the 5VCS does not need permission. The Council is, therefore, not required to carry out an appropriate assessment.

9.0 Other

- 9.1 As previously set out, the site lies between 2 railway lines. NR have therefore confirmed that the applicant should submit an ASPRO to ensure that the works on site do not impact the safe operation, stability, integrity of the railway and its boundary. An informative note is recommended, advising the applicants of their obligation in this regard.
- 9.2 Foul drainage would be disposed of via a septic tank system, installed and operated in accordance with Part H of Building Regulations and the Environment Agency General Binding Rules. These arrangements would be controlled through Building Regulations.

- 9.3 Interested parties have raised concerns that the site may become a permanent caravan site, given the enforcement background. However, this application must be assessed on the basis that it has been submitted i.e. a static caravan and associated works connected with the use of the land as a 5VCS. If it were to be used as a permanent caravan site, the Council's Enforcement Team could again take the appropriate action. A condition is recommended, confirming that the permission relates to a static caravan and associated works in connection with the use of the site as a 5VCS and for no other purpose.

10.0 Conclusion and planning balance

- 10.1 The scheme involves the retention of an existing static caravan and associated works, in connection with the use of the site as a 5VCS and therefore would provide facilities in connection with rural tourism, as supported by Policies E2 and E4 of the 2026 NPPF and Policies E2, E6, SP6 and SP7 of TPSB. The impact of the development on the character and appearance of the area, the access arrangements, and on biodiversity is also acceptable, and planning permission is recommended, subject to conditions restricting the use of the development.

CONSULTATION

Highway Authority:

According to our records, the section of road referred to is currently the responsibility of Network Rail and any land title is still with them. We would request that any areas that will in future form part of the highway maintainable at public expense should also be removed from the application/notice.

Network Rail

Works on this site must be undertaken with the supervision of NR via the ASPRO (asset protection) team to ensure that the works on site do not impact the safe operation, stability, integrity of the railway and its boundary.

Chebsey Parish Council:

Object, on the following grounds:

- The location is totally unsuitable;
- The site is not suitable for overnight or longer visits;
- Access onto the road is unsuitable for caravans;
- The site is near to railway lines and two roundabouts on the B5026;

- Booking for the caravans would be arranged online therefore no reason for a static caravan to be used as a reception area and rest room for staff. The applicant indicated that the static van was going to be used as a welfare unit;
- There are concerns that the applicant may turn the site into a permanent caravan park.

Neighbours:

No neighbour representations received

PUBLICITY

Site notice		Press advert	
Yes			No
Expiry date: 3 June 2026			

RELEVANT PLANNING HISTORY

None.

Recommendation

Approve subject to the following conditions:

1. The plans approved under this consent are:
 - Location Plan Ref: 3210 D02;
 - Block Plan Ref: 3210 D01;
 - Internal Layout of static caravan.
2. This permission grants consent for the change of use of land for the stationing of a static caravan to provide welfare facilities and associated works, to include the installation of a septic tank and creation of a hardstanding (retrospective) in connection with its use as a five touring caravan and motorhome certified site operated by the Caravan and Motorhome Club only. Planning permission would be required if the site operates as a residential caravan site.
3. The static caravan hereby approved shall only be used as a greeting room/office and toilet facilities to serve the five touring caravan and motorhome certified site, and shall at no time be occupied as a permanent residential unit.

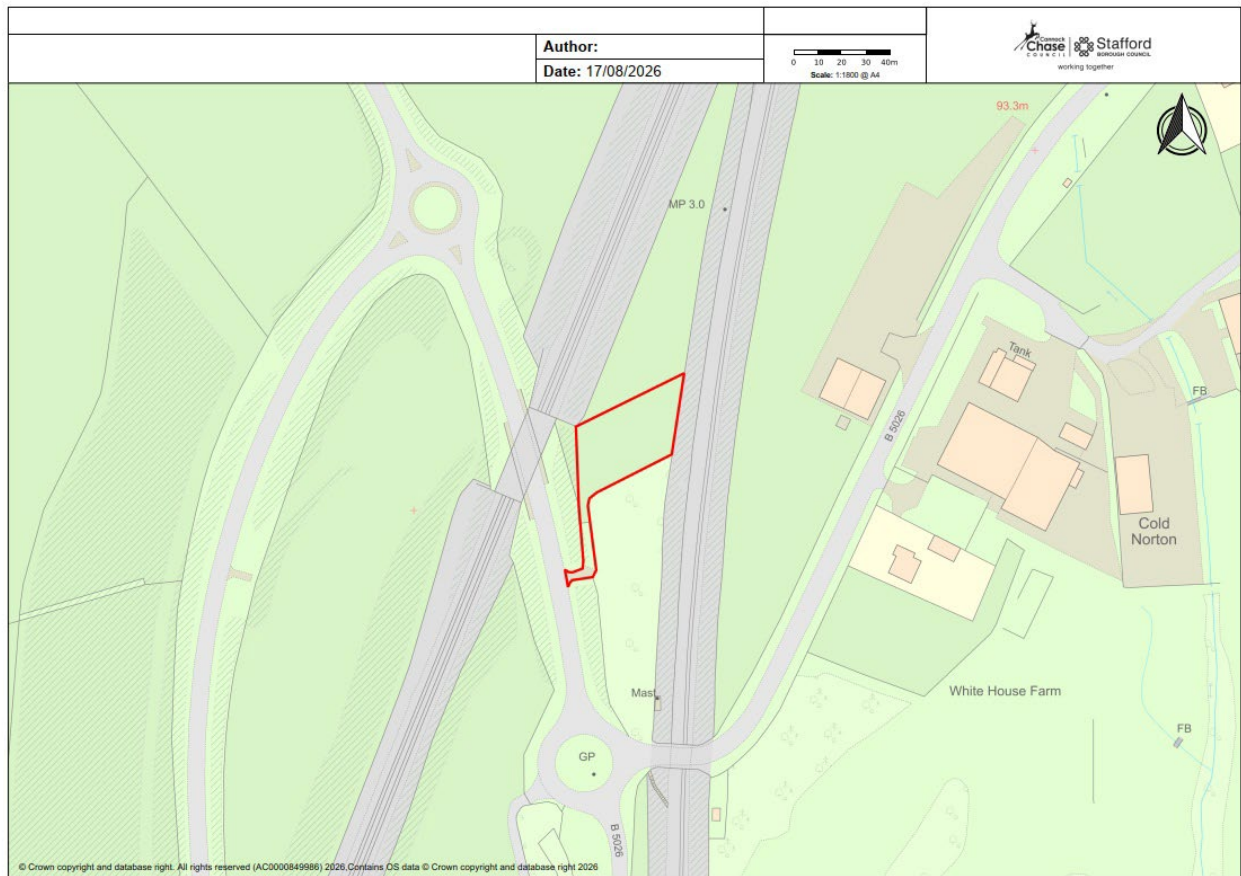
The reasons for the Council's decision to approve the development subject to the above conditions are:

1. To define the permission
2. To define the permission and ensure that the development accords with Policies E2, E6, SP6 and SP7 of The Plan for Stafford Borough concerning development in the countryside.
3. To define the permission and ensure that the development accords with Policies E2, E6, SP6 and SP7 of The Plan for Stafford Borough concerning development in the countryside.

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 2026, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 The applicant's attention is drawn to the consultation response from Network Rail (NR) dated 14 May 2026, including the requirement to enter in Assets Protection Order ASPRO with NR.

26/41989/FUL
Land Adjacent to Stone Road
Norton Bridge



Application:	26/42092/PIP
Case Officer:	Emma Bailey
Date Registered:	8 April 2026
Target Decision Date:	9 June 2026
Extended To:	4 September 2026
Address:	Land Off Stallington Road, Spot Acre, Stoke, ST3 7NT
Ward:	Fulford
Parish:	Fulford
Proposal:	Permission in Principle - Erection of 1 detached dwelling with associated access, parking and landscaping
Applicant:	Mrs Emily Durber
Recommendation:	Approve

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor A J Sandiford (Ward Member for Fulford) for the following reasons:

'Regarding site suitability, land use, location and impact, highway safety, impact on Green Belt, sustainability, biodiversity and ecology, and access constraints'

1.0 SITE AND SURROUNDINGS

- 1.1 The application site measures 0.239ha and comprises a corner plot on the south eastern side of the crossroads of Stallington Lane and Hilderstone Road (B5066) in between Spot Acre and Meir Heath. Directly to the east of the site is the dwelling of Blacklake Farm; on the opposite side of the road to the north are linear residential developments along the road frontage; the Black Lake Inn public house is located diagonally north west of the site on the opposite side of the cross roads. All other surrounding land is agricultural.
- 1.2 The site is mainly greenfield with associated redundant, single storey, brick outbuildings within it. Trees and vegetation make up most of the established boundaries with some additional trees being within the site. There is currently a gated access to the north eastern part of the site leading directly onto Stallington Road.

- 1.3 The site is located outside of any defined settlement boundary and as such for planning purposes is located within open countryside.

Site constraints:

- North Staffordshire Green Belt
- Outside any defined settlement boundary
- Flood Zone 1
- Great Crested Newts - Amber zone - small part of north of the site in red zone
- Historic farmstead

2.0 PROPOSED DEVELOPMENT

- 2.1 This application seeks permission in principle for the erection of 1 detached dwelling.

3.0 SUPPORTING INFORMATION

- 3.1 To support the application the following documents have been submitted:
- Planning Statement (2 February 2026). Prepared by Croft.
 - Location plan

4.0 RELEVANT PLANNING POLICY

- 4.1 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.
- 4.2 The National Planning Policy Framework (NPPF), published on 12 December 2024, is a material consideration of significant weight in determining planning applications. Paragraph 2 of the NPPF reflects the position of the Planning and Compulsory Purchase Act 2024.
- 4.3 On the basis of NPPF paragraphs 2 and 48 it is the position that Stafford Borough Council can use the Plan for Stafford Borough 2011-2031 ("the adopted local plan") for decision making proposes. The adopted local plan comprises;
- The Plan for Stafford Borough Part 1 (2011-2031) - adopted June 2014
 - The Plan for Stafford Borough Part 2 (2011-2031) - adopted January 2017

4.4 It should be noted that the adopted Plan for Stafford Borough has 6 years remaining through to 2031. The court of appeal in *Peel Investments v Secretary of state for Housing, Communities and Local Government* [2020] EWCA Civ 1175 confirmed that the expiry of a local plan period does not automatically render the policies of a plan out of date. Therefore, Stafford Borough's adopted Plan policies, including the Borough's development strategy, must continue to be used for decision taking.

4.5 Consequently, The National Planning Policy Framework (NPPF) and The Plan for Stafford Borough (TPSB) 2011-2031 provide the policy framework against which the development proposal will be assessed.

4.6 **National Policies**

The Town and Country Planning (Permission in Principle) (Amendment) Order 2017

National Planning Policy Framework (NPPF)

Section 2 - Achieving sustainable development

Section 5 - Delivering a sufficient supply of homes

Section 8 - Promoting healthy and safe communities

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well designed places

Section 13 - Protecting Green Belt Land

Section 15 - Conserving and enhancing the natural environment

Section 16 - Conserving and enhancing the historic environment

4.7 **Local Policies**

The Plan for Stafford Borough (TPSB) 2011-2031

SP1 - Presumption in Favour of Sustainable Development

SP2 - Stafford Borough Housing and Employment Requirements

SP3 - Stafford Borough Sustainable Settlement Hierarchy

SP4 - Stafford Borough Housing Growth Distribution

SP6 - Achieving rural sustainability

SP7 - Supporting the Location of New Development

T1 - Transport

T2 - Parking and Manoeuvring Facilities

C1 - Dwelling Types and Sizes

C5 - Residential proposals outside the settlement hierarchy

C7 - Open space, sport and recreation

N1 - Design

N2 - Climate change

N3 - Low carbon sources and renewable energy

N4 - The natural environment and green infrastructure

N5 - Sites of European, National and Local Nature Conservation Importance

N8 - Landscape character

The Plan for Stafford Borough: Part 2 (TPSB) 2011-2031

SP3 - Stafford Borough Sustainable Settlement Hierarchy

SP4 - Stafford Borough Housing Growth Distribution

SP7 - Supporting the Local of New Development

SB1 - Settlement Boundaries

Supplementary Planning Document (SPD) - Design

5.0 PERMISSION IN PRINCIPLE CONTEXT

What is the permission in principle consent route?

- 5.1 The permission in principle consent route is an alternative way of obtaining planning permission for housing led development which separates the consideration of matters of principle for proposed development from the technical details of development. The permission in principle consent route has 2 stages: the first (or permission in principle stage) establishes whether a site is suitable in principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.

What matters are within the scope of a decision on whether to grant permission in principle?

- 5.2 The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. The determination of the application must be made in accordance with relevant policies in the development plan unless there are material considerations, such as those in the National Planning Policy Framework and national guidance, which indicate otherwise.
- 5.3 Local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission. It is not possible for conditions to be attached to a grant of permission in principle nor can planning obligations be secured.

Exemption of certain developments

- 5.4 The determination of this application should be assessed firstly as to whether the proposal is an exempt development as set out in Article 5B as set out in the Town and Country Planning (Permission in Principle) (Amendment) Order 2017. Should the proposal fall within an exception then a permission in principle cannot be granted.

(1) *A local planning authority may not grant permission in principle, on an application to the authority, in relation to development which is-*

a) Major development

Major development is defined as involving one or more of the following: the provision of 10 or more houses; the provision of a building(s) where the floor space to be created is 1,000m² or more; the development site has an area of 1 hectare or more. This is further defined within The Town and Country Planning (Development Management Procedure) (England) Order 2015, Article 2.

This application seeks the development of up to 1 dwellings and has a site area of approx. 0.239ha. The development is therefore not major development.

b) Habitats development

Habitats development is defined as "*development which is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects) and is not directly connected with or necessary to the management of the site*".

The application site is not located within the zone of influence of any European sites and is not directly connected with or necessary to the management of any such site. The proposal is therefore not habitats development.

c) Householder development

The proposal seeks to erect up to 1 dwellings and is therefore not classed as householder development.

d) Schedule 1 development

The proposal is not Schedule 1 development as defined in regulation 2 of the EIA Regulations.

(2) A local planning authority may not grant permission in principle, on an application to the authority, in relation to Schedule 2 development unless -

- (a) the local planning authority has adopted a screening opinion under regulation 6 of the EIA Regulations that the development (up to and including the maximum net number of dwellings) is not EIA development;*
- (b) the Secretary of State has made a screening direction under regulation 7 of the EIA Regulations that the development is not EIA development; or*
- (c) the Secretary of State has made a direction under regulation 63 of the EIA Regulations that the development is exempted from the application of those Regulations.*

The proposal is not Schedule 2 development as defined in regulation 2 of the EIA Regulations.

Consultation before applying for permission in principle

- 5.5 The proposal does not include development specified in Article 5C, therefore no consultation is required prior to submitting the permission in principle application.

6.0 OFFICER ASSESSMENT

- 6.1 The scope of permission in principle is limited to location, land use and amount of development.

LOCATION OF DEVELOPMENT

Conflict with TPSB Policy

- 6.2 Spatial Principle 3 (SP3) of The Plan for Stafford Borough (TPSB) sets out the settlement hierarchy for the borough and directs the majority of future development towards the towns of Stafford and Stone and the defined Key Service Villages.
- 6.3 Spatial Principle 4 (SP4) of TPSB states that the annual targets for the distribution of housing development, supported by necessary infrastructure will be: Stafford (70%), Stone (10%), Key Service Villages (12%) and Rest of Borough Area (8%).
- 6.4 The application site is located outside of any defined settlement boundary identified within Policy SP3. The development is therefore, in policy terms, located within 'open countryside' and falls within the 'Rest of Borough Area'. Policy SP7 requires in part that development in the countryside will only be supported where it is consistent with the objectives of SP6, E2 and C5 in supporting rural sustainability. Policy E2 deals with Sustainable Rural Development and supports residential development outside of designated settlements provided this is in accordance with Policy C5.
- 6.5 Policy C5 (A) states that where development sits outside of the identified settlements, proposals for new residential development will be required to meet the criteria in policy SP7 alongside three other criteria. These require demonstration that provision cannot be accommodated within the identified boundaries of settlements in the hierarchy; supported by a parish based local housing needs assessment and appraisal showing that it meets the defined needs, and that the development is of high quality reflecting local character.
- 6.6 Overarching Policy SP1 reiterates the presumption in favour of sustainable development.
- 6.7 The submitted application does not provide information on whether the development can be provided within the settlement boundary and is not supported by a parish based local housing needs assessment and appraisal showing that it meets any defined needs. Accordingly, the proposed development would conflict with Policies SP3, SP7, E2 and Policy C5A whose objectives have already been outlined above.

5 year housing land supply position

- 6.8 Following the publication of the (NPPF) in December 2024 this substantially increased the Borough's mandatory housing targets from 358 to 749 dwellings per year. Consequently, Stafford Borough does not currently have a 5-year housing land supply which based on the year end date of 31 March 2026 is currently 1.95 years.

Housing land supply and the 'Tilted balance'

- 6.9 Stafford Borough does not currently have a 5-year housing land supply and policies in The Plan for Stafford Borough (TPSB) which relate to the supply of new market housing are more than 5 years old. Consequently, the aforementioned policies are not up to date and as such the 'tilted balance' is engaged where the National Planning Policy Framework's (hereafter referred to as the 'Framework') 'presumption in favour of sustainable development' is applied for decision taking as set out in paragraph 11 of the Framework.
- 6.10 Paragraph 11 states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, local planning authorities should grant permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance⁽⁷⁾ provides a strong reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 6.11 Paragraph 11 d) (i) seeks to promote sustainable development unless, 'the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the proposed development' (11,d), i)).
- 6.12 Footnote 7 relates to, amongst other things 'other heritage assets of archaeological interest referred to in footnote 75'. Footnote 75 states 'Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.'
- 6.13 As part of the consultation process of the application, Staffordshire County Council Historic Environmental Team has been consulted. They advise that the site is part of an historic farmstead of 19th century date and the buildings currently present on site appear to be present on the 1st edition OS Map, making it highly likely that they are part of the original farmstead. Much of the farmstead to the east has been lost, with the surviving buildings being all that remains, potentially comprising outbuildings rather than the farmhouse itself.

- 6.14 Historic farmsteads are non-designated heritage assets which make a significant and highly varied contribution to the rural building stock, landscape character and local distinctiveness. The Planning Statement confirms that all existing buildings on the site would be demolished. Given the previous loss of farmstead buildings to the east, the proposal would result in the complete loss of the remaining elements of the historic farmstead, which is regrettable.
- 6.15 The relevant consideration under footnote 7 is whether the historic farmstead is a non-designated heritage asset of archaeological interest that is demonstrably of equivalent significance to a Scheduled Monument, as set out in footnote 75 of the NPPF. Whilst the surviving buildings are recognised as a non-designated heritage asset and make a positive contribution to the historic character of the area, they are not considered to be of equivalent significance to a Scheduled Monument. Accordingly, footnote 7 to paragraph 11(d) is not engaged and the loss of the historic farmstead does not provide a strong reason for refusing the proposed development. Nevertheless, the loss of the remaining historic farm buildings is regrettable and attracts limited weight in the overall planning balance.
- 6.16 Owing to the above, in the absence of a five year housing land supply and with housing policies out of date, the 'tilted balance' is engaged.

Sustainable development

- 6.17 In respect to directing development to sustainable locations, Paragraph 110 states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 110 does however recognise that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
- 6.18 Furthermore Paragraph 115 states that sustainable transport modes should be prioritised taking account of the vision for the site, the type of development and its location.
- 6.19 In applying above criteria, the thrust of the spatial strategy in the TPSB remains relevant for the purposes of steering new residential development for market housing in the Borough in a sustainable manner.
- 6.20 The application site is not located within any recognised settlement boundary identified within the sustainable settlement hierarchy of SP3. It is therefore classed as open countryside and 'rest of the borough' under SP4.

- 6.21 Nevertheless, the site is approximately 1 mile from services and facilities at Rough Close/ Meir Heath being part of the Stoke on Trent urban area and therefore make sufficient provision for the residents in the area at least equal to Key Service Villages. Meir heath/Rough Close have a number of local shops, butchers, florist, primary school, dentist, public houses, village hall and churches. This provides a good range of facilities for future occupants. Furthermore, the site is connected to Rough Close/ Meir Heath by a pavement along the B5066 Hilderstone Road. This provides a real opportunity for future residents to walk or cycle to Rough Close/Meir Heath.
- 6.22 It is noted that there is no pavement on Stallington Road however there are grass verges which allow pedestrians to step off the highway if vehicles were passing. Noting the short distance from the site to the public footpath on Hilderstone Road, this is considered acceptable. Whilst Hilderstone Road or Stallington Road are not on a bus route, there are bus stops within Rough Close/ Meir Heath which connect to other large settlements providing access to a wider range of services, employment and facilities. Future occupants of the site would be able to access local facilities and services on foot, cycle or via sustainable transport modes and would not be solely reliant on private vehicles to take care of their day to day needs.
- 6.23 The NPPF whilst seeking to boost the supply of housing, also promotes sustainable patterns of development, including prioritising walking, cycling and public transport, with the aim of reducing the need to travel and reliance on the private car. The NPPF encourages the planning system to manage patterns of growth to support these objectives.
- 6.24 The site offers a genuine choice of transport option and as such future occupants would not be highly reliant on private car use for day to day activities to meet their needs.
- 6.25 For the above reasons, the site is within a sustainable location and this weighs in favour of the proposal.

Is the proposal an appropriate form of development in the Green Belt?

- 6.26 The site lies within the North Staffordshire Green Belt. Policy E2 of TPSB directs the decision maker to consider proposals falling within the Green Belt against national planning policy within the Framework.
- 6.27 The NPPF identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, the essential characteristic of Green Belts are their openness and permanence (para 142, NPPF).

6.28 Furthermore paragraph 143 of the NPPF sets out that :

'Green Belt serves five purposes:

- a) To check the unrestricted sprawl of large built up areas;*
- b) Prevent neighbouring town merging into one another;*
- c) To assist in safeguarding the countryside from encroachment;*
- d) To preserve the setting and special character of historic towns, and;*
- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'*

6.29 The NPPF advises, in paragraph 153, that 'inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances.'

6.30 The framework advises at paragraph 154 that development in the Green Belt is inappropriate unless one of the specified exceptions applies. None of the exceptions listed apply in this case. However, Paragraph 155 goes on to set out circumstances where development on 'Grey Belt' land is 'not inappropriate'.

6.31 Paragraph 155 of the Framework advises that where development meet all of the criteria listed, development should not be regarded as inappropriate. Para 155 states:

The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b) There is a demonstrable unmet need for the type of development proposed;*
- c) The development would be in a sustainable location with particular reference to paragraphs 110 and 115 of this framework; and*
- d) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157.*

6.32 The Applicant asserts that the application site comprises Grey Belt land. An assessment of the application against Paragraph 155 of the Framework is contained below.

NPPF Paragraph 155 criterion (a) - Does the site comprise Grey Belt land

6.33 Annex 2 of the Framework provides the following definition of Grey Belt land:

“For the purposes of plan making and decision making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in Paragraph 143. ‘Grey Belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.”

6.34 The site is not previously developed land, so the first question is whether the site strongly contributes to any of purposes (a), (b) or (d) in paragraph 143 of the Framework. Those purposes are:

- a) To check the unrestricted sprawl of large built up areas;
- b) To prevent neighbouring towns merging into one another
- c) To preserve the setting and special character of historic towns

6.35 The location is not defined as a large built up area in the adopted Plan for Stafford Borough 2011-2031. The recently updated Planning Practice Guidance confirms that this purpose of including land within the Green Belt does not apply to locations not identified as large built up areas. The site is bordered on two sides to the north and west by Stallington Road and Hilderstone Road (B5066) respectively, to the south by an agricultural field and to the east by an existing property. Therefore the proposal would not result in the unrestricted sprawl of a large built up area. In terms of the proposal itself, it is not considered that the development as proposed would comprise ‘unrestricted sprawl’.

6.36 Owing to the above, it is not considered that the application site makes a strong contribution towards restricting the sprawl of large urban areas and does not make a strong contribution to purpose a).

b) To prevent neighbouring towns merging into one another

6.37 The site does not adjoin the urban areas of a town, and again, the recently updated PPG confirms that this criterion applies to towns, not other locations. The site is not near any town. The site therefore does not make a strong contribution to purpose b).

c) To preserve the setting and special character of historic towns

6.38 The application site does not adjoin a historic town, and again, the PPG states that this applies to towns, not other locations. The site therefore does not make a strong contribution to purpose d).

6.39 In light of the above assessment, the site does not strongly contribute to purposes a), b) or d) set out at paragraph 143 of the Framework. The proposals would also not fundamentally undermine the purpose (taken together) of the remaining Green Belt across the area of the plan.

6.40 Accordingly, it is concluded that the proposed development site does comprise Grey Belt land and would also not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan and therefore the proposed development accords with paragraph 155 criteria a) of the Framework.

NPPF Paragraph 155 criterion (b) - Is there a demonstrable unmet need for the development?

6.41 Footnote 56 to this criteria sets out that in the case of applications involving the provision of housing, means the lack of a five year supply of deliverable housing sites, including the relevant buffer where applicable. In this regard the Council cannot currently demonstrate a five year housing land supply, with appropriate buffer. The Council has published a statement confirming that the supply stands at 1.95 years. There is therefore a demonstrable unmet need for the development proposed.

6.42 In light of the above, it is concluded that currently there is a demonstrable need for development in Stafford Borough and therefore the proposed development accords with paragraph 155 criteria b) of the Framework.

NPPF Paragraph 155 criterion (c) - Would the development be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework?

6.43 Paragraph 155 c) of the Framework seeks that development would be in a sustainable location and refers to paragraph 110 and 115 that in turn seek the limiting of the need to travel and offering a genuine choice of transport modes, while acknowledging transport solutions will vary between urban and rural areas, and other specific criteria including the design of streets are to reflect national guidance and ensure highway safety.

6.44 As outlined above in paragraphs 6.17 - 6.25 the site is considered to be within a sustainable location and as such the proposed development accords with paragraph 155 criteria c) of the Framework.

NPPF Paragraph 155 criterion (d) - Does the proposed development meet the 'Golden Rules' requirement set out in paragraph 156-157, where applicable

6.45 The golden rules cited in criterion d) of Paragraph 155 relate to major development, which is defined in the Framework as a site where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.

- 6.46 It is important to note that the definition of major development is different in the Framework than it is within the 2017 Order. Within the 2017 Order, major development is defined as a site which has an area of one hectare or more.
- 6.47 The proposed development is for 1 dwelling on a site area of 0.239ha.
- 6.48 Therefore, for the purposes of both the 2017 Order and the NPPF, the site is not classed as 'major development' and as such does not need to be considered against the 'Golden Rules'.

Conclusion on Location

- 6.49 The application site is located outside of the settlement hierarchy and therefore within the open countryside for the purposes of the development plan. As such, the proposal conflicts with Policies SP3, SP7, E2 and C5, A of the Plan for Stafford Borough. However, the Council is currently unable to demonstrate a five-year supply of deliverable housing land and, consequently, the policies most important for determining the application are out-of-date. The presumption in favour of sustainable development set out in paragraph 11(d) of the NPPF is therefore engaged. Reduced weight is therefore afforded to the policy conflict identified above.
- 6.50 The site has been assessed as Grey Belt land and the proposal satisfies the requirements of paragraph 155 of the Framework. The development would not comprise inappropriate development in the Green Belt and is considered to be in a sustainable location for the scale of development proposed. Whilst the proposal would result in the loss of the remaining elements of a historic farmstead, the asset is not considered to be of equivalent significance to a Scheduled Monument and therefore footnote 7 to paragraph 11(d) of the NPPF is not engaged.
- 6.51 Taking all matters together, it is concluded that there are no policies within the Framework that provide a clear or strong reason for refusal under paragraph 11(d)(i). The assessment of the proposal therefore falls to be determined under paragraph 11(d)(ii) of the Framework, whereby planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. The remaining material considerations are assessed below.

LAND USE

- 6.52 The existing site is greenfield and does have the remnants of old, now derelict brick built structures which formed part of the historical use of the site as agricultural/forestry. The site does not appear to be in active agricultural or forestry use and is clearly separated from the surrounding agricultural landscape by mature hedges and trees. Whilst it is washed over by Grade 3 agricultural land use, the presence of remnants of buildings on the site negate any meaningful agricultural land loss and as such the loss of agricultural land weighs neutral in the planning balance.
- 6.53 In terms of compatible land uses, the application site lies in close proximity to a number of residential dwellings as well as a public house. In this context, Class C3 residential development is considered to represent an appropriate land use in principle.
- 6.54 The remaining land use surrounding the site is agricultural fields and ongoing arable operations. It is not considered that these activities would prejudice residential development in this location. Equally, the proposed residential use would not unduly constrain the continued operation of surrounding agricultural land.
- 6.55 Overall, the proposed land use would sit comfortably within the prevailing pattern of development and would not undermine the existing mix of residential, commercial and agricultural character in the area. The proposal would not introduce a form of development that would be inappropriate in principle or detrimental to the amenity of neighbouring occupiers.

AMOUNT OF DEVELOPMENT

- 6.56 TPSB Policy N1 sets out design criteria including the requirement for design and layout to take account of residential amenity and local context and have high design standards. Policy N8 states that new development should respect the character of the landscape setting through layout. Policy N5 requires development to retain and integrate healthy, mature trees. Policy C1 advises that new development should provide an appropriate mix of dwelling types, tenures and sizes.
- 6.57 The proposal is seeking 1 dwelling on the site which has a site area of 0.239ha. The site is considered an appropriate size to accommodate the dwelling, front and rear gardens and on site parking. It is noted that on the boundaries of the site are mature trees and hedges, none are protected by tree preservation orders (TPOs). The quantum of development at the site should mean that all existing green infrastructure on the boundaries can be retained and this would help ensure the character of the wider area is maintained.

- 6.58 The details of design, scale, layout and access would all be considered at the Technical Details Consent stage (TDC).
- 6.59 In light of the above, and for the purposes of the Permission in Principle, it is considered that the quantum of development proposed would be appropriate for its location.

Other matters

Flood Risk / Drainage

- 6.60 The site is located within Flood Zone 1 (i.e. lowest risk of flooding), which is compatible with this type of development/use.
- 6.61 At Technical Details Consent Stage the applicant should provide details of how foul and surface water drainage will be managed on the site. Any surface water drainage strategy should follow the hierarchy as outlined in the NPPF, prioritising infiltration, then discharge to watercourse, and only where demonstrated to be unfeasible, connection to a sewer. The strategy should be informed by site specific ground conditions and where infiltration is proposed, include the results of a percolation test.
- 6.62 The submitted details should demonstrate that surface water will be managed sustainably, will not increase flood risk on or off site, and will be capable of being maintained for the lifetime of the development.
- 6.63 Flood risk and drainage will be fully assessed at the TDC stage.

Highways

- 6.64 Limited details have been submitted at this stage regarding highways matters however noting the application route (permission in Principle) this is to be expected.
- 6.65 The submitted site plan indicates that the existing agricultural access within the application red line boundary would be upgraded to current standards and utilised as the main vehicular access to the site. Whilst it is acknowledged that this access is not within the applicant's ownership, the applicant benefits from a legal easement over the track. The comments submitted by the landowner are noted. However, at this stage of the planning process, access and highway matters do not need to be fully resolved or agreed in detail. These matters will be considered and assessed comprehensively at the Technical Details Consent stage, where the precise design and suitability of the access arrangements will be determined.
- 6.66 The highways authority have been consulted on the application and have recommended refusal.

- 6.67 The highways authority pass comment that the application has not demonstrated visibility splays (2.4m x 203m in each direction), on site parking provision, bin storage / collection or details of the construction and surfacing of the vehicular access. However all of these matters will be addressed at the TDC stage.
- 6.68 The highways authority also comment that the site cannot be regarded as sustainable as a result of poor access to public transport links and is not within a reasonable walking or cycling distance of essential services and amenities and primary and secondary education. The matters of sustainability of the site have already been addressed in early paragraphs of the officers report and the case officer draws a different conclusion from the highways officer in this instance in regard to sustainability based upon recent appeal decision regarding sustainability.
- 6.69 Whilst the comments raised by the highways authority are noted, much of the content will be addressed at the TDC stage.
- 6.70 At TDC stage it is expected that the proposal should demonstrate full details of a safe and suitable access including suitable visibility splays and sufficient on site parking in accordance with Stafford Borough Councils parking standards. Agreement with the land owner of the access will also need to be given to use the access and for improvements to it to be undertaken.
- 6.71 Highways matters will be fully addressed at the TDC stage.

Ecology / Trees

- 6.72 No ecology information has been submitted at this stage. The site is located within mainly within an Amber risk zone for Great Crested Newts with a small portion of the northern part of the site being in red. There are mature trees and hedges on some site boundaries which may house species of ecological importance.
- 6.73 To inform the TDC application it is expected that a Preliminary Ecological Assessment (PEA) be submitted to assess the surrounding land, trees and hedgerows for protected and other species. The results of this survey and any necessary mitigation should be presented at the TDC stage. A CEMP may be necessary depending on the findings of the PEA.
- 6.74 Any removal of trees/hedgerows will need to be properly assessed and compensated for along with considerations of nesting birds. A tree constraints plan and Arboriculturally Impact Assessment and Method statement should be submitted as part of the TDC application.
- 6.75 Ecology matters will be fully addressed at the TDC stage.

Biodiversity Net Gain

- 6.76 At TDC stage a Biodiversity Net Gain Assessment report and BNG metric will be required. Any onsite BNG provision will be required to be provided within the red edge. A legal agreement at TDC stage may be required to secure any BNG.
- 6.77 BNG matters will be fully assessed at the TDC stage.

7.0 CONCLUSION AND PLANNING BALANCE

- 7.1 In determining a Permission in Principle application, the Council is required to consider whether the site is suitable for development in terms of its location, land use and amount of development, having regard to the development plan, national planning policy and other material considerations.
- 7.2 The proposal conflicts with Policies SP3 and C5 of the Plan for Stafford Borough as the site lies outside of the defined settlement hierarchy and the development has not been justified against the requirements for residential development in the open countryside. However, the Council is presently unable to demonstrate a five-year supply of deliverable housing land and, as a consequence, the policies most important for determining the application are out-of-date. The presumption in favour of sustainable development set out in paragraph 11(d) of the NPPF is therefore engaged.
- 7.3 In favour of the proposal, substantial weight is afforded to the contribution the development would make towards the Borough's housing supply at a time when there is a recognised shortfall in deliverable housing land. The proposal would provide a modest social benefit through the delivery of an additional dwelling and would make a small contribution towards meeting identified housing needs within the Borough. Economic benefits would also arise through construction activity associated with the development, generating expenditure within the local economy and supporting employment within the construction sector and associated supply chains. Once occupied, future residents would also provide ongoing support to local shops, services and facilities within the surrounding area, including those at Rough Close and Meir Heath.
- 7.4 Significant weight is also afforded to the fact that the site has been assessed as a sustainable location for the scale of development proposed. Whilst located outside the settlement hierarchy, the site lies within walking and cycling distance of services and facilities at Rough Close and Meir Heath, with pedestrian connectivity provided via the existing footway network. Future occupants would therefore have genuine opportunities to access day-to-day services by sustainable modes of transport and would not be wholly reliant on the private motor vehicle.

- 7.5 The site has been assessed as Grey Belt land and the proposal satisfies the requirements of paragraph 155 of the NPPF. The development would not constitute inappropriate development in the Green Belt and is considered to be located in a sustainable location for the scale of development proposed. Furthermore, whilst the proposal would result in the loss of the remaining elements of an historic farmstead, the asset is not considered to be of equivalent significance to a Scheduled Monument and therefore does not provide a strong reason for refusal under paragraph 11(d)(i) of the Framework.
- 7.6 The proposal represents an appropriate quantum of development, comparable to other similar development in the locality. There is no evidence at this stage to indicate that the scale of development could not be accommodated on the site alongside the necessary supporting infrastructure, access arrangements, tree retention and landscaping, all of which will be assessed in detail at the Technical Details Consent stage. At this stage there is no evidence to suggest that the development of 1 dwelling would result in substandard living conditions for adjacent residential dwellings or that the use of the land as residential would prejudice the ongoing agricultural activities surrounding the site. These matters hold neutral weight in the planning balance.
- 7.7 The adverse impacts identified are limited principally to the conflict with the spatial strategy of the development plan and the regrettable loss of the remaining elements of the non-designated historic farmstead, to which limited weight is afforded. Having regard to paragraph 11(d)(ii) of the NPPF, it is not considered that these adverse impacts significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the Framework taken as a whole.
- 7.8 Accordingly, the proposal represents a sustainable form of development in the context of the Framework and Permission in Principle is recommended for approval.

8.0 RECOMMENDATION

- 8.1 That permission in principle should be GRANTED subject to advisory notes to inform the applicant of what is expected at the Technical Details Consent Stage.

9.0 CONSULTATIONS (comments summarised)

9.1 Fulford Parish Council (20 May 2026)

Objection

Fulford Parish Council wishes to call this application before the Planning Committee and objects to the proposal on the following grounds:

- The application title is inaccurate, as the site is not known as "Spot Acre".

- The proposed highway access is considered to be unsafe and presents significant dangers to highway users.
- The development constitutes inappropriate development within the Green Belt.
- The site has remained undisturbed for over a decade, allowing an established ecological habitat to develop. Any future development must therefore give full consideration to the presence of badger setts and bats, together with the wider ecological impact of the proposal.

Also, the land being proposed for access is not owned by the applicant, and although it is subject to easement, that is for a specific right for access for agricultural purposes, not residential.

9.2 **Planning Policy** (22 May 2026)

- The site lies outside any defined settlement boundary and therefore conflicts with the spatial strategy set out in Policies SP3, SP7 and C5 of the Plan for Stafford Borough (TPSB) 2011-2031.
- The adopted Local Plan remains part of the statutory development plan and continues to carry weight in decision-making, notwithstanding that some housing policies are now considered out-of-date due to the Council's housing land supply position.
- Stafford Borough currently cannot demonstrate a five-year supply of deliverable housing land, with the latest published position indicating a supply of 3.37 years. Consequently, the presumption in favour of sustainable development set out in paragraph 11(d) of the NPPF is engaged.
- The site is located within the North Staffordshire Green Belt and must therefore be assessed against national Green Belt policy contained within the NPPF.
- The site is considered to comprise Grey Belt land as defined by Annex 2 of the NPPF, as it does not strongly contribute to Green Belt purposes (a), (b) or (d) set out in paragraph 143 of the Framework.
- The proposal would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the Borough and therefore satisfies criterion (a) of paragraph 155 of the NPPF.
- Given the Council's inability to demonstrate a five-year housing land supply, there is a demonstrable unmet need for housing development and criterion (b) of paragraph 155 is satisfied.

- Whilst outside the defined settlement hierarchy, the site is approximately 1 mile from the services and facilities available at Rough Close/Meir Heath and is connected by existing pedestrian infrastructure. The site is therefore considered to represent a sustainable location for a small-scale residential development and satisfies criterion (c) of paragraph 155.
- The proposal relates to a single dwelling on a site of approximately 0.239 hectares and does not constitute major development as defined within the NPPF. Consequently, the 'Golden Rules' requirements in paragraphs 156-157 do not apply.
- Overall, the proposal is considered to accord with the requirements of paragraph 155 of the NPPF and would not constitute inappropriate development within the Green Belt.
- Whilst there remains conflict with the development plan spatial strategy, the proposal benefits from the presumption in favour of sustainable development under paragraph 11(d) of the NPPF and should be assessed through the overall planning balance having regard to all other material considerations.

9.3 **Biodiversity Officer** (11 May 2026)

Protected Species/Ecology

At the TDC stage, a Preliminary Ecological Appraisal will need to be submitted to assess the ecology of the site and potential for protected species. A CEMP may be necessary - dependent on the findings of the PEA.

Any removal of trees/hedgerows will need to be properly assessed and compensated for, along with consideration of nesting birds.

Swift nesting bricks will be required to be fitted under the eaves of each house along with hedgehog access on any boundary fencing.

Biodiversity Net Gain (BNG)

A completed statutory Metric will need to be submitted along with a BNG Assessment Report, explaining how the required net gain will be achieved and managed and monitored.

9.4 **Highways Authority** (22 May 2026)

Recommends refusal

- Contrary to the objectives and policies of the National Planning Policy Framework (NPPF).

- Contrary to the interests of highway safety.

Insufficient information has been provided at this stage regarding:

- Visibility splays.
- Access construction and surfacing details.
- On-site parking provision.
- Vehicle turning and manoeuvring areas.
- Bin storage and collection arrangements.
- Access gate arrangements.
- The Highway Authority advises that visibility splays of 2.4m x 203m in each direction would normally be required from the proposed access due to the 60mph speed limit on Stallington Road.
- Details of the access design and surfacing would be required at the next stage, together with any necessary permits for works within the public highway.
- Any access gates should be located at least 5 metres behind the highway boundary and open inwards to allow vehicles to clear the carriageway before opening or closing gates.
- The applicant will need to demonstrate adequate parking provision in accordance with Stafford Borough parking standards, together with sufficient turning facilities and cycle storage at the TDC stage.
- The Highway Authority notes that public transport provision in the area is limited:
 - The nearest recorded bus stops on Hilderstone Road are used only by school services.
 - The nearest physical bus stop on Stallington Road is approximately 1,126m from the site and is not connected by a footway.
 - The nearest publicly accessible bus stop is at Grindley Lane, approximately 1,650m away.
- The Highway Authority considers the site to be poorly served by local facilities and amenities, noting that nearby schools, shops and services are located some distance from the site.

- It is concluded that future occupants would be highly reliant on private vehicle use for day-to-day activities and that the site does not provide a genuine choice of transport modes.
- The Highway Authority considers the proposal to be an unsustainable location for residential development, resulting in increased car dependency and failing to maximise opportunities for sustainable travel.

9.5 **Environmental Health Officer** (18 May 2026)

No objection

Conditions recommended

9.6 **Staffordshire County Council Historic Environment Team** (3 June 2025)

No objection subject to conditions

- The site forms part of a 19th century historic farmstead, identified on the 1st Edition Ordnance Survey Map and recorded on the Staffordshire Historic Environment Record (SHER).
- Much of the original farmstead to the east has already been lost, with the buildings within the application site representing the last remaining elements of the historic farmstead, likely former agricultural outbuildings.
- Historic farmsteads are recognised as non-designated heritage assets that make an important contribution to rural character, landscape quality and local distinctiveness.
- The submitted Planning Statement indicates that all buildings on the site would be demolished. The Historic Environment Team advises that the resulting complete loss of the historic farmstead would be regrettable.
- Concern is raised that the application provides no assessment of alternative options, including the retention and conversion of the existing buildings, nor justification that the structures are beyond repair.
- The response notes that, where buildings are structurally capable of reuse, their retention would better align with national objectives relating to sustainability, carbon reduction and the reuse of existing buildings.
- Notwithstanding the above concerns, aerial photography and street-view imagery suggest that the buildings may be in a poor state of repair, and conversion may not ultimately prove viable.

- Should Permission in Principle be granted, the Historic Environment Team advises that the loss of the buildings should be mitigated through a programme of historic building recording prior to demolition.
- The recommended recording should be undertaken to a standard equivalent to a Historic England Level 2 Building Survey, documenting the buildings individually and as part of the wider farmstead complex to improve understanding of their development and historic use.
- Any archaeological and historic building recording works should be undertaken by a suitably qualified specialist in accordance with relevant professional standards and guidance.
- The Historic Environment Team recommends that an appropriate archaeological/building recording condition be attached to any subsequent consent (at Technical Details Consent stage), requiring the submission and implementation of an approved Archaeological Project Design and the completion of post-investigation reporting and archiving.

9.7 **Neighbours:**

25 neighbouring letter of objection has been received and can be summarised as follows:

Principle of development

- Site does not represent a sustainable site
 - heavy reliant on private car - no genuine choice of transport modes - unreasonable to expect occupant to walk
 - nearest services in stone or Meir a number of miles away
 - nearest bus stop is 1.1 miles
 - nearest supermarket, medical centre and pharmacy are more than 2.5miles away
- Would introduce an isolated dwelling in the open countryside
- A single house would make negligible contribution towards the housing supply whilst causing disproportionate harm to Green Belt openness

Green Belt

- Harm to green belt

- Impact to openness
- Does not fit the criteria for development on green belt land
- Does not meet any green belt exceptions
- Encroachment into green belt land
- Land not grey belt land

Agricultural Land

- Loss of Grade 3 agricultural land
- Farm land capable of growing crops eroded/lost

Character of area / design

- Change to the rural character and reduce rural landscape
- Would erode the character of the countryside
- A two storey dwelling would
 - not be in keeping with the area
 - be over dominant and overbearing
- Existing buildings on site are single storey and not dominating

Highways

- Close to junction that is already dangerous and busy
- Numerous traffic accidents at this junction
- Visibility is already limited
- Impact on highway safety
- Already been many road traffic incidents in this location
- High traffic area
- Extra traffic is not needed
- Would make it unsafe for pedestrians if increase in traffic and poor junction

- Speed on Hilderstone Road are excessive - speed awareness campaigns already undertaken
- No pavement on Stallington Road

Existing access

- Not in applicants ownership
- Is a dirt track with no appetite to upgrade
- Access used daily by a number of large farm vehicles
- Access not designed for residential traffic - exclusively agricultural

Impact on neighbouring properties

- Would have a harmful visual impact on the neighbouring Black Lake Farm and smallholding due to close proximity

Trees

- All boundaries are tree lined - no trees should be lost

Ecology

- There are protected species in the area

Infrastructure

- Already experience power cuts and drainage problems in the area which would be worsened by the development
- Internet issues

Land ownership

- Access is not in applicants ownership
- Easement is in place but this applies to agricultural access not residential
- Access used daily by a number of large farm vehicles

Other matters

- Address is incorrect, it is stated that the site is in Spot Acre and Fulford Dale. This is incorrect as the postcode is in Meir Heath
- This development could open up the flood gates for others

- Construction would result in noise and disturbance to nearby residents

10.0 PUBLICITY

10.1 Site Notice

A site notice was displayed on 26 June 2026 and expired on 17 July 2026

10.2 Press Notice

Not required

11.0 RELEVANT PLANNING HISTORY

11.1 13/18516/FUL

Removal of agricultural occupancy condition (condition 2 for permission 3487)

Granted

11.2 97/34811/FUL

Removal of agricultural restriction

Refused

Recommendation

Approve subject to Informatives

Informatives

- 1 This permission in principle (PIP) shall cease to have effect three years after the date of this Decision Notice. The technical details consent (TDC) relating to the proposed development must be granted prior to the expiration of the PIP.

- 2 The plans relevant to this Permission in Principle decision are indicative only and are limited to the following:

2899-001- Location plan

For the avoidance of doubt, this Permission in Principle does not approve the detailed layout, design, access or scale of development, which will be considered as part of any subsequent application for Technical Details Consent.

- 3 This Permission in Principle establishes the acceptability of the proposed development in terms of location, land use and amount only. It does not approve the detailed design, layout, access, or technical matters associated with the development.

In accordance with national guidance, the Local Planning Authority advises that any subsequent application for Technical Details Consent (TDC) should be supported by sufficient information to enable a full assessment of the proposal. The information is expected to include, but is not limited to, the following matters:

Design, Layout and Access

- A proportionate assessment of the character and appearance of the area and the relationship of the scheme to neighbouring properties;
- Detailed site layout showing the siting, scale and height of dwellings;
- Access, parking and internal layout details in accordance with Highway Authority standards;
- Visibility splays from any new access
- Finished floor levels and site levels.

Landscape and Visual Matters:

- Detailed landscaping scheme, including boundary treatments and screening
- Hard and soft landscaping details

Ecology and Biodiversity:

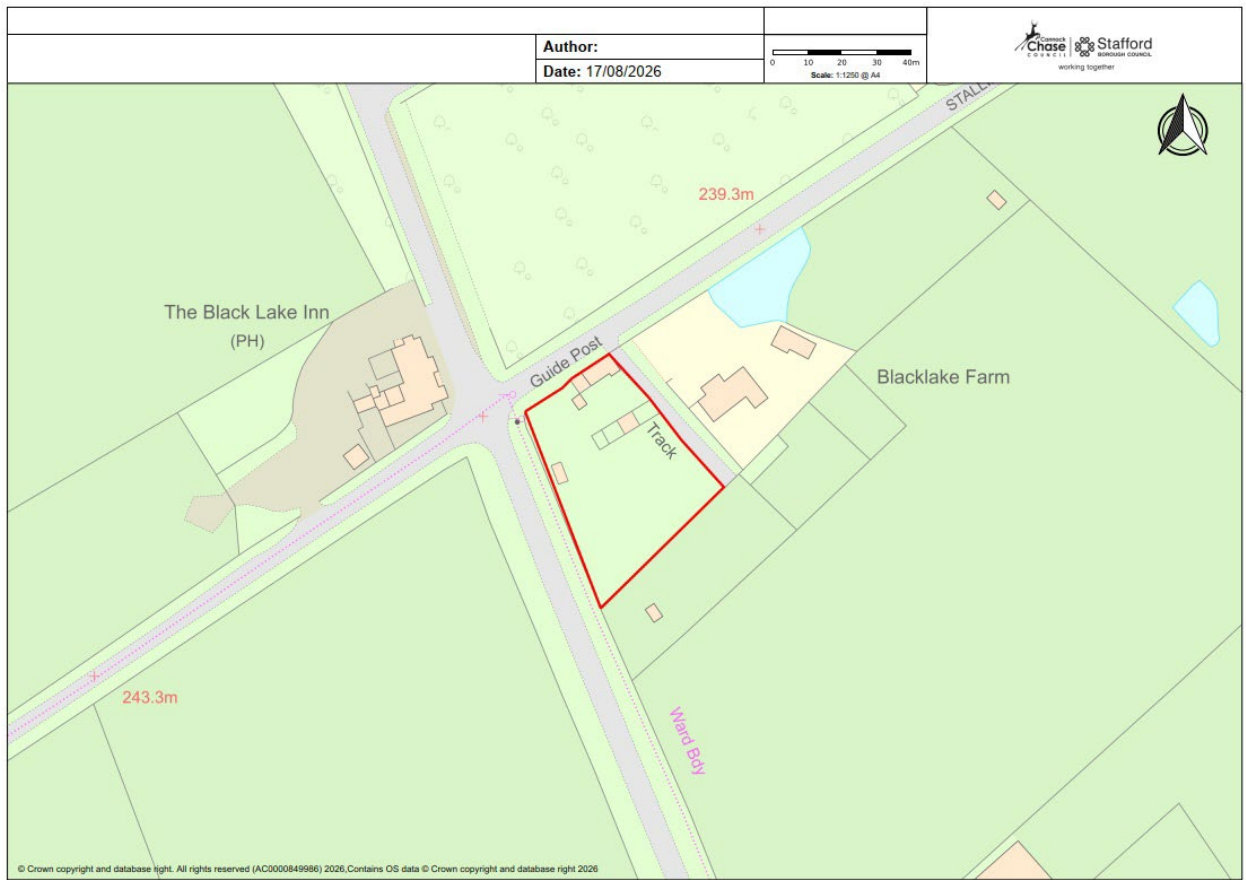
- Preliminary Ecological Assessment (PEA)
- Any required protected species surveys
- Habitat Management and Monitoring Plan (HMMP)
- Biodiversity Net Gain Assessment and BNG metric

Drainage and Flood Risk

- A foul and surface water drainage strategy demonstrating compliance with the NPPF drainage hierarchy, including percolation testing where infiltration is proposed and details of long term maintenance arrangements.

The above matters will be fully assessed at the Technical Details Consent stage. The inclusion of this informative does not prejudice the outcome of any future application for Technical Details Consent.

26/42092/PIP
Land Off Stallington Road
Stallington



Application: 25/41528/FUL
Case Officer: Ian Lunn
Date Registered: 9 December 2025
Target Decision Date: 3 February 2026
Extended To: 3 November 2026
Address: Land Adjacent 8 Radford Bank, Stafford, Staffordshire, ST17 4PL
Ward: Weeping Cross and Wildwood
Parish: -
Proposal: Erection of two storey self-build dwelling with solar panels and detached double garage and annex; installation of freestanding solar panels and some regrading of banking.
Applicant: Mr and Mrs S Ashton
Recommendation: Permit

REASON FOR REFERRAL TO COMMITTEE

This application has been 'called in' by Councillor J P Read (Ward Member for Weeping Cross and Wildwood) for the following reasons:-

- a) Access safety issues for vehicles*
- b) Safety risks for pedestrians and cyclists*
- c) Increase in density and different character of the proposed development compared with the character of the area*
- d) Loss of amenity through disturbance for neighbours*

CONTEXT

1.0 Site and Surroundings

The application site is an irregularly shaped plot of land of approximately 0.1 hectares in area. It is located at the extreme northern end of Ripon Drive towards the southeastern edge, but within the identified settlement limits, of Stafford. The surrounding area is largely residential.

The western portion of the application site is relatively flat but it slopes quite steeply upwards towards the eastern boundary and 8 Radford Bank. The land was apparently last used as residential garden in connection with the latter property but is currently disused and slightly overgrown.

2.0 Proposed Development

Planning permission is sought to erect a four bedroomed detached house on the land adjoining the northern site boundary and a freestanding ancillary two storey garage/annex adjoining the southern boundary. Solar panels are proposed on the southern facing roof plane of the house and freestanding solar panels are also proposed along the eastern site boundary following some slight regrading of the banking.

3.0 Background

None.

4.0 Legislative 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).

The following policies and guidance are relevant to the consideration of this application:-

National Planning Policy Framework (2026)

Section 4 - Achieving Sustainable Development

Section 6 - Delivering a Sufficient Supply of Homes

Section 14 - Achieving well-designed places

Section 15 - Promoting Sustainable Transport

Section 19 - Conserving and Enhancing the Natural Environment

Section 20 - Conserving and Enhancing the Historic Environment

The Plan for Stafford Borough : Part 1

Policy SP1 - Presumption in favour of sustainable development

Policy SP3 - Stafford Borough sustainable settlement hierarchy

Policy SP7 - Supporting the location of new development

Policy N1 - Design

Policy N4 - The natural environment and green infrastructure

Policy N6 - Cannock Chase Special Area of Conservation

Policy N9 - Historic Environment

Policy T2 - Parking and Manoeuvring Facilities

Appendix B - Car Parking Standards

The Plan for Stafford Borough: Part 2

Policy SB1 - Settlement boundaries

Supplementary Planning Documents

Design Supplementary Planning Document (2018)

OFFICER ASSESSMENT - KEY CONSIDERATIONS

5.0 Principle of Development

The proposals involve the construction of a new dwelling and an ancillary garage/annex on a sustainably located site within a residential area. This in turn lies within the settlement limits of Stafford (as identified by Policy SB1 of TPSB). Stafford is identified by Policy SP3 as being the preferred and prime location for new development in the Borough.

In view of the above, and as the site is currently the subject of a valid planning permission allowing for it to be developed for residential purposes (see 'Relevant Planning History' section below) the proposals are considered to be 'in line' with current national and local planning policy. They are therefore considered acceptable in principle despite concerns to the contrary.

Policies and Guidance:-

National Planning Policy Framework (2026)

Section 4 - Achieving Sustainable Development

Section 6 - Delivering a Sufficient Supply of Homes

Section 15 - Promoting Sustainable Transport

The Plan for Stafford Borough

Policy SP1 - Presumption in favour of sustainable development

Policy SP3 - Sustainable Settlement Hierarchy

Policy SP7 - Supporting the location of new development

The Plan for Stafford Borough: Part 2

Policy SB1 - Settlement boundaries

6.0 Character and Appearance

Policy N1 of TPSB, Sections 14 and 19 of the NPPF, and the Council's adopted Design SPD 2018 collectively require that development should be of a high standard of design, should have regard to the local context, and should add to the overall quality of an area.

The site occupies quite a prominent position in the street scene fully visible from Ripon Drive and from the adjoining public foot and cycle paths. Nevertheless, the proposed house and garage/annex are considered to be acceptable in both design, scale and positional terms. Despite concerns to the contrary it is considered that they will relate in a satisfactory manner to, and appear in scale with, their surroundings:-

- a) adjoining, and located near to, other dwellings that are similarly orientated with their main front and rear elevations facing north and south, and
- b) standing approximately 8.7 and 7.7 metres high to their respective ridges in an area where houses of a similar height predominate.

The new dwelling and garage/annex are also considered to be acceptable in design terms:-

- a) incorporating 'half-hipped' pitch roofs that will both match and reasonably harmonise with other roofs in the vicinity,
- b) constructed of materials that will reasonably match and harmonise with others used in this area, namely Forterra Hampton Rural Blend (red multi) facing bricks for the external walls with blue engineering brick detailing for the window and door sills/heads; Charcoal Grey Redland Duo Plain concrete tiles for the roofs; black/dark grey aluminium windows; black/dark grey composite doors; black/dark grey roller shutters for the garage doors, and black/grey upvc rainwater goods.

Solar Panels

The proposal to add solar panels to the southern facing roof plane of the house is not considered ideal visually as these will be clearly visible in the streetscape. However, they will not occupy the whole of that roof area and will, it is considered, be suitably positioned upon it. On balance therefore it is considered that it would be difficult to sustain an objection to this element of the scheme on visual amenity grounds in this case. In coming to this view consideration has been given to the fact that solar panels can often be installed on the roofs of residential properties as 'permitted development'.

The freestanding solar panels will be positioned largely out of site on a flat 'ledge' located at the top of the banking on the eastern site boundary adjoining the existing gabion wall. They should therefore have no significant impact upon the appearance of the area.

Boundary Treatment

The proposals for treating the site boundaries of the development involve the retention of the existing fencing and gabion walls along the eastern and southern site boundaries, the retention of the hedge along the northern boundary and the erection of 0.6 metre high metal railings along the western boundary adjoining the footpath/cycleway. Subject to the latter being painted/colour coated/stove enamelled black it is considered that these arrangements will be acceptable visually.

Amenity Space

The associated amenity space for the new dwelling and garage/annex is to be provided largely to the side (east) on the banking. This space will amount to in excess of 135 square metres which is considered to be acceptable. Locating it on the banking is not considered ideal but it is considered acceptable in this case on the basis that a similar arrangement was allowed under the terms of the currently valid planning permission (13/18651/OUT and 15/22513/REM as amended by planning approval number 21/34580/FUL).

The way in which the amenity areas are treated is ultimately a matter for the future occupiers of the dwelling to determine. However, the details submitted at this stage are considered acceptable with those areas shown as being largely laid to lawn with shrub planting and only relatively small areas of hard surfacing proposed in the form of associated pathways, steps and patios. The latter are to be constructed using Marshalls concrete block paving.

Vehicular Areas

The forecourt area within the site that is to be used by vehicles is to be constructed using Ash coloured Wyresdale Abbey Sett concrete block paviors but the access road connecting this with Ripon Drive is to be surfaced using tarmac to match the surface treatment of that highway. Both treatments are considered acceptable visually in this case.

Refuse Storage

The proposals make satisfactory provision for the associated storage and collection of refuse. Space for three bins is to be made available on the eastern edge of the new forecourt area and a 'bin collection' point is proposed adjoining the site access onto Ripon Drive. Sited in these positions the bins will be visible from the adjoining public footpath and cycleway. However, apart from on 'bin collection' days when they will temporarily be very visible they will not appear unduly prominently in the street scene as they will be set back almost 16 metres from the western site boundary, will be partly screened to the north and south by the house and garage/annex and will be viewed against the 'backdrop' of the banking.

Likely Effect of Development on nearby Heritage Assets

The Staffordshire and Worcestershire Canal Conservation Area lies to the west of this site. However, it lies over 100 metres away and there is a substantial vacant land area in between which may subsequently be developed (this is currently the subject of an outline planning application seeking approval for residential development - see 'Relevant Planning History' section below). In view of this it is not envisaged that the development of The application site is likely to cause any significant harm to the setting of that area. This view is supported by the Council's Conservation Team who raise no objections to the proposals.

Policies and Guidance:-

National Planning Policy Framework (2026)

Section 14 - Achieving well-designed places

Section 19 - Conserving and Enhancing the Natural Environment

Section 20 - Conserving and Enhancing the Historic Environment

The Plan for Stafford Borough: Part 1

Policy N1 - Design

Policy N9 - Historic Environment

Supplementary Planning Document (SPD) - Design

7.0 Amenity

Policy N1 of TPSB, Section 17 of the NPPF and the Council's adopted Design SPD 2018 collectively require, in part, that development proposals should reasonably safeguard the residential amenities enjoyed by the occupiers of neighbouring residential properties. It is considered that following amendments to the scheme, and despite concerns to the contrary, these proposals will reasonably satisfy this requirement for the reasons given below.

a) Light

It is not envisaged that the development will significantly affect the level of light currently received by the surrounding properties. The new dwelling will stand approximately 15 metres from, and on land that lies at a significantly lower level than, 8 Radford Bank to the east; approximately 23 metres from 2 Radford Bank to the north; and approximately 22 metres from 14 Ripon Drive to the south. The garage/annex will stand over 13 metres from 8 Radford Bank, again on land that lies at a significantly lower level, and approximately 44 metres from 2 Radford Bank. It will stand within 5 metres of 14 Ripon Drive but will partly adjoin the blank northern facing gable of that property and will not intersect a '45 degree' line were this to be drawn from the centre of any 'habitable room' window in the front (western facing) elevation. The land to the west of this site is currently undeveloped.

b) Overlooking

Following a recent amendment to the scheme it is not envisaged that the proposals will now lead to unacceptable overlooking of neighbouring properties either. Originally there was concern that two first-floor bedroom windows to be formed in the rear (northern facing) elevation of the house would look directly at close quarters into the adjoining rear garden of 2 Radford Bank. However, one of these windows has since been replaced with a 'high level' window and roof light and the other has been re-positioned to the eastern facing gable where it will face the adjoining banking.

There is a possibility, given the significant difference in land levels between this site and the land on which 8 Radford Bank stands, that the occupiers of the latter property could look directly down into the eastern facing bedroom window. This was one of the reasons for refusing a previous proposal to erect two dwellings on this site (see 24/39584/FUL in 'Relevant Planning History' below). However, it is considered that in this instance the angle between the nearest 'habitable room' in no.8 and the new window will be sufficiently oblique to ensure that this doesn't happen.

No issues of overlooking will arise as a result of the installation of any other of the new windows. These will either be installed at 'high level (the roof lights)', will face the existing hedge and gabion wall/fence located respectively along the northern and southern site boundaries, will face north/south into the application site itself, will face the banking to the east, or will face westwards towards the currently open land.

c) Overdevelopment

The proposals will not lead to more than 50% of the defined application site being built upon. Consequently, they will not represent overdevelopment despite concerns to the contrary.

d) Noise/General Disturbance

Despite concerns to the contrary it is not envisaged that a single four-bedroomed house and an ancillary garage/annex are likely to cause significant disturbance to the occupants of the surrounding properties once they have been completed and are occupied/in use. It is accepted that some disturbance may be caused during the construction works. However, this application cannot reasonably be refused on these grounds as this will only be for a temporary period.

Policies and Guidance:-

National Planning Policy Framework (2026)

Section 17- Pollution, Public Protection and Security

The Plan for Stafford Borough

Policy N1- Design

Supplementary Planning Document (SPD) - Design

8.0 Highway Safety

Policy T2 of TPSB requires, in part, that development proposals should not impair highway safety or traffic movement. Appendix B sets out the normal parking requirements for development in the Borough. It is considered that, despite concerns to the contrary, the proposals will satisfy these requirements and will be acceptable in highway safety terms for the reasons given below.

Five bedrooms will be created by the new development, four within the new house and one within the garage/annex. Appendix B of TPSB therefore requires that three associated 'off-street' car parking spaces are provided. Four spaces are proposed although only two of these are shown on the submitted Site Layout Plan, namely those to be located within the new garage. Nevertheless, it is felt that the required third space could reasonably be accommodated within the new forecourt area to be created in between the new house and the garage/annexe. It is therefore considered that a suitable level of associated 'off-street' parking is being/can be provided in conjunction with the proposed development.

The forecourt area is also considered to be large enough to allow cars to both park within it and to satisfactorily turn around thus enabling them to exit the site in a forward gear. The proposals are therefore also considered to be acceptable in this respect as well.

Vehicular and pedestrian access to and from the development is to be gained from Ripon Drive via a new access formed at the southern end of the site. A visibility splay of 2 metres x 30 metres is to be provided on the western side of this and low level 0.6 metre high metal railings are to be erected along the western site boundary to ensure that this is satisfactorily retained. These arrangements are considered to be acceptable allowing vehicles exiting the site safe access onto Ripon Drive and enabling them to see cyclists and pedestrians using the adjoining footpath/cycleway. For the record a similarly designed access was previously approved in the same position as part of the currently valid planning permission.

The proposals have been considered by County Highways who consider that they will be acceptable provided that the proposed visibility splay is provided before the development is first occupied and a Construction Environmental Management Plan detailing the measures to be implemented during the construction works is agreed before development commences. Conditions to this end are therefore recommended.

In coming to the view that these proposals are acceptable in highway safety terms in this instance consideration has also been given to the fact that the two previous planning applications submitted in respect of this site were refused in part for reasons of highway safety. However, in both cases those applications sought approval for two four-bedroomed dwellings and in each case the respective schemes were deemed to have made inadequate provision for the associated parking and turning of vehicles within the site and for allowing those vehicles satisfactory access to and from the development. County Highways also recommended refusal of both applications.

Policies and Guidance:-

The Plan for Stafford Borough

T2 - Parking and Manoeuvring Facilities

Appendix B - Car Parking Standards

9.0 Ecology

Policy N4 of TPSB seeks to protect the Borough's natural environment. This is reflected, in part, in Section 19 of the NPPF. Policy N6 of TPSB states that development will not be permitted where it would lead directly or indirectly to an adverse impact on the Cannock Chase Special Area of Conservation (a European Protected Site for nature conservation) and the effects cannot be mitigated.

The agent has submitted a Habitat Regulations Assessment with the application. This concludes:-

- a) that the proposed development will not lie within the Impact Risk Zone of any identified sites of European, National or Local Nature Conservation Importance other than the Cannock Chase Special Area of Conservation (SAC), and
- b) that the site is not known to be occupied by any protected flora or fauna.

As the development is to be carried out within 15 kilometres of the Cannock Chase SAC. the applicants have now:-

- a) paid a developer contribution of £369.58 to mitigate against any negative effects that the development may have upon that area, and
- b) submitted a signed Section 111 Agreement formally declaring that they have done so.

Consequently, it is considered that this issue has now been satisfactorily addressed.

The agent has submitted a Great Crested Newt Statement with this application. This concludes that whilst the site lies less than 250 metres from a pond and just over 250 metres from the River Penk, the development is unlikely to have any impact upon newts or their habitats in this instance. The pond occupies an isolated position surrounded on three sides by housing and is stocked with fish, and the river is too fast flowing to reasonably support newts. This Statement has been assessed by the District Licensing Officer (Great Crested Newts) who agrees with its findings. They therefore raise no objections to the proposals.

The agents have submitted a 'Self-Build and Custom Housebuilding Declaration Form' clarifying that the new dwelling will be a 'self-build' project that will subsequently be occupied by the applicants and future generations of their family. On this basis, and as this application was submitted before 6 August 2026 when changes to the BNG Regulations came into force, the development is considered to be exempt from the requirement to provide for Biodiversity net gain in this instance.

The application has been assessed by the Council's Biodiversity Officer who raises no objections to the proposals subject to conditions preventing works from being carried out during the bird nesting season unless it can first be satisfactorily demonstrated that no birds are present at that time, and requiring the provision of two swift nesting boxes under the eaves of the buildings. They accept that the site has no significant ecological value and that the proposed development is exempt from the requirement to provide for Biodiversity net gain in this instance.

In view of the above, and as the applicants have supplied the required Section 111 agreement and have paid the SAC contribution, it is not envisaged that the proposals will harm the ecological value either of the site itself or of sites of nature conservation importance nearby to the extent that a refusal could reasonably be justified on such grounds. The proposals are therefore considered acceptable in ecological terms reasonably satisfying the requirements of Policies N4 and N6 of TPSB and Section 19 of the NPPF (2026) in this regard.

Policies and Guidance:-

National Planning Policy Framework (2026)

Section 19 - Conserving and Enhancing the Natural Environment

The Plan for Stafford Borough

Policy N4 - The natural environment and green infrastructure

Policy N6 - Cannock Chase Special Area of Conservation

10.0 Drainage

The agent has advised that foul water from the completed development is to be discharged into the mains sewer and surface water into a soakaway. These methods of drainage have not been assessed separately by the statutory drainage authorities as part of this application so it is not known, as a matter of fact, whether they will be acceptable to them in the event of this application being approved. However, the immediate surrounding area is wholly residential and located within the built-up area of Stafford. It will therefore clearly be possible to satisfactorily drain the development in some way and to prevent the discharge of surface water onto adjoining land - which is one of the concerns raised by some of the people objecting to the scheme. With this in mind, and as it is likely that the approval of the statutory drainage authorities and/or Building Control would in any event be required to make any necessary drainage connections, it is considered that the proposals can be rendered acceptable in drainage terms. It is therefore considered that in pure drainage terms the proposals will be acceptable reasonably satisfying the requirements of Section 18 of the National Planning Policy Framework in this regard.

Policies and Guidance:-

National Planning Policy Framework (2026)

Section 18 - Managing flood risk and coastal change

11.0 Contamination

The site is not known to be contaminated and is understood to have previously been used as residential garden in connection with 8 Radford Bank. It therefore seems unlikely, on the balance of probability, that the future occupiers of the new development will be at significant risk from contamination in this instance. The site is however understood to be located within a radon affected area and the Council's Environmental Health Service have previously recommended a condition requiring that it be tested for this, and appropriate remediation measures implemented if needs be, before any other development takes place. It is therefore recommended that such a condition be imposed and that, as a further safeguard, an informative is also imposed advising the applicants to cease works should any other contamination be found during the subsequent construction works, and to agree appropriate mitigation measures with the Local Planning Authority before re-commencing. Subject to such a condition and informative being imposed it is considered that the proposals will be acceptable in land contamination terms reasonably meeting the requirements of Section 17 of the National Planning Policy Framework in this regard.

Policies and Guidance:-

National Planning Policy Framework (2026)

Section 17 - Pollution, public protection and security

12.0 Other Issues

A local resident and Councillor Read have raised concerns about the proposals and these are set out at the beginning of this report and in the 'Publicity' section below. These have been assessed but they are not considered to represent sufficiently compelling reasons for refusing the scheme in this case largely for reasons given earlier in this report. One further concern raised concerns the possibility that the garage/annex may subsequently be used as a separate dwelling. However, a planning application cannot reasonably be refused on these grounds. It can only be determined on the basis of what is actually proposed. Should the garage/annex subsequently be used as a separate dwelling without approval that use would be unauthorised and it would be open to the Council to pursue the alleged breach through its planning enforcement powers if it considered it expedient to do so. For the avoidance of doubt it is proposed to impose a condition requiring that the garage/annex is occupied solely in connection with the new dwelling hereby approved and not at any time as a separate dwelling.

13.0 Conclusion

The proposals are considered to be acceptable in principle as they involve the construction of a new dwelling and ancillary garage/annex on sustainably located land within the settlement limits of Stafford and within a residential area. The development will appear in scale and keeping with its surroundings, will reasonably safeguard the amenities currently enjoyed by neighbouring properties, will not give rise to any undue highway safety or ecological concerns, and should not put future occupiers at significant risk from contaminants. The proposals are therefore considered to be in accordance with the requirements of Policies SB1, SP1, SP3, SP7, N1, N4, N6, N9, T2 and Appendix B of the adopted Plan for Stafford Borough 2011-2031, Sections 4, 6, 14, 15, 19 and 20 of the National Planning Policy Framework (2026), and the relevant provisions of the Council's adopted Design Supplementary Planning Document 2018.

CONSULTATIONS

SBC Environmental Health

No objections subject to conditions limiting the hours, and method of construction, of the development in order to safeguard surrounding residents.

SBC Biodiversity Officer

No objections subject to conditions preventing works from being carried out during the bird nesting season and requiring the provision of two swift nesting boxes as part of the development.

Natural England

No objections subject to appropriate mitigation being secured to address the potentially negative effects that the development may have upon the Cannock Chase SAC.

SBC Conservation Team

No objections. The proposals will not cause detriment or harm to the setting of the nearby Staffordshire and Worcestershire Canal Conservation Area or any other listed structure located nearby.

District Licensing Officer (Great Crested Newts)

No objections

SCC Highways

No objections subject to conditions.

PUBLICITY

The application was advertised in this instance by sending individual letters to surrounding properties and by posting a site notice outside of the site. These were sent/posted on 13 March 2026 and 9 April 2026 giving 21 days for public comment. The publicity period expired on 30 April 2026 and one objection has since been received (in addition to the concerns raised by Councillor Read which are set out at the beginning of this report). The objections are:-

- a) that the development would not meet the requirements of relevant National and Local planning policy,
- b) that the development would relate in an unsatisfactory manner to its surroundings, this being a 'backland' site.
- c) that the proposals would lead to the overdevelopment of the site.
- d) that noise and light generated by vehicles visiting the site would unduly disturb the occupiers of the surrounding properties.
- e) that an approval of the proposals would not be in the best interests of highway safety. The access to the site is substandard and the use of this would lead to conflict between cars and cyclists/pedestrians using the adjoining footpath/cycle path. There is also inadequate space within the site for the turning of large vehicles.
- f) that the layout of the new garage/annex suggests that it is likely to be used as a separate dwelling.

- g) that the proposals will lead to the unacceptable discharge of surface water onto neighbouring properties.

The agent has submitted a Design and Access Statement, a Great Crested Newt Survey, a Habitat Regulations Assessment, a Self-Build and Custom Housebuilding Declaration Form and a Statement of Willingness in support of their application. These collectively state:-

- a) that the development will be sustainable with the site located near to local amenities and a bus route.
- b) that the principle of developing this site for residential purposes is acceptable. The site lies within a residential area and currently benefits from planning permission (ref:- 21/34580/FUL) allowing it to be developed for the purposes of a single detached dwelling.
- c) that the new buildings will be in scale and keeping with the surrounding development.
- d) that the proposals will not give rise to any undue highway safety concerns.
- e) that the proposals will not harm the ecological value of the site which is not known to be occupied by any protected flora or fauna. The development will not lie within the Impact Risk Zone of any identified sites of European, National or Local Nature Conservation Importance either other than the Cannock Chase Special Area of Conservation (SAC). In the latter case the applicants have now paid the required developer contribution to mitigate against any negative effects that the development may have upon that area.
- f) that this will be a 'self-build' project and the dwelling and garage/annexe will subsequently be occupied by the applicants and future generations of their family. On this basis the development will be exempt from the requirement to provide for Biodiversity net gain in this instance.
- g) that whilst the site is not at risk of flooding suitable measures will be undertaken to ensure that future occupiers of the dwelling will not be at significant risk of this.

RELEVANT PLANNING HISTORY

The application site has been the subject of the following planning history all of which is considered relevant to the consideration of these proposals:-

- a) 13/18651/OUT - Detached two storey house with link detached double garage - Approved 26 June 2013
- b) 15/22513/REM - Reserved matters applicant pursuant to 13/18651/OUT - appearance, landscaping, layout and scale - Approved 20 August 2015 as a dormer bungalow with the front and rear elevations facing west and east.

- c) 18/28267/LDC - LDC submitted to demonstrate that a material start had been made in respect of planning approval no. 15/22513/REM - Approved and Certificate issued 29 May 2018.
- d) 21/34580/FUL - Variation of conditions 2 (plans) and 3 (materials) of 15/22513/REM allowing for amendments to the design of the approved bungalow and agreeing to the use of red brick, chalk coloured render and grey concrete tiles in its construction - Approved 6 December 2021.
- e) 23/37823/FUL - Residential development of 2no. two storey detached dwellings (two detached houses with the front and rear elevations facing west and east) - Refused 5 December 2023 on highway safety grounds (inadequate parking, 'on-site' turning space and access) and because of concerns about inadequate outlook to the rear of the dwellings for future occupiers.
- f) 24/39584/FUL - Residential development of 2no. two storey self-build detached dwellings (two detached houses with the front and rear elevations facing west and east) - Refused 4 December 2024 for the same highway safety and residential amenity grounds as for 23/37823/FUL and also because of concerns that the new dwellings would be unacceptably overlooked by 8 Radford Bank.
- g) 25/41362/OUT - Application for outline planning permission for residential development for up to 61 dwellings and associated works, with access into the site for consideration (4.61 hectare site to west of this one) - Pending Consideration.

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 full accordance with the following drawings and documents, except where indicated otherwise by a condition attached to this permission, in which case the condition shall take precedence:
 - i) Submitted Application Form
 - ii) Drawing No. 2511/PL/01 - Location Plan and Existing Site Layout Plan
 - iii) Drawing No. 2511/PL/02 Rev A - Proposed Site Layout Plan
 - iv) Drawing No. 2511/PL/03 Rev A - Proposed Floor Plans and Elevations (House)

- v) Drawing No. 2511/PL/04 - Proposed Floor Plans and Elevations (Garage/Annex)
 - vi) Drawing No. 2511/PL/05 - Proposed Street Scene
 - vii) Design and Access Statement by Barnett Ratcliffe Partnership dated November 2025 (ref:- 2511)
 - viii) Great Crested Newt Statement by Barnett Ratcliffe Partnership dated November 2025 (ref:- 2511)
 - ix) Habitat Regulations Assessment by Barnett Ratcliffe Partnership dated November 2025 (ref:- 2511)
 - x) Self-Build and Custom Housebuilding Declaration Form
 - xi) Statement of Willingness dated 27 November 2025
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any subsequent legislation revoking or superseding that Order, no windows, doors or other openings, other than those shown on the approved plans, shall, at any time, be formed at first floor level within the rear (northern facing) elevation of the approved house or the rear (southern facing) elevation of the approved garage/annex.
 4. The existing fences, gabion walls and hedge located along the northern, southern and eastern site boundaries shall be satisfactorily retained at all times with the hedge retained at a minimum height of two metres.
 5. The new railings to be erected along the western site boundary shall be either stove enamelled/colour coated black before they are first installed or painted black within one month of their installation. They shall be erected in the position, and to the height, shown on approved drawing no. 2511/PL/02 Rev A before the development hereby approved is first occupied and shall thereafter be satisfactorily retained at all times.
 6. The measures for storing and collecting refuse, as shown on approved drawing no., 2511/PL/02 Rev A, shall be implemented before the development, hereby approved, is first occupied. They shall thereafter be satisfactorily retained at all times.

7. All areas to be used by vehicles, and all new pathways, steps and patios forming part of the development, shall be surfaced using the materials specified on approved drawing number 2511/PL/02 Rev A and laid out as shown on that plan. These works shall be satisfactorily completed before the development hereby approved is first occupied and shall include measures to ensure that surface water does not drain either onto the adjoining highway (Ripon Drive) or the adjoining footpath/cycle path. The vehicular areas shall thereafter be satisfactorily retained at all times solely for the parking and turning of vehicles in conjunction with the development, and to allow vehicles satisfactory access to and from the site.
8. The development hereby approved shall not be occupied until the visibility splay shown on approved drawing no. 2511/PL/02 Rev A has been cleared of all obstructions over a height of 600mm (measured from the level of the adjoining public footpath/cycleway). This splay shall thereafter be kept free at all times of all obstructions to visibility over a height of 600 mm (measured from the level of that footpath/cycle path).
9. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by, the Local Planning Authority. The approved plan/statement shall provide:
 - a) details of the route(s) to be taken by delivery vehicles during the construction works, and their size,
 - b) details of the parking of vehicles of site operatives and visitors,
 - c) details of loading and unloading of plant and materials,
 - d) measures to protect vulnerable road users (pedestrians and cyclists),
 - e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate,
 - f) wheel washing facilities,
 - g) measures to deal with dirt, debris, mud, or loose material deposited on the highway because of construction.
 - h) measures to control the emission of dust and dirt during construction,
 - i) delivery, demolition, and construction working hours.

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period of the development.

10. Any new gates to be erected on the access road serving the development shall be positioned a minimum of five metres back from the carriageway edge of Ripon Drive and shall be designed to open inwards only.
11. All construction works (including demolition) and deliveries to the site shall take place solely between the hours of 8am and 6pm Monday to Friday inclusive and between the hours of 8am and 2pm on Saturdays. No construction works (including demolition) shall take place at all Sundays, Bank Holidays or other public holidays.
12. Notwithstanding the details given on the approved plans two swift boxes shall be installed under the northern facing eaves of the approved house and/or garage/annex. Details of the design and location of these shall be submitted to, and approved in writing by, the Local Planning Authority before they are first installed. The approved boxes shall be installed in the approved positions before the development hereby approved is first occupied and they shall thereafter be satisfactorily retained at all times.
13. Details of the finished ground floor levels of the approved dwelling and garage/annex shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The finished ground floor levels of both shall be constructed at the approved levels and shall thereafter be satisfactorily retained at those levels at all times.
14. The garage/annex hereby approved shall be occupied solely in connection with the new dwelling hereby approved and shall not at any time be occupied as a separate dwelling.
15. Development shall not commence until the site has been tested for radon. Should radon be found to be present details of measures to prevent its ingress into the approved dwelling and garage/annex shall be submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall be implemented as part of the development and shall thereafter be retained at all times thereafter.

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

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.
3. To safeguard the privacy of the occupiers of 14 Ripon Drive and 2 Radford Bank in accordance with the requirements of Policy N1 of the adopted Plan for Stafford Borough 2011-2031 and the relevant provisions of the Council's adopted Design Supplementary Planning Document 2018.

4. In the interests of visual and neighbour amenity, in accordance with the requirements of Policy N1 of the adopted Plan for Stafford Borough 2011-2031, Sections 14, 17 and 19 of the National Planning Policy Framework (2026), and the relevant provisions of the Council's adopted Design Supplementary Planning Document 2018.
5. In the interests of visual and neighbour amenity, in accordance with the requirements of Policy N1 of the adopted Plan for Stafford Borough 2011-2031, Sections 14, 17 and 19 of the National Planning Policy Framework (2026), and the relevant provisions of the Council's adopted Design Supplementary Planning Document 2018.
6. In the interests of visual amenity and securing properly planned development, in accordance with the requirements of Policy N1 of the adopted Plan for Stafford Borough 2011-2031, Sections 14 and 19 of the National Planning Policy Framework (2026), and the relevant provisions of the Council's adopted Design Supplementary Planning Document 2018.
7. In the interests of highway safety, in accordance with the requirements of Policies T2 and Appendix B of the adopted Plan for Stafford Borough 2011-2031.
8. In the interests of highway safety, in accordance with the requirements of Policy T2 and Appendix B of the adopted Plan for Stafford Borough 2011-2031.
9. In the interests of highway safety in accordance with the requirements of Policy T2 of the adopted Plan for Stafford Borough 2011-2031.
10. In the interests of highway safety in accordance with the requirements of Policy T2 of the adopted Plan for Stafford Borough 2011-2031.
11. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance, in accordance with the requirements of Policy N1 of the adopted Plan for Stafford Borough 2011-2031, Section 17 of the National Planning Policy Framework (2026), and the relevant provisions of the Council's Adopted Design Supplementary Planning Document 2018.
12. In the interests of safeguarding the ecological value of the site, in accordance with the requirements of Policy N4 of the adopted Plan for Stafford Borough 2011-2031 and Section 19 of the National Planning Policy Framework (2026).
13. In the interests of visual amenity, in accordance with the requirements of Policy N1 of the adopted Plan for Stafford Borough 2011-2031, Sections 14 and 19 of the National Planning Policy Framework (2026) and the relevant provisions of the Council's adopted Design Supplementary Planning Document 2018.

14. For the avoidance of doubt as a further separate dwelling here could potentially lead to concerns about highway safety and may result in unsatisfactory living conditions for the future occupiers.
15. To safeguard future residents from the effects of radon gas, in accordance with the requirements of Section 17 of the National Planning Policy Framework (2026).

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 2026, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 Please note that site clearance works should not be undertaken between 1st March and 31st August inclusive unless a competent ecologist has first undertaken a detailed check of the site for active birds' nests and has provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest. Any such written confirmation shall be submitted to the Local Planning Authority.
- 3 Any off-site highway and vehicle access works will require a Highway Works Agreement with Staffordshire County Council. The applicants are therefore requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an online application form. Please complete and submit online or contact highway.agreements@staffordshire.gov.uk for more information. The applicants are advised to begin this process well in advance of any works taking place in order to meet any potential timescales.
- 4 A public footpath and cyclepath adjoin this site. Please ensure that these are not obstructed in any way either before, during or after the completion of the proposed works.
- 5 During the period of construction should contamination be found on site no further works shall be undertaken in the affected area. Prior to further works being carried out in the affected area, and within a maximum of five days from the discovery, the contamination shall be reported to the Local Planning Authority, a contaminated land assessment shall be carried out, and appropriate mitigation measures shall be identified and agreed in writing with the Local Planning Authority. The development shall thereafter be undertaken in accordance with the agreed mitigation scheme.

The applicant is advised that they have a duty to adhere to Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework and the current Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

25/41528/FUL
Land Adjacent 8 Radford Bank
Stafford



 PLANNING COMMITTEE - 21 OCTOBER 2026

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
26/42087/FUL Non determination appeal	Valley Northern, Unit 2, Carver Road	Variation on Condition 2 (approved plans) on 22/36403/FUL
25/40886/LDC Delegated refusal	Squirrel Barn, Sandon Lane, Milwich	Lawful Development Certificate - Demolition of former agricultural building and erection of residential building in similar form; subsequent extensions and alterations to include orangery, lean-to shed on eastern gable, and front porch; erection of timber gates to access track; erection of timber outbuildings; and erection of garden fencing and patio

Decided Appeals

Application Reference	Location	Proposal
26/41654/ANX Appeal dismissed	Fernbank Cottages, 69 Longton Road, Barlaston	Replacement of previous garage with new Annex above

Application Reference	Location	Proposal
24/39718/LDCPP Appeal dismissed	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

Previous Consideration

Nil

Background Papers

File available in the Development Management Section

Officer Contact

Sushil Birdi, Development and Policy Manager, 01543 464326



Appeal Decision

Site visit made on 20 July 2026

by K Winnard LL.B Hons Solicitor

an Inspector appointed by the Secretary of State

Decision date: 31 July 2026

Appeal Ref: 6011046

Fernbank Cottages, 69 Longton Road, Barlaston, Stoke on Trent. Staffordshire ST12 9AU

- 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 Laura Sherrat against the decision of Stafford Borough Council.
 - The application Ref is 26/41654/ANX
 - The development proposed is the replacement of previous garage with new annex above.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. Reference is made to amended plans in relation to garage sizes and a reduced height of the building. I note that the Council did not invite these plans and these are not before me in any event. I shall accordingly make my decision on the basis of the plans considered by the Council.
3. The first reason for refusal detailed on the decision notice states that the proposed development cannot be considered to be householder development, However the Council validated the application on this basis, considered its planning merits and issued its decision. I have accordingly determined it on this basis in my decision below.

Main Issue

4. The main issue in the appeal is (i) whether the proposed building amounts to ancillary residential accommodation (ii) the effect of the proposal on the character and appearance of the host dwelling and the area and (iii) the living conditions of the occupiers of the neighbouring properties, Nos 67 and 71 Longton Road by way of loss of privacy.

Reasons

Ancillary Accommodation

5. The appeal property (No 69) is a semi-detached dwelling with a modest rear garden in a row of properties located in a residential area. Located to the rear of the row of properties is a narrow access road leading to a single storey garage sited at the rear of the garden of No 69. It is proposed to demolish the existing single storey garage and replace with a two storey building accommodating two garages and office/garden room and living accommodation above. It is intended that the proposed annex would be used for inter-generational living but no further details in

this regard are given. The Council has concluded that the proposal constitutes a new independent unit of residential development.

6. Notwithstanding the proposed ancillary use, it would nonetheless be of substantial size, and the Council's concerns regarding it being occupied independently are understandable. However, even if the accommodation provides facilities for independent day-to-day living, it would not necessarily become a separate planning unit. It is a matter of fact and degree in each case.
7. Limited details of the internal layout of the annex are given; however, it would be of a size and scale capable of providing self-contained living accommodation and independent living would be possible without requiring access to the main house. By virtue of its scale and siting, it would not appear subservient to its host dwelling and the division of the overall curtilage into two distinct plots would also be easy to achieve. There is also no information before me to demonstrate the ancillary and functional use of the proposal in regard to the host dwelling, nor have I been presented with any information as to how the host dwelling at No 69 is configured. However, whilst access could be obtained independently from the main dwelling, the front elevation of the garage/annexe and bifold opening doors serving the office/garden room would face the small rear garden of No 69 with which it would be shared. Given its siting, layout and the resultant size of the garden, a reasonable degree of privacy for the occupiers of both No 69 and the annexe would not be afforded. Such sharing arrangements would therefore be unlikely to be satisfactory for the residents of No 69 if there was no familial connection between them and the occupants of the annex.
8. On this basis I am satisfied that there would be a functional relationship between No 69 and the annex. I acknowledge the Council's concern that the building could be used as a separate dwelling, but that is not the proposal before me. If the annex building is not built or used as proposed, or if there is a material change of use in the future to create a separate dwelling, then a separate grant of planning permission would be required and the building would be at risk of enforcement action if such permission were not granted. Moreover, the use and occupancy of the building could be controlled by a suitably worded planning condition, which would ensure the use of the annex would be ancillary to the main dwelling, or in the event of different ownership of part of the appeal site as referred to, a planning obligation so that there is in addition to the required ancillary use of the annex a further level of control to prevent the creation of a separate dwelling.
9. In any case I must determine the case on the planning merits and as applied for, namely a garage with annex above and on the basis of the information before me I conclude that the building would be capable of amounting to ancillary accommodation. It is therefore appropriate to assess the scheme on the basis of the reasons for refusal given by the Council in relation to design and privacy concerns.

Character and Appearance

10. The proposed garage/annex would occupy almost the full width of the rear garden at No 69 and would extend significantly into its rear garden. By virtue of its width and height it would appear disproportionately large and oversized relative to the host dwelling and plot. As a result, it would appear as a cramped form of

development unduly prominent in the area and would substantially diminish the semi-rural character and appearance of the site and area.

11. The appellant refers me to an extant permission for a detached two storey garage but only a reference to the difference in dimensions is before me. Be that as it may, even on these dimensions such a garage would be smaller in length and height to the scheme before me. It would therefore have a less visual impact than the proposal. Reference is also made to the proposal enabling the clearance of the site however the clearance of land that is untidy would not represent justification to allow a building in a location that would otherwise be unacceptable.
12. Therefore, I conclude that the proposal would result in harm to the character and appearance of the host dwelling and area, contrary to Policy N1e, N1g and N1h of the Plan for Stafford Borough (2011-2031) (LP). These policies seek to ensure a high standard of design taking into account the amenity of adjacent residential areas, and the local character and context.

Living Conditions

13. Nos 67 and 71 Longton Road adjoin the appeal site separated by close boarded fences. The garage/annex would have first floor windows facing towards the rear garden of No 69. Whilst therefore not directly facing the windows of the neighbouring properties, Nos 67 and 71, due to its height and the separation distances involved, the garage/annex would afford its users a more open and elevated view over the neighbouring properties and rear gardens. Whilst in the case of No 71 this would be screened to some extent by existing boundary treatment this would not be the case in relation to the potential for overlooking into the rear garden area of No 67. Given the separation distances between the garage/annex and the neighbouring properties, the elevated views would mean that an acceptable level of privacy would be compromised. I accept that the obscure glazing, in the rear elevation of the new dwelling to the north of the appeal site, would mean any overlooking from the rear elevation of the proposed garage/annex towards this building would not compromise privacy of the occupiers of this dwelling.
14. However, the proposal would introduce an unacceptable level of overlooking and as such would cause unacceptable harm to the living conditions of the occupiers of No 67 and 71 Longton Road. It would therefore be contrary to Policy N1e of the LP which requires development to respect the amenity of adjacent residential areas.

Other Matters

15. The proposal has been made on the basis that the garage/annex would be occupied by family members/inter-generational living. I recognise the advantages of the development to family circumstances however limited information is before me to show what these needs are, or that they can only be met by the proposed development. I note too the lack of objections to the proposal, but this in itself does not indicate a lack of harm arising from the proposal. These factors therefore carry limited weight and do not outweigh the harm I have identified above.
16. I note the appellant's reference to the Council's assessment and handling of the application, but this is not a matter before me, nor does it alter my findings.

Conclusion

17. For the reasons set out above, having regard to the harm the proposal would cause to the character and appearance of the host dwelling and the area and the residential amenity of the occupiers of neighbouring properties, I conclude that the appeal should be dismissed.

K Winnard

INSPECTOR



Appeal Decision

by Siobhan Watson BA(Hons), MCD, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 August 2026

Appeal Ref: APP/Y3425/X/25/3367279

64 Lichfield Road, Stafford, Staffordshire, ST17 4LW

- The appeal is made under section 195 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Byatts Platt Sipp against the decision of Stafford Borough Council.
 - The application ref 24/39718/LDCPP, dated 1 October 2024, was refused by notice dated 11 December 2024.
 - The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 (as amended).
 - The development for which a certificate of lawful use or development is sought is the 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 2 two-bedroomed apartments and a detached dwelling.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the Council's decision to refuse the LDC was well founded. This turns on whether the proposed development has planning permission.
3. The planning merits of the proposal are not relevant.

Reasons

4. A decision notice¹, was issued on 29 January 2024. This has, written in capitals at the top of the page, "PERMISSION FOR DEVELOPMENT". The notice describes the proposed development as "*Outline application for access, layout and scale – Demolition of existing outbuilding. Proposed two no.2 bedroom apartments and a detached dwelling*" at 64 Lichfield Road, Stafford. The decision notices also states "Stafford Borough Council ... permits the above development ... subject to the following conditions." No conditions are listed.
5. Under this there is a heading "*The reasons for the Council's decision to grant permission for the development subject to the above conditions are:*" However, there are no reasons for granting planning permission. Instead, there is text citing planning harm and planning policy conflicts. The text reads as five separate reasons for refusal.
6. There is an informative towards the end which includes the words "*the proposal is not considered to achieve an acceptable and sustainable development*".

¹ Council reference 23/38495/OUT

7. I appreciate that the officer report indicated an intention to refuse permission. The decision notice is clearly defective and there is no dispute about that. However, defects do not necessarily invalidate a decision notice.
8. I note the Council's reference to *James Hay Pension Trustees Ltd v First Secretary of State [2006] EWCA Civ 1387*. In that case, the court found that the document failed to comply with key statutory requirements and therefore it did not constitute a decision. However, I do not consider that the decision notice before me fails to comply with key statutory requirements. In this appeal, the decision notice has the Council reference number, date, the site address, a description of the proposal and it states that the development is permitted.
9. I have also had regard to *Archid Architecture and Interior Design v Dundee City Council [2014]*. In that case, the decision notice that Dundee City Council had issued was similar to the one before me in that it purported to grant planning permission but then gave reasons for refusal. The Court of Session found that the decision notice was valid unless and until the court ruled otherwise. The Scottish judgement has persuasive value.
10. In this case, the document clearly states that planning permission is granted. Although the notice contains what look like reasons for refusal, nowhere does it say that permission is refused. As in the *Archid* case, I consider that Stafford's issued decision notice is a valid permission. A planning permission is irrevocable unless quashed by the courts or revoked by the Council under s97 of the Act. Neither of these has occurred. It does not matter that the Council issued it in error.
11. My finding that the document is a valid permission is not the end of the matter. The purpose of an application under s192(b) of the Act is to determine whether a proposed development would be lawful.
12. For the proposed development to be lawful it would require either (i) an outline permission with reserved matters discharged or (ii) a grant of full planning permission
13. Firstly, there is no suggestion that any reserved matters have been submitted or approved. Therefore, the required approvals in respect of outline permission do not exist.
14. Secondly, the appellant claims that the decision made by the Council is a full permission. The appellant supports this claim by saying that the permission lacks any condition requiring the submission of reserved matters. However, s92(2) of the Act deems outline planning permission to be granted subject to conditions relating to the time limits for submitting reserved matters applications and for implementing the permission. This is even if the conditions are not printed on the decision notice.
15. Furthermore, I see from the evidence before me that the application was specifically made in outline with appearance and landscaping reserved for subsequent approval. The application was made on a specific form for an outline application and the completed form indicated that the application was sought only for access, layout and scale. Whilst elevational details were submitted, permission was not sought for detailed design and the Council treated them as for illustrative purposes only. I have no evidence that any substantive landscaping details were provided. Moreover, the operative part of the planning permission (in the

description of development) makes it outline only for access, layout and scale. Therefore, full planning permission does not exist for the development either.

16. The required permissions to commence development do not exist and therefore the development would not be lawful.

Conclusion

17. For the reasons given above, I conclude that the Council's refusal to grant a certificate of lawful use or development for "the 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 2 two-bedroomed apartments and a detached dwelling" is well-founded and that the appeal should fail. I will exercise accordingly the powers transferred to me in section 195(3) of the 1990 Act (as amended).

Siobhan Watson

INSPECTOR