



Civic Centre, Riverside, Stafford

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Dear Members

Planning Committee

A meeting of the Planning Committee will be held on **Wednesday, 4 September 2024** at **6.30pm** in the **Craddock Room, Civic Centre, Riverside, Stafford** to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

Members are reminded that contact officers are shown in each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.

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

Head of Law and Governance

PLANNING COMMITTEE - 4 SEPTEMBER 2024

Chairman - Councillor B McKeown

Vice-Chairman - Councillor A Nixon

AGENDA

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

Details of Delegated applications will be circulated separately to Members.

	Page Nos
5 Planning Applications	3 - 111
6 Planning Appeals	112 - 125
7 Enforcement Matters	-

MEMBERSHIP

Chairman - Councillor B McKeown

B M Cross	A R McNaughton
I D Fordham	A Nixon
A D Hobbs	M Phillips
E G R Jones	A J Sandiford
P W Jones	S N Spencer
B McKeown	

PLANNING COMMITTEE - 4 SEPTEMBER 2024

Ward Interest - Nil

Planning Applications

Report of Head of Economic Development and Planning

Purpose of Report

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

		Page Nos
24/38835/FUL	Land Adjacent To Nebraska, Moss Lane, Moss Gate	5 - 23
	The application was called in by Councillor F Beatty.	
	Officer Contact - Richard Wood, Development Lead Telephone 01785 619324	
24/39235/PDEM	Former Co-op Department Store, Gaolgate Street, Stafford	24 - 33
	Officer Contact - Richard Wood, Development Lead Telephone 01785 619324	
23/37238/FUL	Shugborough Park, Lichfield Road, Shugborough	34 - 111
	Officer Contact - Richard Wood, Development Lead Telephone 01785 619324	

Previous Consideration

Nil

Background Papers

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

Application:	24/38835/FUL
Case Officer:	Mark Danforth
Date Registered:	1 April 2024
Target Decision Date:	26 April 2024
Extended To:	-
Address:	Land Adjacent To Nebraska, Moss Lane, Moss Gate, Stone, ST15 8RQ
Ward:	Milwich
Parish:	Hilderstone
Proposal:	Change of use from Garden Centre (Class E) to Residential (Class C3) including replacement of buildings to provide a single storey self-build dwellinghouse and garage (including the temporary siting of a residential caravan for the duration of the build)
Applicant:	Ms J Heather
Recommendation:	Refusal

REASON FOR REFERRAL TO COMMITTEE

The application has also been called-in by Councillor F Beatty (Ward Member for Milwich) for the following reason(s):

- *It is a previously developed site as a retail garden centre, with existing rights to continue as a commercial business, but no longer in operation. So it appears a derelict site and needs a new use.*
- *There are numerous buildings, footings and existing hard standings for reuse.*
- *The proposed single storey home and garage would have less impact on the Green Belt (including its openness) than the existing buildings and current authorised use of the site, plus a beneficial effect on the character and appearance of the local area generally.*
- *Reduction in vehicle movement compared with any ongoing or future commercial use, which is already permitted.*
- *As a self-build proposition, it will contribute to the requirement for LPAs to give suitable permissions to meet identified need. SBC has made little progress in this regard, despite holding a self-build register. The applicant is from a lifelong Hilderstone family.*

- *This is not an isolated site. There is a dwelling next door, other nearby homes, the hamlet of Mossgate within the vicinity, and a nearby STW pumping station.*
- *When bearing in mind all considerations related to this unique proposal to this area, it is a sustainable development that should be supported in this location outside any settlement boundaries, and deemed to be appropriate development in the Green Belt.*

Context

1.0 Site and surroundings

- 1.1 The application site is approximately 3596 m² in size and is located to the west side of Moss Lane, approximately 2.5km north of the village of Hilderstone and 1.2 km south of the village of Fulford.
- 1.2 The site is located within the North Staffordshire Green Belt and is within Flood Zone 1.
- 1.3 An adjoining piece of land which is also in the applicant's ownership is to be set aside for Ecology enhancement, however this does not form part of assessment of this site. The site is bordered by trees and hedges on the boundaries of the site. The site lies adjacent to other dwellings to the south-east and to the north on the opposite side of Moss Lane. There are other dwellings scattered along Moss Lane with small groups of properties around the junction with Balaam's Lane, approximately 500 metres to the north.
- 1.4 The site is only accessible by car and there are no footpaths to either side of the narrow road or street lighting.

2.0 Background

- 2.1 The lawful use of the site as a retail garden centre (A1) has been previously established in the granting of a Lawful Development Certificate under 20/32268/LDC in March 2021, although the applicant's supporting Planning Statement acknowledges that the nursery closed in 2007.
- 2.2 This is the second application for a dwelling on this site with the first proposal under 23/37764/COU for a two-storey house and detached double garage being refused on the following grounds:

"1. The development constitutes inappropriate development which, by definition, is harmful to the North Staffordshire Green Belt and for which no very special circumstances have been demonstrated to outweigh such harm. The proposal involves the construction of one new dwelling, a double garage, driveway walling with large access gates. This results in a visual change to the area and cumulatively an unacceptable reduction in the openness of the North Staffordshire Green Belt. The development is therefore contrary to Paragraphs 147, 148 and 149 of the National Planning Policy Framework.

2. *The proposal would result in an increase of 1x net additional dwelling with large double garage, driveway walling with high solid gates and would be situated outside of a designated settlement within the Sustainable Settlement Hierarchy as defined by Spatial Principle SP3. The proposal has failed to demonstrate that a single dwelling cannot be accommodated within the settlement hierarchy or that the house is required to meet a specific need identified through a Parish based needs assessment, contrary to Policy C5 (A). Furthermore, the overall development would have a larger footprint, volume and massing when compared to the existing permanent structures. The proposal is therefore contrary to Spatial Principles SP3 and SP7 and Policy C5 of The Plan for Stafford Borough.*
3. *The proposed development does not constitute sustainable development in that it is entirely reliant on the private car and does not enable future residents to reasonably choose sustainable modes of transport to access the site as required by national and local planning policies. The proposal is therefore contrary to policies, SP1 and SP7 of The Plan for Stafford Borough and Paragraphs' 104, 110, 111 and 112 of the NPPF.*
4. *The proposed development would exacerbate the risk of conflict between vehicles, pedestrians, and cyclists by reason of the lack of segregated pedestrian facilities and street lighting on comparatively narrow roads with restricted forward visibility and subject to the national speed limit and does not "minimise the scope for conflicts between pedestrians, cyclists and vehicles. The proposal is therefore contrary to policy, T2 of The Plan for Stafford Borough and paragraph 111 of the NPPF."*

3.0 The proposal

- 3.1 The proposal seeks permission for the demolition of a former garden centre (use class A1) and the construction of one single dwelling (use class C3). Other than a brick outbuilding to the north-western boundary all structures have been removed other than the low walls from the former greenhouses.
- 3.2 The Planning Statement reports; 'The proposed dwelling would be served by the existing access (modified to Highways standards). The proposal would require the siting of a temporary residential caravan for the duration of the works.

Officer Assessment - Key Considerations

4.0 Planning policy framework

- 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 Development Plan for the purposes of this application comprises The Plan for Stafford Borough 2011-2031 Parts 1 and 2 (TPSB). This part of the Borough is not covered by an adopted Neighbourhood Plan.

5.0 Principle of development - housing need within Stafford Borough.

- 5.1 Spatial Principle (SP) 1 of the Plan for Stafford Borough (TPSB) reinforces the presumption in favour of sustainable development as set out in paragraphs 8, 10 and 11 of the National Planning Policy Framework (NPPF).
- 5.2 SP2 sets out a requirement for the delivery of 500 houses per year over the plan period which equates to 10,000 dwellings.
- 5.3 SP3 then sets out where the majority of future development will be delivered within the Borough in terms of a Sustainable Settlement Hierarchy which consists of Stafford, Stone and 11 Key Service Villages (KSV's).
- 5.4 The application site is located outside the Sustainable Settlement Hierarchy and in policy terms is located within open countryside or 'Rest of Borough Area' under SP4.
- 5.5 SP4 sets out the housing growth distribution within the Sustainable Settlement Hierarchy, with 8% being allocated to the Rest of Borough Area.
- 5.6 SP7 then gives support to the approach of the location of new development with stating that support will only be given where, amongst other things:
- “ii) it is consistent with the policies of Spatial Principles SP6, Policies E2 and C5 in supporting rural sustainability;*
 - iii) it does not conflict with the environmental protection and nature conservation policies of the Plan;*
 - iv) provision is made for any necessary mitigation or compensatory measures to address any harmful implications.” ii) It is consistent with the objectives of Spatial Principles SP6, Policies E2 and C5 in supporting rural sustainability;*
 - iii) It does not conflict with the environmental protection and nature conservation policies of the Plan;*
 - iv) Provision is made for any necessary mitigating or compensatory measures to address any harmful implications.”*
- 5.7 Concerning provision (ii) SP6 deals with achieving rural sustainability and at provision (iii) requires:
- “iii) Appropriate rural housing schemes to achieve sustainable communities”*
- 5.8 In turn, policy E2 at provision requires residential development to be in accordance with policy C5 in supporting sustainable rural development.
- 5.9 Policy C5 (A) then requires residential proposals outside of the Sustainable Settlement Hierarchy defined within SP3 to meet the criteria in SP7 (ii, iii and iv above) together with all of the following criteria:

- “1. It is demonstrated that provision cannot be accommodated within the Settlement Hierarchy (SP3);*
- 2. Parish based Local Housing Needs Assessment, and an appraisal of the scheme, shall accompany any planning application, providing that it will meet the defined needs;*
- 3. The development is of a high-quality design that reflects the setting, form and character of the locality and surrounding landscape.”*

- 5.10 Regarding criteria 1, the site is not located within the Sustainable Settlement Hierarchy as defined under SP3 and no evidence has been submitted to demonstrate that alternative sites within the settlement hierarchy have been considered as being unsuitable. The submission therefore fails to demonstrate why the proposal cannot be accommodated within the settlement Hierarchy.
- 5.11 Furthermore, a Parish based Local Housing Needs Assessment does not accompany the application contrary to criteria 2 and therefore the proposal fails to demonstrate that it will meet a defined housing need.
- 5.12 Whilst SP4 provides for 8% of the target of 10,000 dwellings to be provided within areas outside of the Sustainable Settlement Hierarchy ('Rest of Borough Area'), equating to 800 dwellings, and it being acknowledged that these figures are not a maximum, the Council's monitoring as of 31 March 2022 indicates that since the adoption of the local plan the current position is 929 Rest of Borough Area completions plus commitments and 12,734 for the entire borough.
- 5.13 On this basis it is likely that more than 10,000 units will be provided during the plan period. Furthermore, the Rest of Borough Area has already reached a figure of 755 before the end of the plan period and in terms of housing need Stafford Borough can currently demonstrate a five-year housing land supply including a 5% buffer.
- 5.14 Consequently, the proposal would contribute towards an unjustified and disproportionate amount of development taking place at a lower level of the Sustainable Settlement Hierarchy which would undermine Councils' Spatial Development Strategy for Housing set out in SP4 of the TPSB.
- 5.15 The siting of a temporary dwelling in the form of a caravan would be acceptable from a planning perspective if permission for the dwelling is granted. Its removal post construction would be conditioned.

6.0 Impact on the North Staffordshire Green Belt

Policy framework

- 6.1 SP7 supports development where if located within the Green Belt it is consistent with national policies for the control of development and Policy E5. Policy E5 is not relevant to this proposal, as it deals with major developed sites in the Green Belt.

- 6.2 Policy C5 applies to residential developments in the Green Belt, and within its sub-text it states 'In the Green Belt areas of Stafford Borough the National Planning Policy Framework's Green Belt policies will be applied when considering new developments'.
- 6.3 Paragraph 142 of the NPPF sets out the fundamental aim of green belt in preventing urban sprawl and keeping land permanently open for which the essential characteristics of Green Belts is their openness and permanence.
- 6.4 Paragraph 143 of the NPPF lists the five purposes of the Green Belt in achieving this aim which include (a) to check the unrestricted sprawl of large built-up areas and (c) to assist in safeguarding the countryside.
- 6.5 Paragraph 152 then states that:

"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."

Previously developed land

- 6.6 The Planning Statement reports 'Historically the site has been used as a garden centre (use class A1) but has stood vacant since 2006. There has been no intervening use since that time. The proposal is to redevelop the site, demolishing the existing buildings and constructing one single dwelling (use class C3) for the applicant's own family. On the basis that the site has been a nursery with a retail use and is a recognised brownfield site does not automatically result in the construction of a house for a family member being sufficient justification on its own.
- 6.7 The Local Plan identifies that development outside of the settlement, on previously land, is only acceptable in exceptional circumstances and in cases where the development is demonstrably necessary to meet the wider objectives of the Local Plan.
- 6.8 The Planning Statement goes onto state;

Paragraph 152 states that "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances". However paragraph 154 sets out a number of exceptions to when LPAs should regard the construction of new buildings as inappropriate in the Green Belt, which includes criterion (g) "limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (**excluding temporary buildings**), which would not have a greater impact on the openness of the Green Belt than the existing development". The point about temporary buildings is an important factor in this proposal which is discussed further below in the floor area and volumetric calculations.

Brownfield land is defined in the Glossary of the NPPF as:

"Previously-developed land is that which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure."

- 6.9 The wider objectives of the Local Plan are to direct housing towards defined settlements to cater for a medium level of dispersed growth. A single open market dwelling in this location is not necessary to meet these wider objectives. The site is not accessible other than by private vehicle. The site itself is not therefore sustainable and is not an appropriate site to re-develop despite its brownfield status.

Whilst the supporting information advises to remove the existing structures; on the officers site visit there was only one permanent structure retained on the site. All other structures glass houses and storage building were no longer present.

Impact on openness

- 6.10 Paragraph 001, Reference ID: 64-001-20190722 of the Planning Practice Guidance states that, when assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case should be applied. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:
- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
 - the duration of the development, and its remendability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
 - the degree of activity likely to be generated, such as traffic generation.
- 6.11 The proposed building will be constructed where there were no buildings in the past. This proposed dwelling would therefore impact on the openness of the green belt from a locational aspect. The Planning Statement advises: 'The proposal would provide a dwelling with a floor area of 172.2m² and volume of 726m³. The detached garage would have a floor area of 35.4m² and volume of 130.05m³. These figures are shown on drawing number RLM1053/3 Rev. 1'.
- 6.12 There is a significant reduction in size compared to the previously refused planning application (LPA ref. 23/37764/COU), which sought permission for a two storey 4-bedroom dwelling located at the centre of the site and double garage to be located adjacent to the front boundary of the site.
- 6.13 In assessing the proposal in volume terms, the overall impact on openness is questionable given that the floor area of 172m² and a dwelling with an overall volume of 726m³ is now to be condensed into one block on the site. This is exacerbated by the additional single garage. The proposal still retains the high gateposts and flank walling resulting in an overall impact on openness when assessed against the modest height of the former structures.
- 6.14 The gates and walling are inappropriate in their own right as a commanding structure which could be omitted from the scheme. This was an issue in respect of the previous application which the agent has not addressed in this proposal.

- 6.15 Officers consider that the former lightweight and see-through glass houses had a significantly less visual impact on the openness of the site than the proposed dwelling and associated garaging.
- 6.16 The Council have acknowledged the use as retail outlet which is therefore by definition previously developed land as set out in the NPPF. The agent has provided comparisons with another appeal. The appeal Saville Brothers Garden Centre, Leeds (PINS reference: APP/N4720/A/07/2038997) – this proposal related to an established retail garden centre with the main buildings comprising a linked series of former (rundown) glasshouses with surrounding hard surfaces. The appeal proposal sought to demolish these buildings to provide new buildings with a lesser footprint but of a greater height and located further away from the frontage than the existing buildings. In allowing the appeal, the Inspector considered the impact on openness, noting a 26% reduction in site coverage of buildings (as well as a 22% reduction when also considering the hardstanding).
- 6.17 The Planning Inspector also apportioned a number of other Very Special Circumstances which this proposal does not have. There was an increase in new jobs created and a more energy efficient building. Taking this into consideration the increase in openness of the green belt were considered cumulatively to be sufficient to allowing the appeal.
- 6.18 The agents in respect of this proposal consider from a volumetric perspective, the proposed dwelling and garage would have a volume of 856.05m³, this would be a 24% decrease from the volume of the existing buildings (of 1124.65m³). From a floor area perspective, the proposed dwelling and garage would have a floor area of 207.6m², which would be a 62% decrease from the floor area of the existing buildings (of 551.2m²).
- 6.19 The aforementioned is not a true calculation of the current buildings on the site given that the only buildings standing is a brick building with a flat roof, and a block garage in the far corner of the site. Officers fail to see how the green houses and polytunnel can be included in the overall floor and volume calculations when they were at best temporary buildings and are now other than some low walls non-existent. The existing structures have a floor area of 235.5m² and the house and garage would have a floor area of 207.6m² resulting in a 5% reduction in floor area not 62%. In respect of volume there would be a 40% increase not 24% as advised.
- 6.20 Officers consider that the fact that there has been an historic use of the site is not in itself an exceptional circumstance. The site has essentially blended back into the background of its rural setting. In this case, following the removal of most of the larger structures what were existing structures with a large floor area, can no longer be used as measure of volume. Pictures of the site clearly show an open site having limited impact on the openness of the green belt. The construction of a 1 and half storey dwelling would therefore clearly impact on that openness post construction. This is evidenced in the figures above with the significant increase in volume.
- 6.21 The proposal is therefore contrary to NPPF paragraph 154 g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

The proposal fails to comply with policy 154g above given the significant increase in volume resulting in a greater impact on the openness of the green belt. The construction of a self-build property is not considered to be a significant very special circumstance that can be supported by officers.

Sustainability

- 6.22 In respect of the points made above by the agents the brownfield status of the site is a material consideration but is not the only consideration to take into account in the overall assessment of the proposal. The agents advise “Blythe Bridge is within approximately 4.3 km of the application site and there are local shops and services within the village, accessible by cycling. There is also a Tesco Superstore and B and Q within Meir Park, approximately 7km of the site”.
- 6.23 Officers consider that the site is not within a sustainable location and is not within walking distance of any facilities. This fundamental issue is exacerbated by the lack of any footways to the site resulting in the only means of transport being the motor car, it is highly unlikely that any resident would cycle 4.3km to the nearest shop from this location. The point of sustainability is also made by the Highway Authority this will be discussed in more detail below.
- 6.24 The proposed new dwelling would have a notable physical presence once constructed resulting in a significant ‘visual change’ to the area. The proposal would consequently create a denser pattern of development resulting in the loss openness and change the character of the area. A dwelling in this location would inevitably be sub-urban in character from the resultant domestic appearance to that of the former low-key nursery and the currently partly cleared site.
- 6.25 On this basis the development is considered unacceptable failing to preserve the openness of the North Staffordshire Green Belt.

Conclusion

- 6.26 In summary, notwithstanding the brownfield status of the site and the supporting information provided by the agent’s; officers consider the proposal represents inappropriate development in the Green Belt. There have been no very special circumstances demonstrated by the agent that would outweigh the harm of an open market dwelling to be erected in this wholly unsustainable location contrary to relevant Local Plan policies.

7.0 Prior approval fall-back position

- 7.1 The agent considers that it is also of merit to note that Class E premises, such as the two brick buildings within the application site, can benefit from permitted development rights through the Class MA prior approval procedure to be converted to dwellinghouses. This is regardless of whether the site/buildings are located within or outside built-up areas and the site's locational sustainability/accessibility. It could therefore be feasible for the applicant to obtain prior approval to create two dwellings (albeit small) in this location. This is also a factor that should be considered in the planning balance, given the Government's clear aspiration to utilise existing commercial buildings to contribute towards meeting the nation's housing need (regardless of their location including whether they are located within larger settlements).
- 7.2 Officers consider this may well be the case however their proximity to trees and the flat roof structure would struggle to form suitable living conditions for future occupants. The other point is that whilst this may be an option however no Class E proposal has been put forward therefore this is a moot point that carries little weight in assessment. This could not therefore be used as a fallback position.

8.0 Self-build housing

- 8.1 In reference to the Self-build element officers have sought advice from Planning policy their advice is as follows:
- “The Plan for Stafford Borough 2011-2031 does not have a specific policy on Self Build / Custom Build housing as the Plan was adopted prior to the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) coming in force. Nevertheless, the supply and demand for Self-Build / Custom Build housing does form part of the other material considerations through the decision-making process on planning applications. At this stage a robust supply of Self Build / Custom Build housing cannot be demonstrated in the locality of the proposed development, based on the baseline demand figures. In accordance with the legal definition of self-build and custom house building these details must be provided through evidence as part of the planning application documentation to demonstrate that the proposed development does fall within these definitions.
- 8.2 Self-build and custom housebuilding covers a wide spectrum, from projects where individuals are involved in building or managing the construction of their home from beginning to end, to projects where individuals commission their home, making key design and layout decisions, but the home is built ready for occupation ('turnkey').
- 8.3 In considering whether a home is a self-build or custom build home, Stafford Borough Council must be satisfied that the initial owner of the home will have primary input into its final design and layout, both through the planning and legal processes. If this information is not provided, proposals will be assessed as off-plan housing, so homes purchased at the plan stage prior to construction and without input into the design and layout from the buyer, so therefore will not be considered to meet the definition of self-build and custom housing.

- 8.4 Notwithstanding all of the other plan-led matters and other material considerations relating to this planning application, if it is considered that consent should be given to the proposed development, a Section 106 agreement will be required to secure the provision of suitable serviced plots of land for self-build / custom build plots in advance of this specific housing type being delivered in accordance with the legal specifications being met through the Section 106 agreement.”
- 8.5 The Council are advised that the applicant is registered with the Council for a self-build property which has been confirmed by officers within the Council. This factor carries some weight in the assessment of the case however the applicant does not have an automatic right to build.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs: 7, 8, 10, 11, 141-143, 152 -155

The Plan for Stafford Borough

Policies: National Planning Policy Framework 2021 (NPPF)

Paragraphs 8 and 11

The Plan for Stafford Borough 2011-2031 (TPSB)

Part 1 – Spatial Principle 1 (Presumption in Favour of Sustainable Development), Spatial

Principle 3 (Sustainable Settlement Hierarchy), Spatial Principle 7 (Supporting the Location of New Development), C5 (Residential Proposals outside the Settlement Hierarchy)

Part 2 – SB1 (Settlement Boundaries)

The Plan for Stafford Borough: Part 2

9.0 Character and appearance

- 9.1 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. The proposed 1 and a half storey dwelling itself is considered to be in-keeping in respect of its form and design in relation to other properties in the surrounding area that has a wide mix of forms and scales.
- 9.2 Notwithstanding this point the proposal would have an adverse visual and spatial impact resulting in harm to the openness of the surrounding green belt. There is no set pattern of development in the area, housing along Moss Lane is sporadic at best forming an intrinsic characteristic of the wider landscape character in this area.

- 9.3 Furthermore, whilst the design of the dwelling is not out of keeping with surrounding properties in the area, the proposal results in loss to the openness of the Green Belt given that the site is now open post the removal of most of the former garden type buildings greenhouses. A dwelling also introduces domestic paraphernalia and a single garage large double height gates and flank walling adjacent the road which further harms the character and appearance of this semi-rural area contrary to Policy N1 and N8.
- 9.4 The agent reports there would be an enhancement to the appearance of the site which has stood redundant since 2006; the report further states refusal would mean the site continuing to be redundant to the detriment of the countryside and neighbouring properties or reinstatement of a retail use which would have a greater impact on both.
- 9.5 Given that the only building is a brick outbuilding within the site following the removal of the green houses and storage building, the site has already been enhanced by removal of these unsightly structures. Officers consider it is highly unlikely that a retail garden centre would be reintroduced given the replacement costs in doing so. This argument therefore carries little if any material weight in the assessment of the case.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs: 131, 135, 180

The Plan for Stafford Borough

Policies: N1 Design; N8 Landscape character; C5 (Residential Proposals outside the Settlement Hierarchy)

Supplementary Planning Document (SPD) – Design

10.0 Residential amenity

- 10.1 Criteria (e) of Policy N1 of the TPSB and the SPD require design and layout to take account of adjacent residential areas and existing activities.
- 10.2 The proposed dwelling would lie gable end onto the property known as 'Nebraska' to the south-east there is a significant distance between the two sites and existing boundary hedgerows. Residential amenity should not therefore be an issue for this nearest dwelling. The property over the access road is also a significant distance away and would not be visible due to the topography and existing boundary treatments.
- 10.3 Comments have been received from the neighbour in respect of a retaining wall, septic tank and electric and telephone poles; however these are not considered to be material considerations but ones for the interested parties to deal with. In respect of sewage the applicant has not provided any details.

- 10.4 Guideline 3 of the SPD for Design requires a detached dwelling to have 65sqm of private amenity space. The proposed development would have over 300sqm of garden space and as such complies with the guidance set out for private amenity space.
- 10.5 Overall, it is considered the proposal will not result in a significant adverse impact upon the amenities of neighbouring residential occupiers in terms of overshadowing and overlooking.
- 10.6 The property would have a reasonable aspect for future residents and would also have a suitable amount of garden area.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs: 135

The Plan for Stafford Borough

Policies: N1 Design

Supplementary Planning Document (SPD) - Design

11.0 Access and parking

- 11.1 Appendix B of the TPSB require 2 car parking spaces to be provided for a 3 bedroomed dwelling. Submitted plans show there is sufficient parking provision to meet this requirement and to enable vehicles to enter and leave the development in forward gear.
- 11.2 The agent states:
- The Technical Note by SCP demonstrates at Appendix C that the existing site access can provide visibility splays of 2.4m x 33m in the north west direction and 2.4m x 10m in the south east direction, without the need to remove any of the existing boundary hedgerow. The report acknowledges that this falls short of the visibility requirements for a 60mph road, but considers that the proposed development would result in an overall betterment in highway safety terms given the deintensification of the use of the site (by comparison to its lawful use that could re-commence using the existing site access without requiring planning permission)
- 11.3 The Highway Authority considers that the proposed parking arrangements are satisfactory and meets SBC parking requirements.

- 11.4 With regards to the access, the Highway Authority state: “I note the applicant is proposing to amend the existing vehicular access by relocating the double gated access 5.25m rear of the carriageway edge with the gates opening inwards towards the site. This will enable a vehicle to safely park off the highway and open/close the gates. However, I have measured the proposed width of the access to be 3.5m SCC normally require a minimum of 4.2m for a private drive in order to allow x2 vehicles to safely pass each other. Given this access is off a C Class Road with a speed limit of 60mph I will require the access to be widened to a minimum of 4.5m up to the access gates to allow for ease of access for either residents or visitors. Highways would not wish to see a vehicle waiting on the highway creating an obstruction whilst another vehicle is egressing the site. Therefore, this will need to be widened”.

This has not been amended to address the issue raised above.

- 11.5 The agent reports:

It is important to note that, whilst additional visibility could be provided through the removal of additional hedgerow along the site boundary, this would be to the detriment of the wider visual amenity and rural character of the area; thus when considering the scheme in the overall planning balance (particularly when assessing its impact upon the openness of the Green Belt and the overall design of the scheme) it is reasonable to suggest that the optimum option would be to retain the existing hedgerow in its entirety, whilst still achieving the visibility splays detailed at Appendix C to the Technical Note.

The Technical Note also confirms the proposed access would have gates sited 5.25m back from the edge of the carriageway, providing sufficient room for a vehicle to wait off the highway before entering the site; this is considered to be a betterment from the existing gated access that currently runs along the highway edge.

The Technical Note concludes that “there is no highway or transport related reason to withhold planning permission”.

- 11.6 In light of the above, it is considered that the proposal would satisfy Policy T2 of The Plan for Stafford Borough and paragraph 115 of the Framework.

- 11.7 With regards to sustainability, the Highways Officer goes onto comment:

“The proposed location for this residential dwelling is not in a sustainable location. By this I mean the location has no amenities such as a local shop or access to any medical or educational facilities. All trips to such facilities are more than likely to be made via a private car. Any future occupants would need to travel to Stone or Stoke-on Trent to access the nearest facilities therefore it is likely that all journeys would be made by private car. The neighbouring lane is unlit and has no footway provision and would require any resident to walk within the road should they wish to walk within the immediate neighbourhood. Given the above, whilst the site is proposed for residential development, the application site’s rural location and lack of pedestrian and cycle facilities to local services and amenities means that the site is not sustainably located in transport terms, and it is highly likely that the majority

of future trips from the application site would be via private car. Therefore, this proposal would generate an increase in vehicle movements on a substandard road leading to an increase in hazards for users of this highway.

- 11.8 Highways officer's recommends the application should be refused for the following reasons:
1. The proposed development does not constitute sustainable development in that it is entirely reliant on the private car and does not enable future residents to reasonably choose sustainable modes of transport to access the site as required by national and local planning policies.
 2. The proposed development would exacerbate the risk of conflict between vehicles and pedestrians and cyclists by reason of the lack of segregated pedestrian facilities, no street lighting on a C Class Road subject to the national speed limit and are unsuitable to cater for additional development leading to an increase in the likelihood of danger to highway users particularly those considered vulnerable.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs: 108, 109, 110, 111, 115

The Plan for Stafford Borough

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

12.0 Other matters

- 12.1 The Biodiversity officer agrees with the (PEA report) submitted with the proposal provided this is conditioned and informative added to avoid bird nesting seasons and bat boxes are conditioned together with the retention of hedgerows and trees.
- 12.2 One letter commenting on the 'removal of the adjacent building to Nebraska seeking clarification that a replacement wall will be constructed to replace it'. This is a civil matter when it comes to boundaries.
- 12.3 'The office of the site also had a toilet that utilises the septic that lies within my property, it is hoped that the new dwelling will have its own system'. The applicant has advised that they will install their own sewerage system. This would be conditioned if minded to approve.
- 12.4 'There are telephone wires and electric cables that are to be moved I would like to be assured that this will not inconvenience my property or be at my expense'.
- 12.5 The issue of moving telephone wire and cables would be a civil matter for the interested parties to deal with.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs: 8, 123, 165, 180, 181, 182 and 183 biodiversity],

The Plan for Stafford Borough

Policies: N2 Climate change; N4 The natural environment and green infrastructure; N6

Cannock Chase special area of conservation;

13.0 Conclusion and planning balance

- 13.1 The proposal would result in an increase of 1x net additional dwelling but would be situated outside of a designated settlement within the (Sustainable Settlement Hierarchy) as defined by Spatial Principle SP3. The proposal has failed to demonstrate that a single dwelling cannot be accommodated within the settlement hierarchy or that the house is required to meet a specific need identified through a Parish based needs assessment therefore is contrary to Policy C5 (A). The point about this being a self-build project carries some weight, (the applicant is on the Councils self-build register).
- 13.2 The overall development would alter the visual aspect of the existing site by the introduction of a dwelling, single garage driveway walling and large entrance gates together with the usual paraphernalia associated with a domestic use. The proposal would result in an adverse visual impact on the character of the area contrary to N1 and N8 of TPSB.
- 13.3 The proposal has also failed to demonstrate that suitable wide enough entrance can be provided to avoid another motorist having to wait on the highway to allow the other car to egress onto the highway, this causes a highway safety issue.
- 13.4 There has been a shift in emphasis to protect all highways users and a need for sites to provide alternative modes of transport to achieve sustainability for which there are none that are safely accessible from this site. The site is not in a sustainable location there are no footways along Moss Lane to be able to walk safely to the nearest bus stop for example. It is highly likely that the only mode of transport from this site would be the motor car this is not therefore an appropriate site to develop for one open market dwelling.

Consultations

Highway Authority:

Subject to achieving the required visibility splays the access would appear to be ok. However, sustainability and a road safety issue involving the increased conflict between pedestrians and motor vehicles. I note that the proposed location for this residential dwelling is potentially not in a sustainable location i.e., no local amenities within a safe walking distance, all journeys would be by car. The neighbouring roads are fast, unlit and also have no footway provision and would require any resident to walk within the road should they wish to walk within the immediate neighbourhood. The closest bus stops are on Fulford Road, immediately outside of

the village hall, approximately 1.2km from the application site. Full comments are outlined above.

Forward Planning:

Commented specifically about the Councils position on self-builds please see paragraphs' 8.1 -8.5 above.

Bio-diversity officer:

No objections to the proposal. Taking into account the developed nature of the existing land conditions, it is agreed that specific Biodiversity Net Gain metric assessments are not required but rather, the measures outlined in the PEA report should be used to guide biodiversity enhancements.

Reasonable Avoidance Measure should be adopted for amphibians, reptiles and mammals (including badger and hedgehog) - as advised in the report.

Parish Council:

No response received

Neighbours:

(10 consulted): One neighbour commented on a number of aspects that were not planning matters (discussed above) 7 other letters in support of the proposal commenting as follows;

- Good use of this land after being empty for so long
- In keeping with the area
- Complement nearby properties

Publicity

Site notice expiry date: 29 May 2024

No representations received other than quoted above.

Relevant Planning History

23/37764/COU - Change of Use from A1 (Garden Centre) to C3 (Residential) and temporary siting of residential caravan for duration of build – Refused 2 October 2023.

20/32268/LDC - Certificate of lawful existing use to confirm the lawful use of land and buildings as a garden Centre (use class A1) – Permit 31 March 2021.

Recommendation

Refuse for the following reasons:

1. The development constitutes inappropriate development which, by definition, is harmful to the North Staffordshire Green Belt and for which no very special circumstances have been demonstrated to outweigh such harm. The proposal involves the construction of one new dwelling, a single garage, driveway walling with large access gates. This results in a visual change to the area and cumulatively an unacceptable reduction in the openness of the North Staffordshire Green Belt from the significant increase in volume of the building. The development is therefore contrary to Paragraphs 142, 143, 152 and 154g of the National Planning Policy Framework.
2. The proposal would result in an increase of 1x net additional dwelling with a single garage, driveway walling with high solid gates and would be situated outside of a designated settlement within the Sustainable Settlement Hierarchy as defined by Spatial Principle SP3. The proposal has failed to demonstrate that a single dwelling cannot be accommodated within the settlement hierarchy or that the house is required to meet a specific need identified through a Parish based needs assessment, contrary to Policy C5 (A). Furthermore, the overall development would have a larger, volume and massing when compared to the permanent existing structures. The proposal is therefore contrary to Spatial Principles SP3 and SP7 and Policy C5 of The Plan for Stafford Borough.
3. The proposed development does not constitute sustainable development in that it is entirely reliant on the private car and does not enable future residents to reasonably choose sustainable modes of transport to access the site as required by national and local planning policies. The proposal is therefore contrary to policies, SP1 and SP7 of The Plan for Stafford Borough and Paragraphs' 108, 109 110, 111 and 115 of the NPPF.
4. The proposed development would exacerbate the risk of conflict between vehicles, pedestrians and cyclists by reason of the lack of segregated pedestrian facilities and street lighting on comparatively narrow roads with restricted forward visibility and subject to the national speed limit and does not "minimise the scope for conflicts between pedestrians, cyclists and vehicles. The proposal is therefore contrary to policy, T2 of The Plan for Stafford Borough and paragraph 111 of the NPPF.

24/38835/FUL
Land Adjacent To Nebraska
Moss Lane



Application:	24/39235/PDEM
Case Officer:	Ed Handley
Date Registered:	10 June 2024
Target Decision Date:	8 July 2024
Extended To:	6 September 2024
Address:	Former Co-op department store, Gaolgate Street, Stafford
Ward:	Forebridge
Parish:	-
Proposal:	Demolition of the former Co-op department store
Applicant:	Stafford Borough Council
Recommendation:	That prior approval be granted

REASON FOR REFERRAL TO COMMITTEE

This application has been referred to the Planning Committee because the applicant is Stafford Borough Council.

Context

The proposal seeks the demolition of the former Co-op Department Store building, except for the front element of the unit facing Gaolgate Street, within Stafford town centre. The applicant wishes to proceed with the demolition of the building with a view to redevelopment of the site; it is advised that a full planning application is likely to be submitted in 2024 for a scheme comprising a mix of residential and commercial space.

The demolition of a building is permitted development under Schedule 2, Part 11, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO), subject to the applicant applying to the local planning authority for a determination as to whether the prior approval of that authority would be required to the method of demolition and any proposed restoration of the site.

Gaolgate Street and Market Square are lit pedestrian zones, with Traffic Regulation Orders (TRO) to prohibit loading (Monday–Saturday 10:00-16:00) and have speed limits of 20mph.

Officer Assessment – Key Considerations

1. Assessment

The application is supported by a site plan / demolition area drawing and the following supporting documents:

- Geo-environmental desk study assessment.
- Preliminary ecological appraisal.
- Bat emergence survey.
- Heritage statement.
- Demolition method statement.

The preliminary ecological appraisal clearly stated that a bat emergence survey of the building would be required; the applicant has since submitted this in support of the application. Furthermore, the ecological appraisal recommends that building demolition and site clearance is to be undertaken outside of the typical bird nesting season, or following checks by a suitably qualified ecologist. The Council's Biodiversity Officer raises no objection to the proposed demolition on the basis that no bats were found roosting in the building; it is recommended that the demolition is carried out in accordance with the recommendations made in the report. The applicant has advised (within their demolition method statement) that any site lighting or security lighting would be directed downwards; the Council's Biodiversity Officer has advised that this would be appropriate in this case, given that the surveys found no bats. Whilst bat boxes are recommended, it is considered that these should be secured as part of any future redevelopment of the site. With regard to the conclusions of the preliminary ecological appraisal, it is considered that nesting birds are more effectively protected under separate legislation and an informative should bring the protected status of nesting birds to the attention of the applicant. Consequently, a condition to ensure that demolition is carried out in accordance the demolition method statement is considered to be necessary.

With regard to the initial submission the local highway authority raised concern, with particular regard to pedestrian safety during the proposed works of demolition. Further information was requested regarding the number of HGVs and the timescales involved in carrying out the works in order to ascertain if the route remains safe for pedestrians. Furthermore, details were requested regarding proposed measures for pedestrian protection, and details to demonstrate that HGVs could access and leave the site in forward gear without having to reverse onto the highway. Following the submission of additional information, the highway authority raise no objection to the proposed demolition on the basis that the submission appears to be acceptable and that it is apparent that a detailed construction environmental method statement (CEMP) would be submitted when a contractor is appointed. The CEMP should be secured by condition prior to the commencement of any works and should include details of how any HGV would enter and leave the site in a forward gear.

The highway authority advise that vehicular movement by demolition vehicles contrary to traffic regulation orders in the area will require a permit. An informative should be attached to any approval to bring this to the attention of the applicant.

Comments have been made regarding vehicles associated with the works not parking on the pedestrianised streets surrounding the site; however, it is considered that this is more effectively controlled under separate legislation and a condition to this effect would not be enforceable.

The demolition method statement submitted in support of the application has been revised during the course of consideration to take into account the recommendations of the Council's Environmental Health Officer with regard to dust control, noise, and high intensity illumination. Consequently, the Environmental Health Officer raises no objection to the proposed demolition and it is considered that a condition should be attached to any approval to ensure that the works are carried out in accordance with the demolition method statement.

The Council's Conservation Officer raises no objection to the demolition of the 1970s building which lies outside of the Stafford Town Conservation Area boundary, noting that the 1930s façade fronting Gaolgate Street would be retained. It is noted that works would proceed in accordance with an agreed written scheme of investigation and that the project would facilitate the redevelopment of the site and the consequent public benefits in contributing to the ongoing transformation of the town centre.

The County Archaeologist advises that site is located within an archaeologically sensitive part of Stafford where there is a particularly high potential for below ground archaeological deposits to survive and that this has been demonstrated in previous archaeological works in the area. Considering the likely below ground impact of the proposed demolition works as outlined in the supporting demolition method statement, which will see all hardstanding, floor slabs, foundations, and footings removed to a depth of 1.5m below ground level, it is recommended that an archaeological watching brief is carried out during any works which have the potential to reveal below ground archaeological features (such as the removal of the ground slab and grubbing out of foundations). A watching brief would also inform our understanding of the impact of the extant buildings and their foundations on any archaeological features which may have been present, allowing decisions to be made regarding any further archaeological mitigation in this area (if any) during any future redevelopment.

The Council's Tree Officer raises no objection to the proposed demolition, however, it is noted that there are high amenity value trees on the pedestrianised pavement to the west of the building and, whilst demolition is not likely to be problematic the methodology should be controlled to prevent damage to the trees. The Council's Tree Officer has advised that a tree protection plan should be secured by pre-commencement condition; the plan should ensure that either the root protection area or the crown spread (whichever is largest) is adequately protected.

It is accepted that the long-term redevelopment of the site would be subject to a further planning application; however, the proposed interim restoration of the site would comprise the storage on site of crushed clean brickwork and concrete in stockpiles no higher than 5m and the retention of 2.4m timber hoarding to the boundary of the site.

Whilst it is noted that there is some risk that the site would not be developed in the near future, given the location of the site within Stafford town centre, it is considered that redevelopment is likely and would clearly be in the interests of the applicant. However it is considered that it is necessary in the interests of visual amenity to limit the height of any stockpiles of crushed clean brickwork and concrete to no higher than 3m.

Given the context of the site, and with the limitation in the height of stockpiles, it is considered that the proposed 'restoration' is acceptable as this would leave a secure and suitable site for future redevelopment.

2. Conclusion

The method of demolition and means of restoration of the site are broadly acceptable and it is considered that prior approval should be granted, subject to conditions.

Consultations

Highway Authority:

(Comments dated 13 August 2024):

No objection.

- The information and swept path plan provided are acceptable, and indicate that a details Construction Environmental Management Plan (CEMP) would be provided when a contractor is appointed.
- A CEMP should be secured be pre-commencement condition and shall include details to demonstrate how HGVs can enter and leave the site in a forward gear.
- Any vehicular movement by demolition vehicles between 10:00 and 16:00 on within the surrounding pedestrianised streets will require a permit.

(Comments dated 26 July 2024):

Objection.

- This is a town centre, pedestrianised location. The number of HGV movements and timeframe for demolition should be known to ascertain if the route remains safe for pedestrians.
- It is unclear what measures are proposed to protect pedestrians.
- The documents provided do not demonstrate that HGVs can enter and leave the site in a forward gear; vehicles should not be reversing onto the highway.
- No vehicles associated with the demolition works are to park on the pedestrianised streets surrounding the site.
- Gaolgate Street and Market Square are subject to traffic regulation orders prohibiting loading Monday-Saturday (10:00-16:00).

(Comments dated 26 July 2024):

Objection.

- The number of HGVs involved in the proposed works and the timescales to carry out the works should be known in order to ascertain if the route remains safe for pedestrians. It is unclear what measures are being taken to protect pedestrians.

- The submission does not demonstrate that HGVs could enter and leave the site in forward gear. Vehicles should not reverse onto the highway.
- No vehicles associated with the works should park on the pedestrianised streets surrounding the site.

Biodiversity Officer:

(Comments dated 31 July 2024):

No objection.

- As there weren't any bats found, the use of downward facing lighting would be sufficient, in this case.

(Comments dated 30 July 2024):

No objection.

- The bat survey report is clear that no bats were found roosting in the buildings.
- Recommendations made in the report should be followed as stated:
 - o A lighting strategy should be implemented to reduce potential disturbance in the area.
 - o At least two bat boxes should be included within the final layout.

(Comments dated 24 June 2024):

Objection.

- The appraisal is quite clear that one bat survey is required. As we are not in the most suitable time of year to carry out that survey I see no reason why it can't be done.

Environmental Health Officer:

(Comments dated 31 July 2024):

No objection.

- The requests made have been satisfactorily addressed in the revised demolition method statement.

(Comments dated 16 July 2024):

No objection.

The demolition methodology is generally satisfactory, however the following should be secured:

- The use of dust control water suppression 'dust canons' or rotary atomisers continuously during dust generating demolition activities.

- Disc cutting tools and other similar noise generating tools should be used within an acoustic enclosure such as noise absorbent blankets.
- High intensity site lighting or security flood lighting should be directed downwards and away from residents on Stafford Street.

Conservation Officer:

No objection.

- No objection to the demolition of the 1970s building and retention of the 1930s façade fronting Gaolgate Street.
- It is unfortunate that a heritage statement has not been provided in support of the application as the site has some archaeological potential, however the demolition method statement states that heritage and archaeology assessments would be undertaken ahead of works taking place and, where areas of interest and significance are identified, works would proceed in accordance with an agreed written scheme of investigation.

County Archaeologist:

- It is disappointing that the heritage statement does not consider the likely archaeological implications of the proposal.
- The application site is located in an archaeologically sensitive part of Stafford; it is believed to lie within the boundary of the Saxon burh and was occupied by medieval burgage plots. The Stafford Extensive Urban Survey (SEUS) highlights that there is a particularly high potential for below ground archaeological deposits to survive across the whole of the (West of Gaolgate Street and Broadeye) character area, and that this has been demonstrated in previously archaeological works in the area.
- The SEUS also notes that extant historic buildings have the potential to retain earlier fabric relating to their origins and function and concludes that where development may result in the loss of these heritage assets (whether wholly or in part) archaeological evaluation and/or mitigation may be required to record and advance the understanding of their significance.
- Considering the likely below ground impact of the proposed demolition works which would see all hardstanding, floor slabs, foundations, and footings removed to a depth of 1.5m below ground level, there is potential for grounds to impact upon below ground archaeology which may contribute to our understanding of the development of the town/settlement from at least the Anglo-Saxon period onwards.
- An archaeological watching brief should be carried out during any works (such as the removal of the ground slab and grubbing out of foundations) that have the potential to reveal below ground archaeological features. The watching brief will inform our understanding of the impact of the extant buildings and their foundations on any archaeological features which may have been present, allowing decisions to be made regarding any further archaeological mitigation in this area during subsequent phases of work. Such further mitigation could include evaluation trenching; a strip, map, and sample excavation; or an archaeological watching brief.

- Two conditions are recommend, relating to a watching brief and appropriate recording and consideration of any findings.

Tree Officer:

(Comments dated 7 August 2024):

No objection.

- A pre-commencement condition to require a tree protection plan would be appropriate.

(Comments dated 30 July 2024):

No objection.

- The root protection area should be protected as the defining constraint if that is larger than the crown spread.
- A tree protection plan which protects the trees from impact to either the root protection area or the crown spread (whichever is the maximum) is required.

(Comments dated 19 July 2024):

No objection.

- There are trees on the pedestrianised pavement to the west of the building which have high amenity value.
- Demolition is not likely to be problematic but methods must be controlled to prevent damage to the trees.
- An arboricultural method statement which details suitable demolition methods and tree protection measures should be submitted for approval prior to the commencement of demolition works.

Neighbours:

No representations received.

Relevant Planning History

None.

Recommendation

Grant the prior approval subject to the following conditions:

1. The development to which this prior approval relates shall be carried out in accordance with the approved details and documentation, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence, within a period of five years from the date on which this approval was given.
2. The development shall be carried out in accordance with the following documents:-

- B046881 TTE 00 XX DR UD 01 A (Red line boundary)
 - B046881 TTE 00 XX DR UD 06 A (Demolition plan)
 - 784-B047195 (Demolition Method Statement, dated June 2024, by Tetra Tech)
3. No development shall commence unless and until a Demolition Management Plan (DMP) has been submitted to, and approved in writing by, the local planning authority. The DMP shall include the following listed elements and the demolition works shall thereafter be carried out in accordance with the approved DMP:
 - Traffic Management Plan, broadly in accordance with the scope set out in the approved demolition method statement.
 - Details to demonstrate that all demolition vehicles, including any HGVs, could access and leave the site in forward gear without having to reverse onto the highway.
 4. No development shall commence unless and until a tree protection plan has been submitted to, and approved in writing by, the local planning authority. The demolition works shall thereafter be carried out in accordance with the approved tree protection plan.
 5. No works below ground level or slab level shall be carried out unless and until a project design has been submitted to, and approved in writing by, the local planning authority. The project design shall provide details of the programme of archaeological works to be carried out within the site, including post-fieldwork reporting and the provision of post-demolition analysis, publication, and dissemination of the results and archive deposition. The archaeological site work and post-demolition provision shall thereafter be implemented in accordance with the approved project design and timeframes contained therein.
 6. The demolition works shall be carried out in accordance with the following documents:
 - 784-B047195 v2 (Preliminary ecological appraisal, dated June 2024, by Tetra Tech)
 - 784-B047195 v1 (Bat emergence survey, dated July 2024, by Tetra Tech)
 7. Notwithstanding the Post Demolition Works and Boundary Treatment specified in 1.4 Scope of Works of 784-B047195 (Demolition Method Statement, dated June 2024, by Tetra Tech) the storage of crushed clean brickwork and concrete on site shall be in stockpiles no higher than 3 metres.

The reasons for the Council's decision to grant prior approval subject to the above conditions are:

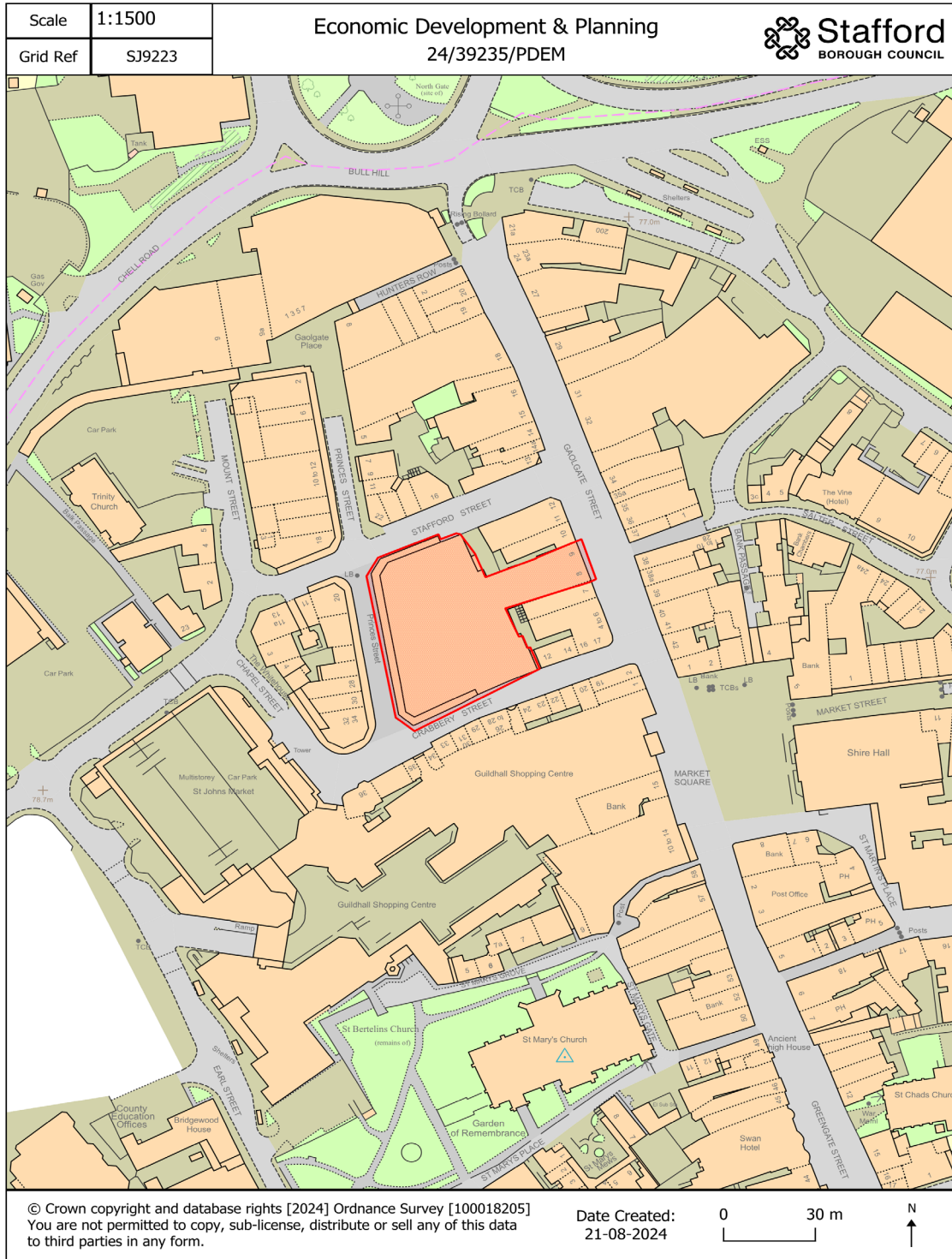
1. To comply with the requirements of Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2. To comply with the requirements of Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
3. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
4. To enable the Local Planning Authority to consider the scheme of development and the landscaping proposals in relation to the existing trees and hedges. (Policy N4 of The Plan for Stafford Borough).
5. In order to ensure that an appropriate record is kept of a heritage asset in accordance with paragraph 205 of the National Planning Policy Framework.
6. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 180 of the National Planning Policy Framework).
7. In the interests of the visual amenity of the site and surrounding area. (Policy N1 g and h of The Plan for Stafford Borough).

Informatives

- 1 The applicant's attention is drawn to the comments made by the local highway authority with regard to the requirement for permits for vehicular movements contrary to traffic regulation orders in force in the area. All comments can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).

24/39235/PDEM
Former Co-op Department Store
Gaolgate Street
Stafford



Application:	23/37238/FUL
Case Officer:	Ed Handley
Date Registered:	16 June 2023
Target Decision Date:	15 September 2023
Extended To:	-
Address:	Shugborough Park, Lichfield Road, Shugborough, Stafford, Staffordshire, ST17 0XB
Ward:	Haywood and Hixon
Parish:	Colwich
Proposal:	Proposed visitors welcome centre, creation of new site access off Lichfield Road along with updated traffic management to existing access with associated new car park, the conversion of two outbuildings to provide updated staff facilities and toilets and demolition and rebuild of the existing southwest curved wall to the walled garden and removal of a later gateway
Applicant:	National Trust
Recommendation:	That the application be approved, subject to conditions and the applicant entering into a planning obligation

REASON FOR RE-REFERRAL TO COMMITTEE

The application has been referred back to the planning committee following the resolution, of the Special Planning Committee on 27 February 2024, that the application be approved, subject to conditions and the applicant entering into a planning obligation. Due to the time taken for the s106 agreement to be completed, issuing a decision on the basis of the Committee resolution would result in an immediate conflict with conditions 29 and 30 given their requirement to monitor traffic movements during the 2024 Easter Bank Holiday weekend.

It is noted that the applicant has separately agreed a methodology with the local highway authority and carried out monitoring over that weekend; the applicant has since submitted a copy of the methodology and the results of the monitoring activity (the 'baseline') with which the highway authority raise no concern.

It is recommended that following the agreement of the highway authority conditions 29 and 30 are revised to read as below:

- 29) *“The number of vehicles turning right from the A513 into the Shugborough Estate at the junction shown on plan 893-30-CIV-XX-XX-D-Z-90500 P01 shall be monitored and recorded in accordance with the approved methodology (set out in document “Condition 29 – Traffic Survey 893-30-CIV-XX-XX-R-H-40003”) over each Easter Bank Holiday weekend (Thursday to Monday inclusive) for a period of 5 years following the development first being brought into use and the results of the recording and monitoring shall be provided to the Local Planning Authority in writing within 28 days of the monitoring and recording taking place.”*
- 30) *“If, in any year within the 5 years following the development first being brought into use, the number of vehicles turning right from the A513 into the Shugborough Estate at the junction shown on plan 893-30-CIV-XX-XX-D-Z-90500 P01 exceeds 110% of the baseline position as surveyed in 2024 (survey date 29/03/2024 – 01/04/2024, project number 4536-MID), a Traffic Management Scheme shall be installed, to include road signage (including advance directional signage) and road markings restricting motorised vehicles entering the Shugborough Estate from the A513 within 12 months of the monitoring a recording period within which the baseline position was exceeded.”*

This does not affect any conditions on the related application for listed building consent 23/37342/LBC, which was also the subject of the Special Planning Committee consideration on 27 February 2024.

Recommendation

Approve subject to the following conditions and the applicant entering into a planning obligation:

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

2202-3-010 P Existing Ground Floor Plan

2202-3-020 P WW2 Building - Existing GF Plan

2202-3-021 P WWII Building - Existing Roof Plan

2202-3-030 P Walled Garden Building - Existing GF Plan

2202-3-051 P WW2 Building - Existing Sections

2202-3-060 P OEC Canteen Building - Existing Elevations

2202-3-061 P WWII Building - Existing Elevations

2202-3-062 P Walled Garden Building - Existing Elevations

2202-3-110 P1 Visitor Centre- Proposed Ground Floor Plan

2202-3-111 P1 Visitor Centre- Proposed Roof Plan

2202-3-112 P Proposed Reflected Ceiling Plan

2202-3-120 P2 WWII Building - Proposed GF Plan

2202-3-121 P2 WWII Building - Proposed Roof Plan

2202-3-130 P Walled Garden Building - Proposed GF Plan

2202-3-201 P1 Visitor Welcome Building- Sections

2202-3-220 P2 WW2 Building - Proposed Sections

2202-3-301 P1 Visitor Welcome Building- E and W Elevations

2202-3-302 P1 Visitor Welcome Building- NE and SW Elevations

2202-3-303 P1 WC Building- Elevations

2202-3-310 P2 WWII Building - Proposed Elevations

2202-3-320 P Walled Garden Building - Proposed Elevations

2202-3-500 P Visitor Centre and Toilet Block Section Details

2202-3-501 P WWII Building - Proposed Details

3599-LAN-ZZ-XX-DR-L-1001-P02 - Landscape Mitigation Strategy (1 of 3)

3599-LAN-ZZ-XX-DR-L-1002-P01 - Landscape Mitigation Strategy (2 of 3)

3599-LAN-ZZ-XX-DR-L-1003-P01 - Landscape Mitigation Strategy (3 of 3)

893-30-CIV-XX-XX-D-C-30000 P06 PROPOSED BELOW GROUND DRAINAGE SITEWIDE

893-30-CIV-XX-XX-D-C-30001 P02 PROPOSED BELOW GROUND DRAINAGE SHEET 1

893-30-CIV-XX-XX-D-C-30002 P06 PROPOSED BELOW GROUND DRAINAGE SHEET 2

893-30-CIV-XX-XX-D-C-30003 P06 PROPOSED BELOW GROUND DRAINAGE SHEET 3

893-30-CIV-XX-XX-D-C-30004 P06 PROPOSED BELOW GROUND DRAINAGE SHEET 4

893-30-CIV-XX-XX-D-C-30005 P06 PROPOSED BELOW GROUND DRAINAGE SHEET 5

893-30-CIV-XX-XX-D-G-20011 P04 FFL CONTOURS SITEWIDE
893-30-CIV-XX-XX-D-G-20012 P04 FFL CONTOURS SHEET 1
893-30-CIV-XX-XX-D-G-20013 P04 FFL CONTOURS SHEET 2
893-30-CIV-XX-XX-D-G-20014 P04 FFL CONTOURS SHEET 3
893-30-CIV-XX-XX-D-G-20015 P04 FFL CONTOURS SHEET 4
893-30-CIV-XX-XX-D-G-20016 P04 FFL CONTOURS SHEET 5
893-30-CIV-XX-XX-D-G-20017 P04 FFL CONTOURS SHEET 6
893-30-CIV-XX-XX-D-G-20018 P04 FFL CONTOURS SHEET 7
893-30-CIV-XX-XX-D-G-20019 P04 FFL CONTOURS SHEET 8
893-30-CIV-XX-XX-D-G-20020 P04 FFL CONTOURS SHEET 9
893-30-CIV-XX-XX-D-G-20021 P04 FFL CONTOURS SHEET 10
893-30-CIV-XX-XX-D-H-40100 P03 S278 and S38 SWEPT PATH PLAN
893-30-CIV-XX-XX-D-H-40130 P02
893-30-CIV-XX-XX-D-H-40131 P02
893-30-CIV-XX-XX-D-H-40132 P02
893-30-CIV-XX-XX-D-H-40133 P02
893-30-CIV-XX-XX-D-H-40134 P02
893-30-CIV-XX-XX-D-Z-10010 P06 PLANNING RED LINE BOUNDARY SITE
PLAN
893-30-CIV-XX-XX-D-Z-10011 P06 PLANNING RED LINE BOUNDARY SHEET 1
893-30-CIV-XX-XX-D-Z-10012 P06 PLANNING RED LINE BOUNDARY SHEET 2
893-30-CIV-XX-XX-D-Z-90100 P03 S278 and S38 BOUNDARY PLAN SITE WIDE
893-30-CIV-XX-XX-D-Z-90101 P03 S278 and S38 BOUNDARY PLAN SHEET 1
893-30-CIV-XX-XX-D-Z-90102 P03 S278 and S38 BOUNDARY PLAN SHEET 2
893-30-CIV-XX-XX-D-Z-90103 P03 S278 and S38 BOUNDARY PLAN SHEET 3
893-30-CIV-XX-XX-D-Z-90104 P03 S278 and S38 BOUNDARY PLAN SHEET 4
893-30-CIV-XX-XX-D-Z-90130 P03 S278 and S38 GENERAL ARRANGEMENT
PLAN SITE WIDE

893-30-CIV-XX-XX-D-Z-90131 P04 S278 and S38 GENERAL ARRANGEMENT
PLAN SHEET 1

893-30-CIV-XX-XX-D-Z-90132 P04 S278 and S38 GENERAL ARRANGEMENT
PLAN SHEET 2

893-30-CIV-XX-XX-D-Z-90133 P03 S278 and S38 GENERAL ARRANGEMENT
PLAN SHEET 3

893-30-CIV-XX-XX-D-Z-90134 P03 S278 and S38 GENERAL ARRANGEMENT
PLAN SHEET 4

893-30-CIV-XX-XX-D-Z-90500 P01 S278 and S38 LOCATION PLAN

TNT-SUG_HTA-L_DR-0900 04 Landscape Masterplan

TUT-SUG_HTA-L_DR-0901 04 Lichfield Drive Entrance

TUT-SUG_HTA-L_DR-0902 04 Lichfield Drive and bridge

TUT-SUG_HTA-L_DR-0903 06 Lichfield Drive and car parks

TUT-SUG_HTA-L_DR-0904 05 Lichfield Drive and car parks

TUT-SUG_HTA-L_DR-0905 04 Existing Car Park and Walled Garden

TUT-SUG_HTA-L_DR-0906 05 Lichfield Drive

TUT-SUG_HTA-L_DR-0907 04 Park Farm

TUT-SUG_HTA-L_DR-0908 05 Mansion Car Park and Ladywalk

TUT-SUG_HTA-L_DR-0909 04 Mansion Car Park and House

TNT-SUG_HTA-L_DR-0910 04 Walled Garden

TUT-SUG_HTA-L_DR-0911 04 Forest Garden and Underley Cop

TUT-SUG_HTA-L_DR-0912 05 Underley Cop and Parkland

TUT-SUG_HTA-L_DR-0913 04 Walled garden south

TUT-SUG_HTA-L_DR-0914 04 Underley Cop

TUT-SUG_HTA-L_DR-0915 04 Visitor Centre and Underley Cop

TUT-SUG_HTA-L_DR-0916 06 WWII Building

TUT-SUG_HTA-L_DR-0917 04 Park Farm

TUT-SUG_HTA-L_DR-0918 04 Park Farm

TUT-SUG_HTA-L_DR-0919 05 Mansion Car Park

TUT-SUG_HTA-L_DR-0920 04 Existing entrance

TUT-SUG_HTA-L_DR-0945 05 Visitor Centre

TUT-SUG_HTA-L_DR-1001 03 Existing Site Plan Lichfield drive

TUT-SUG_HTA-L_DR-1002 03 Existing Site Plan Lichfield drive and bridge

TUT-SUG_HTA-L_DR-1003 03 Existing Site Plan Lichfield drive

TUT-SUG_HTA-L_DR-1004 03 Existing Site Plan Lichfield drive and Haha

TUT-SUG_HTA-L_DR-1005 03 Existing Site Plan Existing car park and walled garden

TUT-SUG_HTA-L_DR-1006 03 Existing Site Plan Lichfield drive

TUT-SUG_HTA-L_DR-1007 03 Existing Site Plan Park Farm

TUT-SUG_HTA-L_DR-1008 03 Existing Site Plan Mansion Car park and gardens

TUT-SUG_HTA-L_DR-1009 03 Existing Site Plan Mansion Car park and House

TUT-SUG_HTA-L_DR-1010 03 Existing Site Plan W11Building

TUT-SUG_HTA-L_DR-1011 03 Existing Site Plan Existing entrance

TNT-SUG_HTA-L_DR-1900 06 Site Landscape Masterplan

TNT-SUG_HTA-L_DR-3901 P05 Section Walled Garden

TNT-SUG_HTA-L_DR-3902 P04 Section East annex

TNT-SUG_HTA-L_DR-3903 P04 Section Northern route

TNT-SUG_HTA-L_DR-3904 P03 Section Southern route

TNT-SUG_HTA-L_DR-3905 P01 Section Walled Garden

TNT-SUG_HTA-L_DR-3906 P04 Section Parkland route

TNT-SUG_HTA-L_DR-3907 P04 Section visitor centre

TNT-SUG_HTA-L_DR-3908 P04 Section Entrance junction

TUT-SUG_HTA-L_DR-9521 06 TR and R Lichfield Drive Junction

TUT-SUG_HTA-L_DR-9522 07 TR and R Lichfield Drive and Bridge

TUT-SUG_HTA-L_DR-9523 07 TR and R Lichfield Drive and car parks

TUT-SUG_HTA-L_DR-9524 07 TR and R Lichfield Drive and car parks

TUT-SUG_HTA-L_DR-9525 06 TR and R Existing Car Park and Walled Garden

TUT-SUG_HTA-L_DR-9526 07 TR and R Lichfield Drive

TUT-SUG_HTA-L_DR-9527 06 TR and R Park Farm

TUT-SUG_HTA-L_DR-9528 06 TR and R Mansion Car Park

TUT-SUG_HTA-L_DR-9529 07 TR and R WWII Building and Lichfield Drive

2202-3-100 Rev A - Visitor Centre Proposed Site Plan

3. Other than pre-development ecological mitigation works, and hedgerow and tree removal, no development shall take place unless and until an Archaeological Management Plan (AMP) has first been submitted to, and approved in writing by, the Local Planning Authority. The AMP shall provide details of the programme of archaeological works to be carried out within the site, including post-excavation reporting and appropriate publication. The development shall thereafter be implemented in accordance with the approved Archaeological Management Plan and the development shall not be brought into use unless and until the site investigation and post-excavation assessment has been completed in accordance with the approved AMP.
4. Other than pre-development ecological mitigation works, and hedgerow and tree removal, no development shall take place unless and until a Construction Management Plan (CMP) has been submitted to, and approved in writing by, the local planning authority. The CMP shall include, but not be limited to, details relating to the hours of works and associated deliveries, and mitigation measures relating to dust, noise and general disturbance during development works. The development shall thereafter be carried out in accordance with the approved CMP.
5. No above ground construction works shall commence unless and until a Landscape Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The LEMP shall include the following details, including timescales for the works, and ongoing maintenance, management, monitoring, and reporting. The development shall thereafter be carried out in accordance with the approved LEMP.
 - i) Details of areas to be retained, enhanced, or restored as acid grassland/parkland and wood pasture.
 - ii) Details of 3 amphibian hibernacula and 5 habitat/log piles to be provided.
 - iii) Details of planting to benefit local amphibian populations.
 - iv) Other management of the site to benefit herptiles, such as the provision of dead wood piles and dead hedging.
 - v) Provision of a new wildlife pond (in the location of pond WB3) as prescribed within the Preliminary Ecological Appraisal Report by Pearce Environment.

- vi) Provision of a minimum of 20 bird nesting boxes for passerine bird species as prescribed within the Preliminary Ecological Appraisal Report by Pearce Environment.
- vii) Provision of 1 tree-mounted kestrel nesting box within a mature tree.
- viii) Provision of 1 nesting box for Tawny Owls.

The development shall thereafter be carried out in accordance with the approved LEMP.

6. No development shall take place, other than pre-development ecological mitigation works, and hedgerow and tree removal, unless and until an Arboricultural Method Statement (AMS) relative to the following specific areas of development/works (i-viii) has been submitted to, and approved in writing by, the local planning authority.

- i) Visitor Welcome Centre
- ii) Visitor Car Parks
- iii) Lichfield Drive and WWII Track
- iv) WWII Maintenance Building
- v) Egress Road and Sher Brook Bridge
- vi) Underley Cop
- vii) Mansion House Car Park

The AMS shall include the details set out in points a-e of this condition.

- a. The type, position, phasing (including any repositioning), and the final removal of tree protective fencing and ground protection measures.
- b. Special construction techniques to be used where development falls within the RPA (Root Protection Area) of retained trees.
- c. Any excavation for new drainage or services (or alterations to existing) within the RPA of any retained tree, to be shown on plans within the AMS and mitigation measures to minimise the effect of these works on tree roots and the RPA where it is not possible to provide drainage or services outside of the RPA.
- d. Amended details for the position/shape of the Standing Advice's 'enhanced' RPA, the timing and method of removal of the existing tarmac drive, the ground reinstatement and details for ensuring the exclusion of visitors from the new meadow area and veteran Oak tree (T429A) adjacent to the proposed visitor centre.
- e. Details of specific arboriculture supervision, site monitoring and recording.

Thereafter the development shall be carried out in accordance with the approved details.

7. No tree removal or pruning shall be carried out unless and until a method statement has been submitted to, and approved in writing by, the local planning authority to demonstrate the timing of preparatory/pre-commencement tree removal and pruning, and the precautions to be taken to ensure no damage occurs to retained trees (including rooting environment) through felling operations and stump removal. All removal and pruning shall thereafter be carried out in accordance with the approved method statement.
8. The development shall be carried out in accordance with the recommendations of the land contamination assessment (reference 893-30-CIV-XX-XX-R-C-30002).
9. The development shall be carried out in accordance with the recommendations set out in the Badger report (reference 090622, dated August 2022) and the Badger update survey (dated January 2023) by Pearce Environment) to include the provision of two artificial badger setts prior to the removal of any existing sett.
10. The development shall be carried out in accordance with the recommendations made within section 5 of the Preliminary bat roost assessment and phase 2 bat survey report (reference 190922.PRA.BSR, dated December 2022, by Pearce Environment).
11. The development shall be carried out in accordance with the reasonable avoidance measures recommended within section 4.2 of the Preliminary Ecological Appraisal Report (reference 280622, dated December 2022, by Pearce Environment).
12. Notwithstanding any description or details of external materials in the application documents, no above-ground construction works shall be commenced with regard to the visitor welcome centre and W.C. block unless and until precise details or samples of the materials to be used in the construction of the external walls and roofs, as well as the windows, doors, and louvres have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
13. Notwithstanding any description or details of external materials in the application documents, no above-ground construction works shall be commenced with regard to the extension to the WWII building unless and until precise details or samples of the materials to be used in the construction of the external walls and roofs have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
14. Notwithstanding any description or detail within the application documents, the 'bolt down plastic kerbing' to the access drives shall have a dark green, dark grey, or black coloured finish and shall be retained as such thereafter.

15. Notwithstanding any description or detail within the application documents, any new or reclaimed facing brickwork to be used in the reconstruction of the corner of the grade II* listed walled garden shall be in accordance with a detailed specification and/or sample which shall first have been submitted to and approved in writing by the Local Planning Authority.
16. Notwithstanding any description or detail within the application documents, an NHL 2 lime mortar shall be used in the above ground reconstruction of the corner of the grade II* listed walled garden, and an NHL 5 lime mortar shall be used in the below ground brickwork.
17. Notwithstanding any description or detail within the application documents, any external coating to be applied to the brickwork of the WWII building shall be in lime, in accordance with full details and specification which shall first be submitted to, and approved in writing by, the Local Planning Authority.
18. Notwithstanding any description or detail within the application documents, all replacement windows and doors to the WWII building shall be installed in accordance with a detailed window and door condition report carried out by a suitably experienced and qualified joiner and full joinery details which shall first have been submitted to, and approved in writing by, the Local Planning Authority before the removal of any existing window or door. The joinery details shall include section drawings at 1:1 scale, elevation drawings at 1:10 scale, material, colour, finish, recesses, cill and header details, any transoms and or mullions, glazing and any glazing bars.
19. The solar photovoltaic panels indicated on drawing 2202-3-310 P2 shall be installed in accordance with details (to include their design, appearance, siting) which shall first have been submitted to and approved in writing by the local planning authority.
20. Before the proposed access route and car park are first brought into use the proposed timber railing, bollards, and vehicle height barrier (the vehicle control systems) shall be installed in accordance with details which shall first be submitted to, and approved in writing by the local planning authority.
21. All external lighting shall be installed in accordance with details which shall first be submitted to, and approved in writing by, the local planning authority, and which are broadly in accordance with the 'Considerations for effective lighting design' document by Elementa, dated November 2022.
22. The development hereby permitted shall not be brought into use until the drainage scheme has been provided in accordance with the following documents:
 - Shugborough Estate Re-Orientation - Flood Risk Assessment and Drainage Strategy (893-30-CIV-XX-XX-R-C-30003, by Civic Engineers, dated 23 January 2023)
 - Proposed Below Ground Drainage Layout Sitewide (893-30-CIV-XX-XX-D-C-30000 P06)

- Proposed Below Ground Drainage Layout Sheet 1 (893-30-CIV-XX-XX-D-C-30001 P02)
 - Proposed Below Ground Drainage Layout Sheet 2 (893-30-CIV-XX-XX-D-C-30002 P06)
 - Proposed Below Ground Drainage Layout Sheet 3 (893-30-CIV-XX-XX-D-C-30003 P06)
 - Proposed Below Ground Drainage Layout Sheet 4 (893-30-CIV-XX-XX-D-C-30004 P06)
 - Proposed Below Ground Drainage Layout Sheet 5 (893-30-CIV-XX-XX-D-C-30005 P06)
23. The drainage system approved in pursuance of condition 22 of this permission shall be managed and maintained in accordance with a plan (to include details of a named body responsible for its implementation) which shall be submitted to, and approved in writing by, the local planning authority before the development is first brought into use.
24. Before the welcome centre is first brought into use a minimum of eight bird nesting boxes shall be provided in accordance with the recommendations made within paragraph 5.3.19 of the Preliminary bat roost assessment and phase 2 bat survey report (reference 190922.PRA.BSR, dated December 2022, by Pearce Environment). The bird boxes shall thereafter be retained.
25. Before the welcome centre is first brought into use a minimum of four bat boxes and two raised tiles shall be provided in accordance with the recommendations made within paragraphs 5.3.8 and 5.3.9 of the Preliminary bat roost assessment and phase 2 bat survey report (reference 190922.PRA.BSR, dated December 2022, by Pearce Environment). The bat boxes and raised tiles shall thereafter be retained.
26. Before the development is first brought into use a comprehensive tree planting scheme shall be submitted to, and approved in writing by, the local planning authority. The tree planting scheme shall include details of species, planting stock size, location of planting, a planting methodology, a methodology for the lifting and transplanting of any existing hedges, and a timetable for carrying out planting. The tree planting shall thereafter be carried out in accordance with the approved scheme unless the local planning authority gives written consent to any variation.
27. Notwithstanding any detail/description within the application documents, the proposed Lichfield Drive access junction with the A513 shall not be brought into use unless and until the road layout, road marking, and signage has been provided in accordance with details which shall first be submitted to, and approved in writing by, the local planning authority.

28. The development hereby permitted shall not be brought into use unless and until a travel plan has been submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan shall set out proposals (including a timetable) to promote travel by sustainable modes. The Travel Plan shall be implemented in accordance with the timetable set out in that plan. Reports demonstrating progress in promoting sustainable transport measures shall be submitted to the Local Planning Authority annually (on the anniversary of the date of the planning consent) for approval for a period of five years from first use of the development.
29. The number of vehicles turning right from the A513 into the Shugborough Estate at the junction shown on plan 893-30-CIV-XX-XX-D-Z-90500 P01 shall be monitored and recorded in accordance with the approved methodology (set out in document "Condition 29 - Traffic Survey 893-30-CIV-XX-XX-R-H-40003") over each Easter Bank Holiday weekend (Thursday to Monday inclusive) for a period of 5 years following the development first being brought into use and the results of the recording and monitoring shall be provided to the Local Planning Authority in writing within 28 days of the monitoring and recording taking place.
30. If, in any year within the 5 years following the development first being brought into use, the number of vehicles turning right from the A513 into the Shugborough Estate at the junction shown on plan 893-30-CIV-XX-XX-D-Z-90500 P01 exceeds 110% of the baseline position as surveyed in 2024 (survey date 29/03/2024 - 01/04/2024, project number 4536-MID), a Traffic Management Scheme shall be installed, to include road signage (including advance directional signage) and road markings restricting motorised vehicles entering the Shugborough Estate from the A513 within 12 months of the monitoring a recording period within which the baseline position was exceeded.
31. Within 12 months of the new car park first being brought into use the existing visitor car park shall be returned to grass parkland, and thereafter retained as a such.
32. No development in relation to the formation of the new A513 / Lichfield Drive junction shall commence unless and until an Arboricultural Method Statement (AMS) relative to those specific works has been submitted to, and approved in writing by, the local planning authority. The AMS shall include the details set out in points a-d of this condition.
 - a. The type, position, phasing (including any repositioning), and the final removal of tree protective fencing and ground protection measures.
 - b. Special construction techniques to be used where development falls within the RPA (Root Protection Area) of retained trees.
 - c. Any excavation for new drainage or services (or alterations to existing) within the RPA of any retained tree, to be shown on plans within the AMS and mitigation measures to minimise the effect of these works on tree roots and the RPA where it is not possible to provide drainage or services outside of the RPA.
 - d. Details of specific arboricultural supervision, site monitoring and recording.

Thereafter the development shall be carried out in accordance with the approved details.

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

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.
3. In order to afford proper archaeological investigation recording and protection. (Policy N9 of The Plan for Stafford Borough).
4. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).
5. In order to ensure that the development results in a net gain in biodiversity. (Paragraph 180 of the National Planning Policy Framework).
6. To enable the Local Planning Authority to consider the scheme of development and the landscaping proposals in relation to the existing trees and hedges. (Policy N4 of The Plan for Stafford Borough).
7. To enable the Local Planning Authority to consider the scheme of development and the landscaping proposals in relation to the existing trees and hedges. (Policy N4 of The Plan for Stafford Borough).
8. In order to ensure that adequate provision is made to safeguard human health. (Paragraph 189 of the National Planning Policy Framework and policy N1e of The Plan for Stafford Borough).
9. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 180 of the National Planning Policy Framework).
10. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 180 of the National Planning Policy Framework).
11. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 180 of the National Planning Policy Framework).
12. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
13. In order to safeguard the architectural and historic character of this Listed Building. (Policy N9 of The Plan for Stafford Borough).
14. In order to sustain and enhance the significance of the grade I listed Shugborough registered park and garden. (Policy N9 of The Plan for Stafford Borough).

15. In order to safeguard the architectural and historic character of this Grade II* Listed Building. (Policy N9 of The Plan for Stafford Borough).
16. In order to safeguard the architectural and historic character of this Grade II* Listed Building. (Policy N9 of The Plan for Stafford Borough).
17. In order to safeguard the architectural and historic character of this Listed Building. (Policy N9 of The Plan for Stafford Borough).
18. In order to retain the historic fabric of the building. (Policy N9 of The Plan for Stafford Borough).
19. In order to safeguard the architectural and historic character of this Listed Building. (Policy N9 of The Plan for Stafford Borough).
20. In order to sustain and enhance the significance of the grade I listed Shugborough registered park and garden. (Policy N9 of The Plan for Stafford Borough).
21. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost and in order to sustain and enhance the significance of the grade I listed Shugborough registered park and garden. (Paragraph 180 of the National Planning Policy Framework and Policy N9 of The Plan for Stafford Borough).
22. To prevent the increased risk of flooding both on and off site (Policy N2 of the Plan for Stafford Borough).
23. To prevent the increased risk of flooding both on and off site (Policy N2 of the Plan for Stafford Borough).
24. In order to ensure that the development results in a net gain in biodiversity. (Paragraph 180 of the National Planning Policy Framework).
25. In order to ensure that the development results in a net gain in biodiversity. (Paragraph 180 of the National Planning Policy Framework).
26. To ensure the satisfactory appearance of the development; to protect, conserve and enhance the landscape; and to protect the significance of the setting of the grade I listed Shugborough Hall. (Policies N1, N8, and N9 of The Plan for Stafford Borough).
27. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
28. In order to encourage the use of sustainable transport modes and reduce the impact of traffic from new development on the road network. (Policy T1 (b, d, and g) of The Plan for Stafford Borough).
29. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).

30. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
31. In order to safeguard and enhance the character of this part of the grade I listed Shugborough registered park and garden. (Policy N9 of The Plan for Stafford Borough).
32. To enable the Local Planning Authority to consider the scheme of development and the landscaping proposals in relation to the existing trees and hedges. (Policy N4 of The Plan for Stafford Borough).

Informatives

1. In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015, as amended, and the National Planning Policy Framework 2023, 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 comments of the local highway authority. All comments can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).
3. The applicant's attention is drawn to the comments of the County Rights of Way Officer. All comments can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).
4. The applicant's attention is drawn to the comments of Network Rail. All comments can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).
5. The applicant's attention is drawn to the comments of Staffordshire Police. All comments can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).
6. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.
7. 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).

Previous report heard at Special Planning Committee 27 February 2024

Application:	23/37238/FUL and 23/37342/LBC
Case Officer:	Ed Handley
Date Registered:	16 June 2023
Target Decision Date:	15 September 2023
Extended To:	-
Address:	Shugborough Park, Lichfield Road, Shugborough, Stafford, Staffordshire, ST17 0XB
Ward:	Haywood and Hixon
Parish:	Colwich
Proposal:	<p>23/37238/FUL: Proposed visitors welcome centre, creation of new site access off Lichfield Road along with updated traffic management to existing access with associated new car park, the conversion of two outbuildings to provide updated staff facilities and toilets and demolition and rebuild of the existing southwest curved wall to the walled garden and removal of a later gateway</p> <p>23/37342/LBC: Demolition and realignment of the southwest curved wall to the walled garden and removal of a later gateway and conversion of WWII building with associated internal alterations.</p>
Applicant:	National Trust
Recommendation:	That the applications be approved, subject to conditions and the applicant entering into a planning obligation

REASON FOR REFERRAL TO COMMITTEE

Application 23/37238/FUL has been referred to the planning committee because the development is a large scale major application which the Council's Constitution specifies is determined by the Planning Committee.

Application 23/37342/LBC has been referred to the planning committee by the Council's Head of Economic Development and Planning because the two applications are dependent upon each other.

Context

The application site

The application site includes a significant part of the Grade I registered park and garden of the Shugborough Estate. Within the Estate are Grade I, II* and II listed buildings including Shugborough Hall and its associated landscaped parkland and facilities, the walled garden, and the Lichfield Drive Railway Bridge. The site also lies within the Shugborough and Great Haywood Conservation Area.

The site is within Flood Zone 2 and 3, the Shugborough Hall and Haywood Cliff Site of Biological Interest (SBI), the Cannock Chase National Landscape (formerly Area of Outstanding Natural Beauty) and is within 15km of the Cannock Chase Special Area of Conservation (SAC). The site is also within the amber risk zone for great crested newts, and an area classified as being at low risk by the Coal Authority.

The application site accommodates the proposed visitor centre and the car park is adjacent to the west coast main line railway on a large open grassed area beyond the former outdoor education centre in the southern part of Shugborough Park. The area is not currently accessible to visiting members of the public.

The proposal

The application site forms a major scheme of improvement works by the National Trust who own the Shugborough Estate and which is an established visitor attraction. The proposal comprises the following elements:

- 1) New visitor welcome centre and toilet block.
- 2) Relocation of car park.
- 3) Creation of new vehicular access through the existing Lichfield Drive and new access road within the site.
- 4) Extension and conversion of two outbuildings to provide updated staff facilities.
- 5) Partial demolition and realignment of walled garden wall and removal of existing gate.
- 6) Associated landscaping works.

The proposal therefore seeks planning permission under 23/37238/FUL together with listed building consent (23/37342/LBC) for the partial demolition of the southwest corner of the walled garden wall and its rebuilding in a revised location and works to the WWII building.

1) New visitor welcome centre and toilet block

The proposed visitor centre would be located in the southeast of the Estate, between the Lichfield Drive Railway Bridge and the Walled Garden, to the north of (and in close proximity to) a veteran oak tree.

The Design and Access Statement, and the design of the proposed buildings, makes it clear that the visitor centre is a transitional zone to improve the welcome experience of the Shugborough Estate by offering information and key amenities at the start of a visit. The proposed café would have a limited number of covers to cater for people as they start their visit and before leaving. Most visitors are likely to pass through this space into the historic estate relatively quickly.

The building would have a curvilinear footprint with maximum dimensions measuring 49m (outside edge) x 8.7m (side elevations). The building would be single storey with a sloped roof, increasing in height to 5.8m on the inside eaves. The building would be constructed of straw bales set within a timber frame, with reclaimed brickwork substructure and wall footings. The walls would have a plaster finish with porcelain tiles (pineapple wall) on the east elevation and a relief map of Shugborough on the west elevation. The roof would be clad in zinc standing seam.

The toilet block would be located to west of the visitor centre forming a funnel to direct people from the car park into the Estate towards the points of attraction.

The toilet block would have a curvilinear footprint mirroring the visitor centre, with maximum dimensions measuring 24m (outside edge) x 8.10m (side elevations). The building would be single storey with a sloped roof, increasing in height to 4.6m on the outside eaves. The building would be of the same construction as the visitor centre with materials to match, including flat porcelain tiles on the north elevation.

2) Relocation of car park

The existing car park to the west of the walled garden, which has space for 326 vehicles, would be decommissioned and returned to parkland. A new 532 space car park is proposed to the southeast of the walled garden. An overspill car park with 210 spaces and a secondary (unmarked) overflow grassed area would also be provided for use on particularly busy days which could accommodate a further 300 vehicles. Three coach parking spaces would be provided within the main car park. The car park would have an asphalt surface with spaces in a gravel-filled plastic retention system. The overflow car park would also comprise a gravel-filled plastic retention system with spaces being grass-filled. Eight electric vehicle charging points would be provided in the main car park and visitor cycle parking near the proposed new visitor centre.

3) Creation of new vehicular access through the existing Lichfield Drive and new access road within the site

The existing Lichfield Drive access off Lichfield Road would be brought back into use through significant realignment works. The proposed access drive would pass beneath the Lichfield Drive railway bridge and lead to the proposed car park. The exit route would pass to the south of the walled garden (necessitating partial realignment) and lead south towards the existing exit onto the A513. The existing access route would be retained for larger vehicles (which can't pass under the grade II listed Lichfield Drive Railway Bridge) and pedestrians.

4) Extension and conversion of two outbuildings to provide updated staff facilities

Two buildings would be converted to provide staff facilities (4). The former WWII building (north of Lichfield Drive Bridge and East of the walled garden) which is currently used for storage would be repurposed to provide breakout space, staff facilities, office space, a workshop, and storage space. A new canopy is proposed to the west elevation to provide external covered storage space; the canopy roof would have solar PV panels. The canopy would measure 25.6m x 4.3m with a mono-pitched roof sloping up from 2.41m to 2.97m in height. New painted timber windows would be provided in bricked up openings and to replace existing windows where the existing cannot be repaired. The application of a breathable, water-based sealant layer is proposed to the external side of the brick walls. The plant sales building (west of the walled garden) with existing guest toilets would be repurposed to provide staff facilities, meeting space, and storage facilities. The porch to the west elevation would be removed, no other external alterations are proposed.

5) Partial demolition and realignment of walled garden wall and removal of existing gate

The southernmost curved corner wall of the walled garden (5) would be dismantled and rebuilt 2.4m to the northeast with a larger radius to widen the pinch point between the walled garden and Network Rail land to facilitate the proposed new exit route. The late 20th Century vehicular entrance in the western wall would be blocked up.

6) Associated landscaping works

A significant amount of hard landscaping and soft surfacing is proposed (6). Access routes comprise asphalt and hoggin with elements in natural stone paving, self-compacted gravel, temple setts, and granite setts. Elements of boardwalk would be provided, with means of enclosure to comprise estate railing, balustrade vertical bar, timber fencing, sleeper walls, and hedges; benches would be provided throughout the site along with refuse bins, and cycle storage. An extensive scheme of tree removal, works, and planting is also proposed. Details of most landscaping features are included within the application documents.

The vacant former outdoor education centre buildings would be demolished, as would the existing timber visitor reception building between the existing car park and the walled garden.

Application submission

The applications are supported by the following documents:

- Planning statement
- Design and access statement
- Heritage statement
- Archaeological impact assessment
- Structural report

- Landscape and visual appraisal
- Transport assessment
- Rail protection report
- Arboricultural survey and arboricultural impact assessment
- Additional arboricultural information (Oak tree T429a)
- Preliminary ecological appraisal
- Bat survey report
- Biodiversity net gain report
- Badger report
- Badger report addendum
- Flood risk assessment and drainage strategy
- Desk study and ground investigation report
- Land contamination assessment
- Water quality statement
- Lighting report (considerations for effective design)
- Energy strategy report
- Overheating risk assessment report
- Pre-application advice note from Historic England
- Heritage statement: walled garden
- Supporting statement: walled garden
- Design and access statement: walled garden

Officer assessment – Key considerations

1. Principle of development

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) and the Colwich Neighbourhood Plan.

Heritage conservation

Paragraph 195 of the National Planning Policy Framework (NPPF) states that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 203 also requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities (including their economic vitality), and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 205 further states that great weight be given to the conservation of a heritage asset, irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. Paragraph 206 also requires that any such harm to the significance of a designated heritage asset to require clear and convincing justification, and at paragraph 208 where development will lead to less than substantial harm to the significance of a designated heritage asset this harm must be weighed against the public benefits of the proposal.

Policy N9 of The Plan for Stafford Borough seeks to sustain and enhance the significance of heritage assets and their setting and, in line with the NPPF, requires clear justification for any potential harm to the significance of a heritage asset.

Rural sustainability and economy

In order to support a prosperous rural economy, paragraph 88(c) of the NPPF seeks to sustain existing sustainable rural tourism and leisure developments which respect the character of the countryside.

In turn, Spatial principle (SP) 6 seeks to achieve rural sustainability by protecting and enhancing its environmental assets and character whilst sustaining the social and economic fabric of its communities by promoting, amongst other things, a sustainable rural economy, and the conservation or improvement of the rural environment.

SP7 provides for development in the open countryside which is consistent with SP6, and policy E2; where it does not conflict with the environmental protection and nature conservation policies of the plan; and where provision is made for any necessary mitigating or compensatory measures to address any harmful implications.

Policy E1 seeks to sustain the local economy by supporting the location, diversity, and intensity of new economic development through measures including supporting the rural economy in accordance with SP6 and encouraging development consistent with SP7.

Policy E2 supports rural sustainability by encouraging development including facilities for tourism consistent with policy E6, proposals which help to conserve or improve the rural environment, and recreation uses appropriate to a rural location. Development should, where appropriate and feasible, respect and protect the natural landscape and built vernacular character of the area and any designated heritage asset; be of a high quality of design; be appropriately designed for its purposes; and incorporate necessary mitigating or compensatory measures to address any harmful implications.

Tourism

Policy E6 seeks to promote and enhance tourism opportunities in appropriate locations where it can be demonstrated through a business case that the use can be sustained in the long term. Furthermore, E6 refers to the need to promote and enhance the Borough's landscape and historic character, and that development should not be detrimental to the natural environment.

The Shugborough Estate currently employs 42 Full Time Equivalent (FTE) posts. It is stated that the proposed development would assist in the provision of 5 new full-time jobs which include gardeners and a cycle hire manager, 2 new part-time roles, and 10 new seasonal roles.

The National Trust advise that in 2021-22 a total of 239,000 people visited the site and that the current infrastructure should be adequate to support up to 250,000 visitors per year, however the car park is beginning the struggle with increasing visitor numbers and large dwell time at the estate. Furthermore, other areas of visitor infrastructure are becoming strained due to increasing visitor numbers.

The application is supported by information which suggests that the overall scheme would provide updated facilities to support the ongoing success of the Shugborough Estate as a tourist designation. It is considered that the works would also improve access into the estate and would reduce the impact of the tourist attraction upon heritage assets within the Shugborough Estate.

The Colwich Neighbourhood Plan (policy CLE1) supports the sustainable growth and expansion of commercial enterprises and proposals which facilitate the employment of people living in the neighbourhood area. Furthermore, policy CLE6 supports the development of tourist and visitor facilities associated with Shugborough, subject to the provision of car parking and there being no harm to highway safety.

The principle of development, in regard to improvements to, and the promotion of, a significant visitor attraction, is therefore considered to be acceptable.

Policies and guidance:-

National Planning Policy Framework

Paragraphs: 7, 8, 10, 11, 88, 195, 203, 205, 206, 208

The Plan for Stafford Borough

Policies: SP6 achieving rural sustainability; SP7 Supporting the location of new development; E1 Local economy; E2 Sustainable rural development; E6 Tourism

The Plan for Stafford Borough: Part 2

Policies: SB1 Settlement boundaries

Colwich Neighbourhood Plan

Policies: CLE1 Existing and new businesses; CLE6 Tourism

2. Heritage, character, and appearance

Heritage assets

The application site lies within the grade I Registered Park and Garden (RPG) of the Shugborough Estate, the setting of a number of grade I and II* listed buildings (of international significance), and within the Shugborough and Great Haywood Conservation Area. The grade I listings of Shugborough Park and Shugborough Hall reflect their status as being of the highest architectural and historic significance. Furthermore, the site is also within the designated Cannock Chase National Landscape and is therefore a particularly sensitive site with regard to heritage assets.

The RPG's significance is derived from its mid-18th Century designed landscape which was heavily influenced by the international travel of the Anson family. The walled garden was constructed in the early 19th Century and replaced an earlier walled garden closer to Shugborough Hall. The significance of the walled garden lies in its sophisticated hot wall construction – a wall constructed with a pipework heating system in its cavity to hasten the ripening of fruit trees.

The courts (*Steer v Secretary of State for Communities and Local Government, Catesby Estates Limited, Amber Valley Borough Council* [2018] EWCA Civ 1697) have found that for a development to affect the setting of a heritage asset, there has to be a distinct visual relationship, although economic, social, and historic considerations may also play a part. Given the context of the estate, it is considered impossible to disentangle the settings of each individual listed building from the others, as each contributes individually and collectively to the composition of the Estate. As such, the listed buildings are both integral parts of the landscaped park as a whole and many also provide reciprocal and overlapping settings for each other.

The application is supported by a heritage statement which considers the significance of designated and non-designated heritage assets, key views into and within the estate, and the potential impacts of the proposed development. The assessment concludes that the initial removal of the 1990's car park set within a highly significant area of the landscaped park would be greatly beneficial in heritage terms and that the cumulative impact, including some negligible and minor harm to heritage significance, would be beneficial overall with the harm outweighed by the public benefits, including the restoration of the existing car park area as landscaped parkland. Mitigation to harm and enhancements are proposed; the statement refers to the reinstatement of the lost Lichfield Drive approach, reuse of the WWII buildings, new visitor access to the quarry and Underley Cop, improved interpretation, landscaping works, removal of ad hoc car parking, and selective tree work to open up lost historic views and frontages.

Any harm to a heritage asset requires clear and convincing justification; the heritage statement recognises the likely harm, particularly to the walled garden and concludes that the heritage benefits of the relocation of the existing car park which result in the need for the other works which would result in the identified harm outweigh the less than substantial harm required to facilitate to new egress route.

The proposal involves a scheme of works within the RPG, the conservation area, and the setting of numerous listed buildings, including the partial demolition and rebuilding of the walled garden and the restoration of the Lichfield Drive approach, including works beneath and surrounding the Lichfield Drive Railway Bridge.

The plans to reorientate the Shugborough Estate, and particularly the relocation of the car parking areas, would require the provision of a new vehicular egress route adjacent to the railway cutting. At the closest point between the railway boundary and the walled garden the gap is too narrow (3.2m) for vehicle restraint measures to prevent impact damage to either the historic wall or the railway boundary fence and therefore it is proposed to dismantle and rebuild the southwestern corner of the walled garden 2.4m to the northeast with a larger radius. The structural report submitted in support of the application states that the 3.5m high wall (where works are proposed) is of solid brickwork construction, one-and-a-half to two bricks thick and extends 1.4m below ground level without any corbelling or additional footing. The wall is in poor condition, with a significant amount of vegetation growth which is causing further damage; some vertical cracks and areas of frost damaged brickwork are noted. It is acknowledged that existing historic bricks will be reused where possible and replacement bricks, capping stones, and lime mortar mixes will be the same as used under recent repairs works for the rest of the walled garden walls.

The application is supported by a heritage statement specific to the proposed works to the walled garden which finds the southwest curved wall of the walled garden to be in a poor condition as it has not benefitted from repairs works due to the likelihood of this proposal coming forward. Furthermore, the wall is breached by inappropriate modern vehicular access gates which would be blocked up. The heritage statement acknowledges less than substantial harm to the listed wall but that the proposed works are fundamental to the scheme as a whole and are therefore justified by the restoration and visual enhancement of the wall. Furthermore, it is considered that the heritage benefits of the wider scheme (specifically the relocation of the car park and revised access/egress route) which would be unlocked by the works proposed to the walled garden, outweigh the harm caused.

The scheme also involves the provision of a site maintenance hub within the WWII building which is a circa 1943 ward block; this building was an open-plan ward for 28 beds; original windows have been replaced by wooden framed units or been infilled with brick. The building has been used as an equipment store for the wider uses on site in recent years. The proposal involves the reopening of windows, internally insulating the walls, and providing a new lean-to/canopy (with solar PV array) along the east elevation. The applicant's heritage statement suggests that the proposed development would result in negligible impacts whilst providing a benefit in keeping the building in an appropriate use and minimising impact upon more sensitive locations. The structural report submitted in support of the application states that there is a movement joint halfway along the long elevations of the building, the ground floor structure appears to be an unreinforced ground bearing concrete slab, and the building

has been re-roofed fairly recently. The building is considered to be in reasonable condition and the report concludes that localised repairs and a replacement lintel are required.

The plant sales building, adjacent to the walled garden and constructed around ten years ago, would be repurposed as a staff facility. The structural report submitted in support of the application suggests that it remains in reasonable condition. It is not considered that the proposed amendments would result in any undue harm to the character of the building.

Historic England advise that they have provided pre-application advice to the National Trust during the design stage of the proposed works, highlighting that Shugborough Hall is of the historic significance with the walled garden being separately listed grade II* due to its more than special historic interest. Historic England state that the proposed development would inevitably result in a degree of harm to heritage significance, yet the reorientation of the visitor arrival and the visitor experience are part of wider plans to enhance and better reveal the historic character of the RPG, and the setting and experience of the Hall and other key historic buildings within the estate. It is concluded that considerable care has been taken to mitigate potential heritage impacts and to maximise benefits, a key element of which is taking the opportunity to address the poorly located, intrusive, and excessively dominant car park and the associated restoration of the historic parkland. Consequently, Historic England raise no objection on heritage grounds on the basis that this comprehensive scheme would enhance the ability of visitors to better appreciate and enjoy the unique heritage offer of the Shugborough Estate.

Whilst accepting the principle of relocating the existing car park, reinstating Lichfield Drive as the primary vehicular access, and constructing a new visitor welcome centre, the Council's Conservation Officer initially raised concern regarding the siting of the proposed visitor centre and its layout, integration and engagement with the historic landscape, and potential consequent impacts to the veteran oak tree.

The Conservation Officer advises that the existing car park is in a visually intrusive location and that its relocation is welcomed. The restoration of the existing site would also serve as an enhancement to the designed landscape and the detailed landscaping scheme is considered to be of a high quality, sympathetic to the designed landscape. The restoration of the existing car park site as grass parkland should therefore be secured by condition of any approval.

The Conservation Officer acknowledges that the reinstatement of Lichfield Drive would facilitate the relocation of the car park and that alterations to the junction with Lichfield Road (A513) are required to improve highway safety. Furthermore, it is acknowledged that the railway line and embankment comprise significant constraints to development and that the realignment of the southwest curve of the walled garden is required to provide sufficient width for vehicles and associated defensive infrastructure. The removal of the poorly executed modern vehicular gate is also considered to be an improvement. It is noted that existing historic bricks would be salvaged and reused, and where necessary reclaimed bricks would be obtained. It is accepted that the dismantling and relocation works would result in less than substantial harm to the historic and architectural interest of the grade II* listed structure, but the reorientation is part of a wider masterplan to enhance and better reveal the historic significance of the

Shugborough RPG, the setting of the grade I listed Shugborough Hall, and other key historic buildings within the site, such as views from the grade I listed Hadrians Arch.

It is also accepted that every effort has been made to mitigate harm to the walled garden and that the hot wall construction would remain unaltered, the unsympathetic modern alterations would be remedied, and the wall (in this location) is in a very poor state of repair. The Conservation Officer concludes that whilst the rebuilding of the walled garden is less than ideal, the wider benefits to the heritage assets and their setting would outweigh the less than substantial harm in this instance. It is considered necessary that the bricks and mortar to be used should be secured by condition of any approval.

Whilst the existing curtilage listed WWII building is not considered to be the most aesthetically attractive building it would be the first visible structure on the approach from the Lichfield Drive access and is an important element of the history of the Shugborough Estate. The Conservation Officer does however raise no objection to the principle of extending, renovating and repurposing the building as a maintenance hub. New tree planting and landscaping is also proposed which would help to screen the building from view. Following concerns being raised, the lean-to canopy extension is shown set back one bay from the end gable to clearly express the new structure as a later extension and not compete with the primary gable of the curtilage listed building. Whilst the applicant continues to propose the use of a chemical waterproofing agent, the Council's Conservation Officer raises concern regarding its use due to the lack of evidence and understanding of its long-term effects upon historic masonry. It is therefore recommended that a traditional limewash or lime sheltercoat is secured by condition instead of the proposed chemical treatment.

It is noted that the Gardens Trust raised concern about whether the existing window frames within the WWII building would be retained and double glazed or replaced due to contradictions on the drawings. Following clarification from the applicant that the replacement of windows would depend upon their condition the Council's Conservation Officer recommends a condition to ensure that all windows and doors which are suitable for retention are retained and that a window condition survey is secured by condition to include full joinery details for any replacement windows and doors. Notwithstanding queries raised by the Gardens Trust regarding whether the lightweight roof of the canopy would be robust enough to support the proposed solar PV panels and how the structure would be supported against the existing building the Conservation Officer raises no concern regarding the structural loading. This follows details of the junction of the proposed lean-to roof to the existing brick wall which has been designed with assistance from Civic Engineers. It is, however, considered necessary to secure precise details of the solar panels by condition prior to their installation.

Whilst the Conservation Officer acknowledges that it is unfortunate that the proposed visitor centre building could not be sited outside of the root protection area of the veteran oak tree it is acknowledged that the additional supporting information demonstrates that the proposed development would not result in a negative impact upon the health of the tree or its rooting system. Consequently, the initial conservation objection to the location of the visitor centre is removed. Amendments made during the consideration of the application, to include the café windows and the inclusion of a perimeter footpath around the tree are also welcomed by the Conservation Officer as

they would enhance visitor engagement with the tree. The visitor centre is considered to utilise high quality materials and to have a design which integrates and engages with the historic landscape, curving around the adjacent 550-year-old veteran oak tree which predates the 18th Century designed landscape.

Whilst the Conservation Officer raises no objection to additional access drive works it is recommended that a condition be attached to any approval to ensure that the bolt-down plastic kerbing to be used to keep traffic away from listed structures has a visually recessive colour finish rather than the black and white block shown in the concept images. Whilst a concept image is provided of the proposed vehicle height barrier and that it is accepted that the design will need to follow its function it is considered that precise details of this structure should be secured by condition.

It is recognised that the parkland has evolved in its layout and extent since the late 17th Century and the Estate has not seen any major investment for most of the past century. Staffordshire Gardens and Parks Trust on behalf of the Gardens Trust advise that many of the changes which have occurred, particularly in recent times to serve modern audiences, have intruded into the landscape and degraded its special qualities. The Gardens Trust acknowledges that the proposal seeks to redress the adverse impacts of more recent development and would open up more of the historic landscape for visitor access. Whilst this part of the Estate formed an integral part of the wider designed landscape, much of the original landscape character has been lost since the second world war; this, together with its visual separation from the principal parts of the park make the area more receptive to the proposed large-scale changes where the degree of harm would fall well short of substantial. The removal of the poorly sited car parks would, in the view of the Gardens Trust, greatly enhance appreciation of the landscape. Whilst one amendment is suggested, with regard to the layout of the proposed car park and tree planting, the Gardens Trust raise no objection to the proposed development. Following submission of amended details regarding the proposed works to the WWII building, the Gardens Trust raise no objection, stating that visually the form of the amended canopy to the WWII building is acceptable.

The Council's Design Advisor initially raised concern regarding the siting of the proposed visitor centre in such proximity to the veteran oak given the references made in the submission to celebrating and embracing the tree and that by its internal arrangement the visitor centre would 'turn its back on' the tree. The applicant has offered further clarification that the visitor centre and toilet block would form a transitional zone where visitors would arrive at Shugborough, make use of arrival facilities, and move onwards into the Estate. This element is therefore not intended to be an attraction, in itself, or a destination within the Estate.

Amended plans also address earlier concerns, regarding the modification of the window in the café which would overlook the veteran oak and the improvement of the landscape design, including a small picnic area and perimeter path, to provide opportunities for visitors to better engage with the tree.

Regarding the wider scheme and its impact upon the designated heritage assets which comprise the Shugborough Estate, the Council's Design Advisor defers consideration to the conservation specialists. However, with specific regard to the design of the new contemporary visitor centre, following resolution of the fundamental conflict between the underlying concept of the building celebrating the veteran oak and the articulation

of design, it is considered that the proposed building comprises a compelling and convincing design. The architectural design of the visitor centre is also considered to have significant visual appeal.

The materials proposed form a modern palette with reference to the history of the Shugborough Estate, such as the re-use of timbers from buildings to be removed and the use of porcelain tiles to provide a 'pineapple' skin texture. It is considered that samples of materials to be used should be secured by condition.

Archaeology

The application is supported by an archaeological impact assessment which has been produced following detailed communication with the County Archaeologist and which finds that there are no designated archaeological assets within the application site area, although there is moderate to high potential for evidence of activity of local or regional significance. The extant WWII buildings and structures which are to be retained and conserved, are considered to be of regional to national significance. The assessment concludes that impacts of the proposed development upon non-designated heritage assets could be mitigated through a staged programme of archaeological work.

The County Archaeologist raises no objection to the proposed development, advising that the impact assessment is generally supported and that there are no material archaeological constraints associated with the proposal which would prevent their implementation. Furthermore, the proposed staged programme of mitigation works is considered to be an appropriate response. Construction groundworks have the potential to impact on below ground archaeological features dating from the prehistoric period up to remains of the WWII military hospital and works to extant historic buildings have the potential to reveal information about their construction and use through pre-works recording and structural watching briefs during works. Given this clear potential, it is considered necessary that any permission is subject to a condition to secure a staged programme of archaeological works as recommended by the County Archaeologist.

Cannock Chase National Landscape

Paragraph 182 of the NPPF state that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes which have the highest status of protection.

Paragraph 183 further states that major development should be refused within National Landscapes (formerly AONBs) other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest.

The application is supported by a Landscape and Visual Appraisal (LVA) which acknowledges that the site is within the Cannock Chase National Landscape and a particularly sensitive area with regard to heritage assets. However, the LVA clearly indicates that the zone of theoretical visibility is reduced significantly by surrounding topography and woodland. The LVA states that the Shugborough Estate is an intact and well-contained parcel of land with special qualities which is capable of accommodating change without harm to the National Landscape. It concludes that the

proposed development, when taking into account mitigating landscape works, would result in some moderate adverse effects during construction activities, minor adverse effects upon the Lichfield Lodges (residential) visual receptor due to increased passing traffic, minor beneficial effects upon the Stafford and Stafford Wood Lodges due to decreased passive traffic, and moderate and major beneficial effects upon residual landscape and visual change and close-range views. Given the capacity of the Shugborough Estate to accept change and that the proposed development includes a series of significant landscape improvements and enhancements, not least the removal and relocation of the car park, it is not considered that the proposed development would result in undue harm with regard to its impacts upon the surrounding landscape.

The Cannock Chase AONB Partnership offer their support to the proposal, acknowledging that it sits within the context of an ambitious masterplan to develop the Shugborough Estate as a regional destination for visitors, that the development would result in high quality buildings and places of good design standards, and that careful consideration has clearly been afforded to the proposal to ensure the conservation and enhancement of the landscape and scenic beauty, wildlife, and cultural heritage within the Cannock Chase National Landscape. Notwithstanding this, the AONB Partnership state that the application should be supported by a “formal landscape and visual impact assessment” carried out under GLVIA3 (guidelines for landscape and visual impact assessment 3) standards, either prior to determination or to be secured by condition. It is noted that the methodology used in developing the supporting LVA is based on current best practice guidance set out GLVIA3. Whilst it is not considered that a condition to secure such a document would meet the tests set out in paragraph 56 of the NPPF as it must form part of the decision-making process, it is considered that the LVA submitted in support of the application is appropriately detailed and has enabled the AONB Partnership to offer their support to the proposed development.

With regard to paragraph 183 of the NPPF it is considered that the proposed development is (a) necessary in order to provide enhancements to the significance of the Shugborough RPG and the setting of the grade I listed Shugborough Hall (and other associated listed buildings), (b) could not be developed outside of the National Landscape due to it comprising works to the Shugborough Estate situated within the National Landscape area, and (c) could be accommodated without harm to the National Landscape by virtue of the Shugborough Estate being an intact and well-contained parcel of land with special qualities, notwithstanding that mitigating measures are proposed to ensure enhancement to the wider landscape.

Lighting

A lighting report, which sets out considerations for the effective design of lighting schemes, is submitted in support of the application. It is noted that neither the Conservation Officer, Environmental Health Officer or Biodiversity Officer raise concern regarding lighting and it is considered that a detailed lighting scheme should be secured by condition prior to installation.

Conclusion

It is acknowledged that the proposed development would result in some harm, however it is considered that the harm is outweighed by the public benefits associated with the wider enhancements to be made to the park, specifically the relocation of the car park and changes to the visitor arrival experience which would better open up a significant portion of the Estate to visiting members of the public. In light of the provisions of paragraphs 205, 206 and 208 of the NPPF it is considered that the proposed development is acceptable with regard to the character and appearance of the site and the surrounding area as well as the impacts of the development upon heritage assets and the surrounding landscape.

Policies and guidance:-

National Planning Policy Framework

Paragraphs: 131, 135, 137, 139, 176, 177, 182, 183, 195, 198, 200, 201, 203, 205, 206, 207, 208, 209, 210, 2011, 2012, 213

National Design Guide

The Plan for Stafford Borough

Policies: N1 Design; N7 Cannock Chase AONB; N8 Landscape Character; N9 Historic Environment

Supplementary Planning Document (SPD) – Design

Colwich Neighbourhood Plan

Policies: CLE1 Existing and new businesses; CE1 Design

3. Residential amenity

The majority of the proposed development would be situated a significant distance from the nearest residential properties, however the Lichfield Lodges are immediately adjacent to the proposed access off the A513 and there are a number of dwellings at White Farm past which the exit route runs. These are all under the control of the applicant and form part of the Shugborough Estate.

Given the location of the various elements of proposed development it is not considered that it would result in any undue harm with regard to visual amenity or privacy.

Vehicular movements around Milford (Stafford Drive access) would be reduced due to the majority of vehicles being directed towards the proposed new access.

Vehicular movements around White Farm would not change as the access route in this location would remain as existing.

Whilst vehicular movements would significantly increase around the Lichfield Lodges these are currently let as short-term visitor accommodation by The National Trust and it would be clear to potential visitors, due to their location at the access, that vehicular movement in the vicinity is likely to be significant. Notwithstanding this, it is not considered that the impacts of noise and disturbance from the proposed access upon this visitor accommodation would justify the refusal of this application.

Any disturbance created during works could be appropriately controlled under a construction management plan to be secured by condition.

The Council's Environmental Health Officer raises no objection to the proposed development; comments are considered in detail within section 7 of this report.

Policies and guidance:-

National Planning Policy Framework

Paragraphs: 135

The Plan for Stafford Borough

Policies: N1 Design

Supplementary Planning Document (SPD) – Design

Colwich Neighbourhood Plan

Policies: CLE1 Existing and new businesses; CE1 Design

4. Highways, access, and parking

The proposed development involves the provision of a new access junction with the A513 at the Lichfield Drive entrance. Furthermore, a new vehicular route through the parkland to a new car parking area is proposed, as well as a revised exit route towards the existing egress onto the A513 west of White Farm, hereafter known as the 'White Farm junction'. The existing route into the Shugborough Estate would be retained for pedestrian and cyclist access and larger/emergency vehicles.

The proposed car parking areas would provide for 742 vehicles with an overflow area for a further 300 vehicles. Eight electric vehicle charging points would also be provided within the main car park. There would be space for 3 coaches to park within the main car park and cycle parking provision near to the proposed visitor centre.

Signage within and in the vicinity of the Estate would need to be amended, replaced, or newly provided.

The application is supported by a transport assessment which concludes that the proposed development would have minimal impact upon the transport and highway network and that the proposed access junction would replace an existing unsafe junction, improving road safety. The proposed development is not considered likely to increase visitor numbers, in itself, given the nature of the works involved in reorienting the site and improving the visitor welcome experience rather than increasing the quantity or quality of visitor attractions themselves.

The local highway authority initially raised concerns regarding the application on the following three grounds:

- the increase in visitors entering the site at the existing substandard White Farm junction onto the A513 which has poor forward visibility when travelling east;
- uncertainty as to whether the proposed ghost island right turn land could accommodate high volumes of traffic during special events and;
- uncertainty as to how motorists would be warned in advance (both directions) of any potential height restrictions which may affect their access into the site.

Following the submission of further signage details and discussion between the applicant and the local highway authority these objections were removed. The local highway authority comments that the existing (historic) junction of Lichfield Drive is unsuitable to accommodate larger volumes of traffic; the proposal would shift the junction west to improve forward visibility of the junction. It is confirmed that the proposed junction would meet relevant standards as a single carriageway priority junction with right turn lane ghost island. To accommodate the ghost island it will be necessary to widen the A513 by a maximum of 3.4m to allow for the additional lane; this widening would be on the estate side of the road given the land ownership and the presence of trees on the opposite (southern) side. The local highway authority confirm that the proposed access is acceptable, however, it is stated that the access junction would require detailed design checks and safety audits and therefore it is considered that any approval should be subject to conditions to secure final details of the proposed junction and road markings and their provision thereafter.

The highway authority accepts that special events, where additional high volumes of traffic is likely to be attracted to the Estate over a short period of time, would fall outside of the scope of the proposed development as they would comprise separate matters which require planning permission, or alternative licensing in their own right. Consequently, concerns regarding special events are not relevant to the consideration of this application.

The drawings indicate a right turn ban for vehicles travelling east on the A513 at the White Farm junction. Whilst it is possible that no additional right turn movements will occur at this location due to staff being encouraged to use the proposed access, and other larger vehicles being advised in advance to use the alternative access routes, the applicant has agreed to monitor the use of the junction of the 2024 Easter weekend (likely to be one of the busiest weekends of the year at the Estate) and to carry out subsequent monitoring over the next five Easter weekends; should the number of vehicles turning right into the estate at the White Farm junction increase by 10% or more in any of these years, a traffic management scheme at this location, to enhance

the junction or reduce the number of vehicles turning right, will be required. This should be secured by condition of any approval.

Additional details of signage to direct vehicles to the appropriate access point based on vehicle height/size have been provided. The local highway authority is satisfied with these, in principle, but advise that they must go through relevant design checks as part of agreements with the local highway authority. Consequently, it is considered appropriate to attach a condition to any approval to secure a final scheme of highway signage given the possibility of minor amendments being required, and to ensure their provision.

The transport assessment states that the applicant supports low-carbon staff commuting choices by participating in the Cycle to Work scheme and offering season ticket loans for rail travel for staff; for visitors the Shugborough Estate website prioritises sustainable modes of transport to the site. In order to further encourage visitors to travel by low-carbon modes for transport, the proposed redevelopment includes the provision of electric vehicle charging points and the applicant is exploring ways to encourage and incentivise non-car travel. Whilst travel planning is informally in place at Shugborough, it is proposed that this be formalised in conjunction with the proposed development and a Travel Plan Coordinator has been appointed. The local highway authority recommends a condition to ensure that the development is occupied in accordance with a travel plan which shall first be submitted to, and approved by, the local planning authority.

With regard to the above considerations, the applicant is required to enter into a planning obligation to secure a £10,000 travel plan monitoring fee and a £10,000 contribution towards a potential traffic management scheme at the White Farm junction.

It is acknowledged that proposed off-site highway works will require a highway works agreement and this should be brought to the attention of the applicant via an informative on any approval.

Bridleway (64 Colwich) passes through the site, starting east of White Barn Farm, running west of the walled garden, east of Park Farm, heading to the northeast, and crosses Essex Bridge. The bridleway also makes up part of the Staffordshire Way promoted route. The County Rights of Way Officer raises no objection to the proposed development but states that if the bridleway requires diversion as a result of the proposed development the applicant must first apply to divert the public right of way. Such authorisation cannot be the subject of a condition and therefore an informative should be attached to any approval to bring this matter to the attention of the applicant.

HS2 do not wish to make any comment with regard to this application.

Policies and guidance:-

National Planning Policy Framework

Paragraphs: 104, 108, 109, 110, 111, 112, 114, 115, 116, 117

The Plan for Stafford Borough

Policies: N7 Cannock Chase AONB; T1 Transport; T2 Parking and Manoeuvring Facilities; Appendix B – Car Parking Standards

Colwich Neighbourhood Plan

Policies: CLE6 Tourism; CTR1 Parking and road safety; CTR2 Sustainable travel; CTR3 Pedestrian facilities

5. Arboricultural matters

The application is supported by an Arboricultural survey and Arboricultural impact assessment and, following concerns raised by the Planning Officer, further additional arboricultural information relating to Oak tree T429a, hereafter referred to as ‘the veteran oak’, which is located to the southeast of the existing vacant outdoor education centre (and around which the proposed visitor centre would be situated).

Given the nature of the application site, a historic landscaped parkland, it is inevitable that development of the scale proposed would result in some tree loss. The Arboricultural survey and impact assessment clearly set out the trees which would be impacted by the scheme, and details 162 surveyed trees to be of categories A (1%), B (6%), C (28%), and U (65%) which would need to be removed as well as an area of 10,000sqm mixed-species plantation. The report makes reference to the removal of a strip of historic roadside woodland to facilitate the construction of the new junction as having the greatest visual significance, and the removal of 10,000sqm of mixed-species plantation and associated peripheral trees to accommodate the proposed new car park as being the most extensive tree loss.

A schedule of robust tree protection measures is proposed to ensure the protection of retained trees and a significant amount of tree planting is proposed to assist in the visual screening of the proposed car parking area and improved woodland cover. In particular, additional planting is proposed around the proposed access onto Lichfield Drive, adjacent to Lichfield Drive, adjacent to the WWII building, between the proposed visitor centre and the walled garden, within and around the car parking area, along the boundary with the west coast main line, and within the area covered by the existing car park which is to be restored back to parkland. Furthermore, the landscaping scheme includes a significant amount of shrub planting, and grassland planting is also proposed, as well as hedgerows and willow screens.

In response to the proposed development, as initially submitted, the Council’s Tree Officer raised no objection, advising that there is a significant survey for the site and the well-detailed supporting information considers the effects of the proposed development upon existing trees. It is acknowledged that there are two areas of development which are likely to cause most concern due to the extent of tree removal required - the proposed new vehicular access into the Estate from the A513 along the Lichfield Drive, and the proposed new parking areas.

It is noted that the proposed access would require the removal of 2 category A, 15 category B and 45 category C trees from the woodland belt which defines the north side of the road. However, it is not considered that the detriment would be long-term due to the number of trees to be retained (categories A, B, and C) and distant views from both directions towards the new access are likely to be largely unaffected.

The proposed parking areas would require the removal of 11 category B and 11 category C trees along with approximately 10,000sqm of unmanaged and poor-quality conifer plantation. Some of the plantation would be retained between the two car parks and this would assist in breaking up their cumulative visual extent. A line of poor-quality Sycamore trees would also be removed along the boundary with the railway to provide for the egress from the car park.

The Council's Tree Officer acknowledges that there are clear disbenefits to the proposals caused by the removal of trees, however of all tree removals it is noted that only 1% would be category A (best quality) and 71% would be category C (poor quality) or U (dead or dangerous). It is stated that retained trees and new planting across the sites/proposals would help to maintain the long-term character and historic value of the conservation area.

Whilst the removal of trees in any situation is unfortunate, it is accepted that the project, as a whole, necessitates tree removal to facilitate the restoration of the historic parkland and its setting. The Tree Officer concludes that, on balance, the long-term benefits outweigh short term disbenefits caused by tree losses.

The Tree Officer also acknowledges that the proposed visitor centre would be within the RPA (root protection area) of the veteran oak, but accepts that the majority of this incursion is within the footprint of existing development. The proposed building would involve an additional 10% incursion into the enhanced RPA (of 2,470sqm) of the veteran oak above what is already taken up by the existing vacant building. The total area of the new building which would fall within the enhanced RPA would be 374sqm (15% of the RPA) and of that, 332sqm would be built over the footprint of the existing building and parking area. The remaining 80sqm of previously undeveloped land within the RPA would equate to just over 3% of the total RPA for the veteran oak. Whilst the extent of excavation required for the proposal is unknown, it is accepted that this is likely to be localised excavation. Furthermore, the removal of the existing concrete road and other hard surfaces within the RPA is likely to benefit the veteran oak. The veteran oak has previously been managed and crown reduced to a substantial extent in order to lessen the potential for future failure of the stem or limbs; further pruning is recommended in the supporting information. These works have had (and will have) the effect of reducing the crown size and, with it, the required moisture and nutrient uptake of the tree. It is considered that the small extent of any new excavations would not cause any detriment to the health or long-term retention of the veteran oak, particularly given the other works proposed within the RPA which would enhance ground conditions.

With regard to queries raised by the Planning Officer in relation to government advice on ancient woodland, ancient trees, and veteran trees, the applicant has provided further supporting information regarding development within the root protection area of the veteran oak. The statement, by Symbiosis Consulting, notes that there is no suggestion that the proposal would result in the deterioration in condition of the veteran oak. It is contended that the standing advice for a buffer zone of at least 15 times the tree's diameter from any development is not directly applicable as there is an existing building situated within the specified buffer zone; the standing advice does not offer any guidance in this scenario.

The Council's Tree Officer, in response, confirms their agreement with the views of the applicant's arboricultural specialist in that, subject to appropriate conditions, there should be no loss of, or deterioration of any ancient or veteran trees. In coming to this conclusion, the Tree Officer acknowledges that the NPPF and standing advice state that planning permission should be refused if development would result in the loss or deterioration of ancient woodland, ancient trees, or veteran trees, unless there is demonstration of both wholly exception circumstances and there being a suitable compensation strategy – none of which apply in this case.

In this case, the standing advice would result in a minimum buffer zone with a 28m radius, however it is accepted that there are existing structures and surfaces which post-date the veteran oak within the RPA and which will have had (and will continue to have) an effect on the root system of the tree. Consequently, it is considered that the RPA for the veteran oak should be redrawn as a polygon containing the area in accordance with the recommendations made in British standards with the western/north-western line of the polygon following the eastern edge of the road which separates the tree from the existing and proposed development as it is this area which should be subject to the greatest protection. Whilst the polygon should be the area of greatest protection, it is important to consider those areas of new development which fall outside of the polygon and within either RPA. It is therefore recommended that all tree protection measures set out in the supporting arboricultural impact assessment are put into place prior to the commencement of any works around retained trees. A detailed method statement setting out the protection measures, phasing, etc. to minimise the potential impact of works on retained trees should be secured by condition. The statement should also include details of the amended RPA and protection of the veteran oak.

Whilst the application drawings indicate the siting of proposed individual trees there is no detail relating to their species, stock, or planting methodology. Equally, there is no detail of the proposed woodland planting. In principle, the proposed tree planting is acceptable, however precise details should be secured by condition.

Policies and guidance:-

National Planning Policy Framework

Paragraphs: 136, 180 and 186

The Plan for Stafford Borough

Policies: N1 Design; N4 The Natural Environment and Green Infrastructure; N5 Sites of European, national and local nature conservation importance; N8 Landscape character; N9 Historic Environment

6. Ecology and biodiversity

Whilst the application site is within the proximity of the Cannock Chase Special Area of Conservation (SAC), it is not considered that the proposed development, which seeks to rationalise the access, parking, and visitor welcome experience to the Estate (rather than comprising further development of visitor attractions), would directly increase visitor numbers and vehicular traffic. The application has been screened out of Appropriate Assessment under the habitat regulations.

Natural England also raise no objection and advise that the proposed development would not result in significant adverse impacts on statutorily protected nature conservation sites.

With regard to matters of ecology and biodiversity, the application is supported by a Preliminary Ecological Appraisal (PEA), bat survey report, badger report and addendum, a biodiversity net gain report, and a lighting report.

Amongst other things, the PEA recommends that bat and badger surveys are carried out and that mitigation and enhancement measures are considered. The subsequent bat surveys conclude that bats are extensively present within the site, but that no significant adverse impacts upon protected species would result provided that the implementation of prescribed recommendations is ensured. Furthermore, the badger survey report (August 2022) and follow-up addendum (January 2023) conclude that there is badger activity within the Shugborough Estate and that mitigation, comprising the provision of two artificial badger setts to compensate for the loss of badger setts would be required. Furthermore, the survey report recommends a pre-commencement survey immediately prior to the commencement of any works on site amongst other recommendations with which the development should be carried out. The addendum report concludes that the earlier mitigation strategy remains purposeful and correct.

The Council's Biodiversity Officer raises no objection to the proposed development, advising that the supporting information is appropriate and makes recommendations which should be secured by condition.

A condition is recommended to ensure that the development is carried out in accordance with all reasonable avoidance measures recommended by Pearce Environment and be supervised by an Ecological Clerk of Works. Furthermore, conditions are recommended to secure the provision of the proposed wildlife pond in accordance with details to be submitted to and approved by the local planning authority; a number of habitat improvements for various species, including amphibian hibernacula, habitat/log piles, bat boxes tiles, bird boxes, and artificial badger setts; and the installation of an appropriate external lighting scheme which accords with the recommendations of the considerations for effective lighting design report by Elementa (November 2022).

The Biodiversity Net Gain report submitted in support of the application indicates a 22% uplift in habitat units and a 23.6% uplift in hedgerow units. It is considered that the management of the restoration of wood pasture and parkland, and lowland acid grassland, would be key to achieving the net gain. A condition should be attached to any approval to secure the provision of a detailed acid grassland restoration plan to be maintained for an appropriate period of time along with appropriate monitoring and reporting.

Whilst the Council's Biodiversity Officer recommends a condition to ensure that works are not carried out in the bird nesting season to ensure their protection, it is considered that nesting birds are effectively protected under separate legislation. An informative should however be attached to any approval to bring their protected status to the attention of the applicant.

The Biodiversity Officer also refers to the provision of new hedgerows and tree planting of appropriate native species; it is noted that the hedgerows proposed comprise a native hedgerow mix in a staggered double row. Whilst the Council's Tree Officer raises no objection to the quantity of proposed tree planting it is considered that details of the species mix and planting methodology (including the size of stock to be planted) should be secured by condition.

The application site is within the amber impact risk zone for great crested newts (GCN) where there is highly suitable habitat and a high likelihood of GCN presence. The Newt Officer initially raised objection to the proposed development on the basis that insufficient information had been submitted to demonstrate that great crested newts and/or their habitat would not be adversely impacted. Following submission of an ecological report and reasonable avoidance measures (RAMs)/non-licensed method statement (NLMS) the Newt Officer raises no objection to the proposed development on the basis that such measures would reduce and avoid any likely impact upon GCN. A condition is recommended to ensure that the development is carried out in accordance with these mitigation measures and an informative is also recommended to bring to the attention of the applicant the protected status of GCN.

Policies and guidance:-

National Planning Policy Framework

Paragraphs: 8, 180, 185, 186, 187, 188

The Plan for Stafford Borough

Policies: N1 Design; N4 The Natural environment and green infrastructure; N5 Sites of European, national and local nature conservation importance; N6 Cannock Chase Special Area of Conservation; N7 Cannock Chase AONB

Colwich Neighbourhood Plan

Policies: CE3 Biodiversity

7. Other

Flood risk

The Shugborough Estate lies within flood zones 2 and 3 and the application is therefore supported by a flood risk assessment and drainage strategy. This document states that the proposal is classified as 'less vulnerable' development which is appropriate within flood zone 2 and flood zone 3a. Whilst a section of the access road may be within flood zone 3a in the future due to the effects of climate change, the Estate would be closed during times of flooding and the existing access road, located in flood zone 1, would be available for emergency access. The flood risk assessment concludes that the site is at low or insignificant risk from flooding from all sources. A surface water drainage strategy has been drawn up which proposes the discharge of surface water to the ground via permeable paving for the access road and car parks, and underground geo-cellular infiltration tanks for the proposed buildings. Foul drainage would be discharged to an existing wastewater treatment plant on site.

The Lead Local Flood Authority (LLFA) raise no objection to the proposed development, recommending conditions to ensure that the drainage system is appropriately managed and maintained over the lifetime of the development. It is considered appropriate to attach conditions to ensure that the proposed drainage scheme is implemented prior to the development first being brought into use and that it is thereafter managed and maintained to any approval.

The application site is within flood zone 3 where the flood zone is generated by a main river. The Environment Agency provides standing advice to be applied in such circumstances. The NPPF details the requirement for a risk based sequential test to avoid, where possible, flood risk to people and property by steering new development to areas with the lowest risk of flooding from any source. Paragraph 168 states that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

The flood risk assessment (FRA) states that the objective of the proposed development relates to sustaining an existing tourist attraction and therefore it would not be possible to develop any other site and that, consequently, the test is deemed to be passed. It is accepted that the proposed development must be provided within the Shugborough Estate given its context and end use, and that the constraints of the Estate limit the land available for the proposed development. The FRA concludes that the flood risk to the proposed development is insignificant (surface water, sea, and infrastructure) and low (river, reservoir, and groundwater). The development is all considered to be classified as less vulnerable with regard to flood risk which is appropriate development within flood zones 1, 2, and 3a, and only inappropriate within zone 3b (functional floodplain); an exception test is therefore not required.

With regard to flood risk mitigation, it is stated in the FRA that the current access drive (wholly in flood zone 1) would remain available for use by emergency services to access any of the three buildings which are the subject of this application. Furthermore, the National Trust is signed up to receive flood warnings and is committed to keeping the estate closed in the event of a severe flood warning and has a flood plan which comes into operation in the case of flooding. This flood plan involves active monitoring of water levels in areas at risk of flood to close areas at risk

and to remove garden furniture. In the event that the site cannot safely operate the Estate is closed to visitors. The drainage strategy proposes the discharge of surface water to the ground via permeable paving and underground geo-cellular infiltration tanks based on no flooding up to the 3.3% AEP event and no internal flooding up to the 1% AEP storm event plus a 40% allowance for climate change. Foul water would connect to an existing on-site wastewater treatment plant. Given the support of the LLFA whereby it is recommended that conditions would ensure the reduction of risk of flooding downstream, it is considered that such risk is adequately considered. On the basis of an appropriate FRA being submitted in support of the application, and that the recommended drainage system would be secured by condition as recommended by the LLFA, it is not considered that the Environment Agency object to the proposed development having regard to their standing advice.

Water quality

With regard to water quality, the application is supported by an assessment which concludes that the permeability of the ground would allow for surface water drainage via infiltration and the proposed use of permeable hardstanding would encourage the drainage of surface water run-off at source as well as providing the basic water quality treatment to mitigate pollution from suspended solids, metals, and hydrocarbons. Furthermore, foul drainage would utilise the existing arrangements under a discharge permit.

Ground contamination

The accompanying land contamination assessment refers to the presence of arsenic and lead (both unlikely to be volatile), and asbestos (likely to be remnants of the demolition of WWII camp buildings). The assessment report recommends that construction workers are aware of the location and type of contamination to allow for a safe system of work to protect workers and that any asbestos found during works should be dealt with in accordance with relevant legislation. The ground investigation report echoes these recommendations and states that any visual or olfactory evidence of contamination identified during ground works should trigger further investigation and review of the risk assessment. The Council's Environmental Health Officer raises no objection, stating that the reports are satisfactory. A condition should therefore be attached to any approval to ensure that the proposed development is carried out in accordance with the Land Contamination Assessment (report reference 893-30).

Additionally, it is noted that the Environment Agency are not a statutory consultee with regard to contamination in this instance. The Environment Agency has therefore not been consulted about controlled waters on the basis that the ground investigation report makes reference to non-volatile substances and the Environmental Health Officer raising no concerns.

Construction works

The Environmental Health Officer raises no concerns regarding noise mitigation, dust management, or lighting overspill. Whilst a number of general conditions are recommended it is considered that these matters could be appropriately dealt with via the submission of a Construction Management Plan (CMP) which can be secured by condition.

Energy efficiency

The application is supported by an energy strategy and an overheating risk assessment which conclude that the proposed development would benefit from sufficient ventilation to mitigate potential overheating and that the development will assist in the National Trust's pledge to reduce the use of fossil fuels and cut carbon emissions from energy use for heat and electricity.

Staffordshire Police

Staffordshire Police raise no objection to the proposed development. A number of comments are made with regard to matters which are covered in detail within the proposal, including the provision of electric vehicle charging points and bicycle storage. Furthermore, comments are made regarding security measures and it is considered that these recommendations should be brought to the attention of the applicant via an informative on any approval.

Network Rail

The application is supported by a Network Rail protection report which outlines potential issues, and avoidance/mitigation measures to resolve any such concerns. Measures proposed include the provision of Trief kerbing (vehicular containment kerbs) and timber railing along the car park and exit route to prevent ingress onto railway land; the provision of bollards and a height barrier to prevent vehicular strike of the Lichfield Drive Railway Bridge; the use of appropriate permeable surfacing (and Trief kerbing) to reduce overland water flows towards railway land; the use of bolt-down kerbing to guide vehicles through the Lichfield Drive Railway Bridge to prevent vehicular strike without having to excavate adjacent to the foundations of the bridge; and the re-building of the walled garden wall 6.5m from the boundary fence to prevent earthworks for the exit route impacting the railway cutting or boundary fence. Network Rail raise no objection to the proposed development and make comments relating to lease agreements between Network Rail and the applicant, National Trust. It is considered that an informative would be appropriate to bring this matter to the attention of the applicant. Notwithstanding this, it is considered appropriate that precise details of the proposed timber railing, bollards, and height barrier should be secured by condition on any approval.

Policies and guidance:-

National Planning Policy Framework

Paragraphs: 8, 124, 158, 158, 159, 160, 164, 165, 167, 168, 169, 170, 173, 174, 180, 185, 186, 187, 188, 189, and 190

The Plan for Stafford Borough

Policies: 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

Colwich Neighbourhood Plan

Policies: CI1 Flooding

8. Conclusion and planning balance

Paragraph 88 of the National Planning Policy Framework seeks to support existing sustainable rural tourism and leisure developments which respect the character of the surrounding area and which is echoed through The Plan for Stafford Borough. It is accepted that character of the site and surrounding area is derived from the heritage assets which form the Shugborough Estate and the Cannock Chase National Landscape.

In considering development which may affect heritage assets it is acknowledged that any harm to the significance of a designated heritage asset will require clear and convincing justification (paragraph 206 of the NPPF) and, where development will lead to less than substantial harm to the significance of a designated heritage asset this harm must be weighed against the public benefits of the proposal. It is accepted that the proposed development will result in less than substantial harm, particularly to the grade II* listed walled garden, however the works proposed to the walled garden are clearly required to facilitate the relocation of the primary vehicular access and car parking areas which will result in significant enhancements and improvements to the grade I listed RPG and the setting of the grade I listed Shugborough Hall, including views from the grade I listed Hadrians Arch. The public benefit, acknowledged by Historic England, arising from the proposed comprehensive scheme in enhancing the ability of visitors to better appreciate and enjoy the unique heritage offer of the Shugborough Estate is considered to outweigh the demonstrable harm and given the proximity of the railway line it is accepted that the harm is, unfortunately, necessary in order to facilitate the works which will provide such benefits.

Subject to conditions it is considered that the proposed works will result in the enhancement of designated heritage assets of international significance and their setting. Furthermore, it is considered that the proposal would, subject to conditions, result in improvements to highway safety in approaching this popular tourist attraction, and enhancements in the ecological value of the site through comprehensive tree planting and works to protect and improve the biodiversity within the site.

It is considered that planning permission and listed building consent should be granted, subject to conditions and to the applicant entering into a planning obligation.

Consultations

Highway Authority

(Comments dated 14 December 2023):

No objection.

- The estate currently operates a one-way system with access from the A513/Holdiford Road junction and the exit 1.6km to the east on the A513.
- The current entrance is approximately 8m from the give way markings at a junction with an acute angle relationship. This is an unsatisfactory arrangement and congestion can occur if a vehicle is at the give way lines of Holdiford Road.

- The A513 at the exit point has reduced forward visibility and overtaking is prohibited by means of a double solid white centre line. This exit is shared as an access for White Barn Farm.
- The existing trip generation of the estate has been used to calculate trip generation as a result of the proposed development and visitor growth targeted by National Trust. Visitor numbers between March 2021 and February 2022 were 239,000 and this is expected to grow substantially in the coming years and expected to double by 2034.
- The proposed car park would be surfaced with plastic pavers and gravel infill, as would the overflow car park. The secondary overflow car park would be existing grassland and no bays would be formally marked.
- The parking of vehicles within the site would not have a significant effect on the highway, however vehicles entering and leaving the site may do, especially when special events take place and large number of visitors enter or leave in a short period of time.
- The proposed access would utilise a historic access arrangement into the estate, leading to a one-way access road connecting to the proposed car park. The existing junction is unsuitable to accommodate larger volumes of traffic and the proposal seeks to shift the junction west to ensure motorists on the A513 have sufficient forward visibility of the junction.
- The proposed junction would meet Design Manual for Roads and Bridges (DMRB) standards as a single carriageway priority junction with right turn land ghost island. To accommodate the ghost island it will be necessary to widen the A513 by 3.4m at its widest to allow for the additional lane. This widening would be on the estate side of the road given land ownership and the presence of trees on the opposite (southern) side.
- Although agreed in principle, the proposed access would require detailed design checks as part of an agreement with the highway authority and would require a road safety audit.
- Service vehicles below the 2.8m height limit would utilise the proposed access road under the Lichfield Drive bridge; all vehicles above this height would use the existing exit route as it would remain a two-way route for large vehicles and those accessing White Barn Farm.
- The drawings indicate a right turn ban at the White Farm Barn junction (vehicles travelling east on the A513). It is possible that no additional right turn movements into this site at this location will occur due to staff being encouraged to use the proposed access and all larger vehicles being told in advance to use alternative access routes. To verify the number of right turn movements, the applicant has agreed to monitor the use of this junction over the 2024 Easter weekend (one of the busiest weekends for the estate) and to carry out subsequent monitoring over easter weekends for the next five years. If the number of vehicles turning right into the estate from this junction increases by 10% in any of the subsequent years, a traffic management scheme at this location, to enhance the junction or reduce the number of right turning vehicles, will be required.

- The applicant has also agreed to enhance the road markings and signs associated with the site exit point onto the A513 as indicated on the drawings.
- It is accepted that special events, where additional high volume of traffic is attracted over a short period of time, would fall outside of the confines of the proposed development; they would comprise a separate matter which require planning permission or alternative licensing arrangement to be dealt with under separate regimes.
- The applicant has provided details of additional signage to direct vehicles to the correct access point based on vehicle height/size. The drawings are considered to be indicative and subject to the usual highway design checks as part of agreements with the local highway authority.
- Conditions are recommended to secure the following:
 - o Provision of junction onto the A513, road marking, and signage.
 - o Monitoring of right turns at the White Farm Barn access into the estate, and provision of subsequent traffic management scheme should right turns increase by 10% or more above the baseline figure.
 - o Development to be occupied in accordance with a travel plan to first be submitted and approved.
- The applicant is required to enter into a s106 agreement to secure the following:
 - o £10,000 travel plan monitoring fee.
 - o £10,000 contribution to a potential traffic management scheme.
- Off-site highway works will require a highway works agreement.

(Comments dated 17 August 2023):

Objection.

- The application should be refused for the following reasons:
 - o The traffic generated by vehicle entering the site at the proposed egress to the proposed development would be likely to result in an increase in highway danger due to increased use of the substandard existing junction with poor forward visibility for vehicles travelling east on the A513.
 - o It is unclear from the information provided if the traffic generated by the development, when special events are held, creating an additional high volume of vehicles over a short period of time, can be accommodated within the proposed ghost island right turn lane, causing potential road safety concerns.

- It is unclear from the information provided how vehicles will be warned in advance (both directions) of any potential height restriction that may affect their access into the site leading to frustrated road users making erratic / unlawful manoeuvres causing road safety concerns.
- It is unclear whether Network Rail have been informed of the increased use of a bridge with height restrictions that services their west coast main line.
- It is unclear what the exact width/height limit of the Ornamental Bridge will be, how it will be protected from large vehicles, and how this information will be indicated to visitors.

Conservation Officer

(Comments dated 14 February 2024):

No objection, subject to conditions.

- Whilst it is unfortunate that the proposed visitor centre building could not be sited outside of the root protection area of the ancient oak tree, additional information has been provided which demonstrates that the proposal would not result in a negative impact upon the tree's health or its rooting system. The objection to the location of the visitor centre is removed.
- The amendments to the visitor centre (window facing the veteran oak tree and inclusion of a perimeter footpath) are welcomed as they would improve visitor engagement with the tree.
- The lean-to canopy to the WWII building has been set back by one bay as requested. It is noted that the applicant seeks to retain the existing window frames but that some may require replacement dependent upon their condition. From a historic building perspective, the original windows should be retained as far as possible and could be thermally upgraded through secondary glazing, draft stripping, replacement of the existing single glazed panes with slimline double-glazed units or vacuum insulated glazing. A condition is recommended for submission of full joinery details and a window condition survey for this building prior to the removal of any existing windows and doors and prior to the installation of any new windows and doors/glazing.
- It is accepted that the applicant has demonstrated that the proposed lean-to extension is adequate to take the structural load of solar PV panels.
- The additional information relating to the access drive works within the Network Rail Protection Report is broadly acceptable, however it is requested that the bolt down plastic kerbing be a visually recessive colour rather than the black and white block shown in the concept images as this would be harmful to the immediate setting of the grade II* listed walled garden and grade II listed Lichfield Drive Railway Bridge.
- The detail submitted under the stage 3 landscape specification is acceptable and would be sympathetic to the character and setting of the grade I Shugborough RPG, the conservation area, and the setting of the numerous listed buildings and structures.

- Clarity has been sought from a Conservation Accredited architect who specialises in lime, on the type of lime mortar to be used in the reconstruction of the corner of the grade II* listed walled garden. There was initially a concern regarding the use of NHL 3.5 as its compressive strength has the ability to increase over time; it is agreed that NHL 2 would be more appropriate due to the concerns of the harder set of NHL 3.5. A condition is recommended that for the rebuilding of the wall (with the exception of the below ground brickwork) NHL 2 lime mortar shall be used.
- Despite concerns being raised regarding the use of surfapore-C water repellent coating on the external brickwork of the WWII building, this is still proposed, although additional information is provided. The technical specification claims that the product impregnates, waterproofs, and protects surfaces and claims to be breathable, however breathable is not a regulated term. It is understood that the product contains chemicals which combine with the substrate to form a hydrophobic layer which is likely to affect capillary movement near the surface. There could be a risk of salt build up below the surface, if salts are carried close to the surface to be deposited at the junction of the treated and untreated material, this could lead to physical degradation or pore blocking. As these types of water repellent coatings are relatively new there is little evidence in the potential long-term effects of their application to masonry. On this basis it is not possible to establish the extent of harm such a coating may cause to the brickwork in the long-term. Traditional limewash or lime sheltercoat on the other hand is a tried and tested method of providing a degree of weather proofing and is likely a safer option in this circumstance. This should be secured by condition.
- Conditions to secure the following are recommended:
 - o Restoration of existing visitor car park as grass parkland.
 - o Window and door condition report for WWII building, to include details of proposed replacements.
 - o Bolt-down plastic kerbing to have a dark green, dark grey, or black colour finish.
 - o Precise details of the vehicle height barrier.
 - o Details of any new or reclaimed brickwork to be used in the reconstruction of the corner of the grade II* listed walled garden.
 - o Use of NHL 2 lime mortar in above ground reconstruction of walled garden and use of NHL 5 lime mortar below ground.
 - o Any external coating to be applied to the WWII building shall be in lime, in accordance with details which shall first be approved.

(Comments dated 17 August 2023):

Objection.

- The principle of relocating the existing car park, reinstatement of Lichfield Drive as the primary vehicular access, and construction of a new visitor centre in the area of the former outdoor education centre has been a matter of pre-application discussion between the National Trust and Stafford Borough Council for a number of years.

- The existing car park is in a visually intrusive location and its relocation is welcomed. The relandscaping of the existing car park would serve as an enhancement to the designed landscape in conservation terms. The detailed landscaping schemes are considered to be of high quality, with native species planting, and are sympathetic to the designed landscape.
- The reinstatement of Lichfield Drive would facilitate the relocation of the car park. It is noted that alterations to the junction with Lichfield Road (A513) are proposed to improve visibility and safety. The existing entrance in Milford would be closed to general vehicular traffic and would become a pedestrian, coach, and deliveries access. There have been a number of road traffic accidents at this entrance due to its configuration and it is acknowledged that there are highway safety benefits to the access/egress proposals.
- It is acknowledged that the railway line or embankment cannot be altered or encroached upon and therefore the slight realignment of the southwest curve of the walled garden is proposed as the gap between the two is too narrow for any vehicle restraint measures to be installed to prevent vehicular damage to the historic wall or boundary fence to the railway. The proposed dismantling and rebuilding of the curved wall would provide the additional space required for the safe passage of vehicles. The removal of the gate is considered to be an improvement as it is a poorly executed later addition of inappropriate materials which detracts from the enclosed walled garden. Where possible, existing historic bricks would be salvaged and reused, bonded into the adjacent structure to match the original (mismatched 20th Century bricks would not be used). This dismantling and relocation would inevitably result in less than substantial harm to the historic and architectural interest of the grade II* listed structure, however it is appreciated that the re-orientation of the visitor arrival and the visitor experience are part of wider plans to enhance and better reveal the historic significance of the RPG, the setting and experience of the grade I listed Shugborough Hall and other key historic buildings within the site (such as views from the grade I listed Hadrians Arch). It is noted that every effort has been made to mitigate harm to the walled garden; the hot wall construction would remain unaltered, and this corner has been subject to some unsympathetic alterations in the 20th Century and is in a very poor state of repair. Whilst its relation is less than ideal, the wider benefits to the grade I Shugborough RPG, the Shugborough and Great Haywood Conservation Area, and the setting of numerous listed buildings are considered to outweigh the less than substantial harm in this instance.
- The proposed use of natural hydraulic lime mortar (NHL 3.5) is considered to be unacceptable as it would be too hard for use with the soft handmade bricks. A non-hydraulic lime mortar should be used in a ratio mix and colour to match the original lime mortar in the wall.
- There is no objection to the principle of extending, renovating, and repurposing of the existing curtilage listed former WWII building as the park maintenance hub. The extension would comprise an open-sided lean-to structure and would incorporate solar panels in its roof. Whilst the building is an important element of Shugborough's history and demonstrates the contribution the estate made towards the war effort, it is not the most aesthetically attractive building and would be the first visible structure on the approach from the Lichfield Drive access. New tree planting and landscaping is proposed in front of the building which would screen it from view on this approach. It is,

however, considered that the lean-to extension should be set back one bay from the end gable to clearly express the new structure as a later extension and not compete with the primary gable of this curtilage listed building. Furthermore, the use of a chemical waterproofing agent is not acceptable and this should be omitted from the proposal.

- There is no objection to the principle of a new visitor centre utilising high quality materials and a design which integrates and engages with the historic landscape. A curved design is proposed with principles which centre on the adjacent 550-year-old ancient oak tree which may be the oldest tree on the estate and which predates the 18th Century designed landscape. It is, however, disappointing to see the lack of engagement with the tree as the active frontage of the proposed building would face the proposed toilet block. The side of the building facing the tree would be relatively blank with a single, centrally placed window. It is noted that the design driver for this is to protect the tree from visitors causing damage to it and its rooting area, however the proposed new building would likely have significantly deeper foundations than the modular building which it would replace and would be situated in the root protection area (RPA) of the oak tree which could result in detriment to the tree's future health. It is disappointing that the building turns its back on the ancient tree and actively prevents visitor engagement with this significant feature of the RPG. Whilst the form and materials are generally acceptable, it is considered that there should be more engagement with the tree and the proposed visitor centre should be located outside of the RPA to avoid unnecessary damage, possibility incorporating a wider curve to accommodate the RPA and moving slightly further northeast. The side of the building facing the tree should be the active frontage with more glazing and the internal layout should be rearranged accordingly. If necessary, visitor access to the tree could be prevented through estate railings. Consideration should also be given to incorporating the toilet block into the visitor centre building.
- The proposal involves some of the most significant changes to the estate since the 19th Century and must be carefully executed with great attention to detail and promote visitor engagement with the most important historic estate and designed landscape in Staffordshire.
- Whilst the proposal would result in some (less than substantial) harm, particularly in terms of the alterations to the grade II* listed walled garden, overall the proposal has the potential to achieve wider heritage benefits for the grade I Shugborough RPG and the ability to improve visitor engagement. However, there remain some issues which require resolution before the proposed development is acceptable. From a heritage conservation perspective, the proposed visitor centre and toilet block fall short of the high standards require in terms of layout, integration, and engagement with the historic landscape; and the potential impacts to the ancient oak tree.
- The proposal, in its current form is contrary to policies N1, N8, and N9 of The Plan for Stafford Borough and paragraphs 200 and 202 of the NPPF. Furthermore, the proposal fails to satisfy sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which places particular emphasis on the desirability of preserving listed buildings and their setting, and conserving or enhancing the character and appearance of the conservation area.

Historic England

(Comments dated 1 August 2023):

No objection.

- Shugborough Hall is of the highest significance for its exceptional historic and architectural interest – both the Hall and the RPG are listed grade I. In addition, the walled garden is separately listed (grade II*) due to its more than special historic interest.
- The proposed development would result in a degree of harm to heritage significance, however the reorientation of the visitor arrival and visitor experience are part of wider plans to enhance and better reveal the historic character of the RPG, and the setting and experience of the hall and other key historic buildings within the site.
- The proposal takes the opportunity to mitigate potential heritage impacts and to maximise the benefits, a key element of which is the proposed relation of the poorly located, intrusive, and excessively dominant car park and the associated restoration of historic parkland.
- It is considered that the scheme would enhance the ability for visitors to better appreciate and enjoy the unique heritage of Shugborough.

Staffordshire Gardens and Parks Trust (on behalf of The Gardens Trust)

(Comments dated 6 February 2024):

No objection.

- Visually, the form of the amended lean-to roof (WWII building) is now acceptable. It is, however, unclear how the structure would be supported against the existing building and details should be provided. Furthermore, it is unclear whether the proposed lightweight roof would be robust enough to support the proposed solar PV panels.
- The elevation drawings (WWII) note that the existing window frames would be retained and double glazed but the footnote states that windows are to be replaced.
- It is unclear whether a 'softpore' chemical treatment would be applied to the historic brickwork, it is considered that this is an unsuitable treatment.

(Comments dated 2 August 2023):

No objection.

- The application proposal has been the subject of extensive discussion over recent years and is considered to be well thought out and sensitive. The Gardens Trusts welcome the proposed development and raise no objection in principle.

- The regimented layout of the proposed new car park is unfortunate, however and a looser arrangement of the parking bays and a staggering of the tree planting to break up the otherwise unrelieved mass of stationary vehicles has been suggested to the applicant informally in order to better blend the facility into the wider parkland. A small amendment to the scheme would be welcomed.

Georgian Group

(Comments dated 4 August 2023):

No objection.

- It is clear that moving the car park from its present, highly intrusive location would do much to improve visitor appreciation of the nationally significant designed landscape and to reverse the harm caused since the second world war. The site of the proposed new car park is in an area which has suffered significantly since WWII and is also better screened than the present site. The proposed car park would compromise important designed views within the parkland to a far lesser extent than the existing.
- The Georgian Group concurs with the comments of the Staffordshire Gardens and Parks Trust regarding amendments to the layout and design of the proposed car park.
- The walled garden is one of a small number of grade II* listed walled gardens in the country and one that was additional significant in the early 19th Century for its role in training future gardeners. Given the proximity of the railway line it has proved impractical to move the access route further from the walled garden and avoid the necessity for works to the walled garden.
- It is accepted that the wall, in this location, is in poor repair and in need of rebuilding work and, furthermore, has been altered by the insertion of a large gateway in the 20th Century. Whilst the proposed works would result in a minor degree of harm to the overall grade II* listed walled garden complex, a strong justification has been provided for undertaking the work and it is clear that the overall scheme would be beneficial to the nationally significant designed landscape.
- The group reluctantly accepts the need for the minor works of demolition proposed.
- The group defers to others over the wider proposals for the Shugborough Park.

County Archaeologist

(Comments dated 7 July 2023):

No objection.

- The supporting archaeological impact assessment is comprehensive and has been produced following detailed discussion with the County Council. It is informed by pre-application non-intrusive and intrusive archaeological evaluation works.

- The conclusions of the assessment are supported and it is considered that there are no material archaeological constraints associated with the current proposal which would prevent them going forward. The proposed programme of mitigation works would be an appropriate response.
- Construction groundworks have the potential to impact on below ground archaeological features dating from the prehistoric period up to any remains of the WWII military hospital. Works to extant historic buildings have potential to reveal information about their construction and use through pre-works recording and structural watching briefs during works.
- Should permission be granted, a staged programme of archaeological works should be secured by condition. This programme of works should include a combination of:
 - o Targeted archaeological watching briefs.
 - o Archaeological building recording.
 - o Archaeological strip, map and sample excavation.
- The scope of the above works should be agreed in advance and the approach formalised, and methodology outlined, in an Archaeological Management Plan (AMP) to be secured by condition.

Design Advisor

(Comments dated 17 January 2024):

No objection.

- The revised plans adequately address the two issues previously considered outstanding; namely the modification of the window in the café overlooking the veteran tree and the improvement of the landscape design to provide opportunities for visitors to better engage with and enjoy the tree.
- It is particularly pleasing that a short linking footpath between the new picnic area to the south of the veteran Oaks RPA and the southwestern corner of the visitors centre has been provided as requested.

(Comments dated October 2023):

Objection.

- It is unfortunate that the applicant has declined to modify any aspect of the proposal to address the concerns previously outlined.
- Comments made in August remain relevant.

(Comments dated August 2023):

Objection.

- There is much to commend the overall scheme (the reintroduction of the historic access and approach will vastly improve the quality of the sense of arrival and appreciation of the historic landscape setting, the relocation of the public parking area will significantly improve the landscape setting of the triumphal arch folly and wider estate, the provision of a new visitors centre will provide up an up to date and enhanced offer to visitors, the refurbishment of the WW2 maintenance buildings will bring these buildings back into effective use and tangibly add them to the historic narrative that visitors to the estate can appreciate, works to the walled garden will repair unsensitive damage to the historic fabric that was previously carried out, etc) and it is broadly agreed and support that the entire package of works will bring significant improvement to the quality of experience that visitors to Shugborough Hall and its environs have.
- Clearly, most of the proposed interventions are directly concerned with alteration and improvement to the historic fabric and landscape of the estate, and in this respect, it is considered that the advice offered by Historic England and the Council's Conservation Advisor should have precedence in consideration of the design of those elements of the proposals. However, in specific regard to the design of the new contemporary visitor centre there is considered to be a significant and fundamental conflict in how the underlying concept of the building has been realised and articulated in its final design.
- The specific placing and curved architectural plan-form of the building has clearly been inspired and driven by the presence of an ancient and remarkable oak tree, with the building apparently embracing and celebrating it, and while this in itself is a compelling and convincing design narrative it is disappointing that the building is essentially turning its back to the tree and almost totally excluding it from being an intrinsic and elemental part of the visitor experience of both the internal and external spaces that the new building and its landscape setting create. By facing the building away from the tree and by effectively excluding public access anywhere near the tree and only providing a relatively small window from the café overlooking the tree, the relationship between the building and its external spaces feels almost counter-intuitive with regard to how they celebrate this ancient tree, and it seems as though the new centre is effectively saying "stay away" from the tree. It would be a more satisfying architectural resolution to have the fully glazed and interactive façade of the building overlooking and opening itself up to this tree and allowing pedestrian access to revolve around it (though not necessarily facilitating direct physical access to it, or its root protection area by provision of appropriate railings or glazed screening) and in this manner would embrace and celebrate the ancient tree with far greater architectural integrity and satisfaction.
- Part of the building sits within the root protection area of the tree, and while it is understood that potentially up to 25% of an RPA could be impacted by new construction without it having a detrimental impact on the health of the tree, again this seems counter-intuitive to a sensitive design response to the presence of the tree.

- Although in isolation, the architecture of the visitor centre has significant visual appeal, it is considered that for the above reasons, the current design of the centre seems compromised and counter-intuitive in regard to its relationship with the ancient Oak and this holds the design of this specific element of the overall scheme back from it being regarded and supported as a high-quality and convincing design solution. This is, at the least, disappointing given the opportunity that this key element of the scheme represents to truly enhance and add to the appreciation of the historic and cultural significance of the site and wider estate.

Natural England

(Comments dated 4 July 2023):

No objection.

- The proposed development would not result in significant adverse impacts on statutorily protected nature conservation sites.

Cannock Chase AONB Partnership:

(Comments dated 23 July 2023):

No objection.

- The AONB Partnership is supportive of the proposed development.
- The proposal sits within the context of an ambitious masterplan by the National Trust to develop Shugborough as a regional destination for visitors. Central to the application is the reconfiguration and introduction of key infrastructure within the estate.
- The National Trust intends to deliver the proposal using an ambitious net zero carbon approach to sustainability, set within the context of complex heritage, ecological, physical, and economic constraints.
- Access for all is at the heart of these proposals, in terms of physical access, and a holistic approach considering opportunities for adventure, learning, ecological, and cultural experiences for people of all ages, backgrounds, and abilities.
- The proposal is generally of an acceptable standard, however it should be supported by a formal landscape and visual impact assessment carried out under LVIA3 standards.
- The proposal would result in high quality buildings and places, and it is considered that good design is demonstrated within the proposal.
- Careful consideration has been afforded to the proposal to ensure the conservation and enhancement of the landscape and scenic beauty, and the conservation and enhancement of wildlife and cultural heritage within the AONB. The scale and extent of the proposed development is appropriate.
- The proposal is in accordance with the National Design Guide where applicable and the proposal would significantly encourage tourism within the Borough.

Tree Officer

(Comments December 2023):

No objection.

- It is clear that some of the proposed development falls within the enhanced RPA/buffer zone of the standing advice, however only a small area would not already be affected either by existing buildings, roads, hardstanding, or pathways. The standing advice takes no account for this.
- Both the NPPF and standing advice state that planning permission should be refused if development would result in the loss of deterioration of ancient woodland, ancient trees, or veteran trees, unless there is demonstration of both wholly exceptional circumstances and there being a suitable compensation strategy – none of which apply in this case.
- British standards have a capped RPA of a circle with a 15m radius whilst the standing advice has an uncapped minimum buffer zone of 15 times the trunk diameter which in this case would be a circle with radius of 28m.
- Whilst the importance of ancient and veteran trees should not be disputed, any professional arboricultural would look at pre-existing site conditions when considering new development relative to any tree.
- There are existing structures and surfaces which post-date the veteran tree and which are within the RPAs which will have had (and continue to have) an effect on the root system of the tree; these are detailed in the supporting information and the conclusion is supported.
- The RPA for the oak tree should be redrawn as a polygon containing the same area in accordance with the recommendations made in British standards with the western/north western line of the polygon following the eastern edge of the road which separates the tree from the existing and proposed development; it is this area which should be subject to the greatest protection.
- Whilst the polygon should be the area of greatest protection, it is important to consider those areas of new development which fall outside of the polygon and within either RPA. It is recommended that all tree protection measures set out in the supporting arboricultural impact assessment are put into place prior to the commencement of any works around retained trees. A detailed method statement setting out the protection measures, phasing, etc. to minimise the potential impact of works on retained trees should be submitted for approval. The statement should also include details of the amended RPA and for its protection.
- Subject to appropriate conditions there should be no loss or deterioration of any ancient or veteran tree.

(Comments dated 16 August 2023):

No objection.

- The proposed building involves an additional 10% incursion into the enhanced (standing advice guidance) RPA (2,470sqm) of the veteran oak above what is already taken up by the existing building.
- The total area of new build falling within the enhanced RPA is 374sqm (15% of total RPA); of that 332sqm is built over the footprint of the existing building and parking area at the rear, the remaining 80sqm on previously undeveloped land within the RPA equates to just over 3% of the total RPA.
- It is unknown whether new excavation would be required where the proposed structure would be built over the existing footprint. Localised excavation would be necessary for vertical timber supports for a timber framed structure, or pile and beam foundations would be suitable where only localised excavation would be required with the walls and floors being built above existing ground levels off beams supported on the piles.
- The existing concrete road and other hardstanding/footpaths between the existing and proposed buildings within the RPA are to be removed – this should benefit the Oak.
- The oak has been substantially crown reduced in the past and managed to lessen the potential for future stem/limb failures; new pruning is recommended in the arboricultural survey in this respect. These works have had (and will have) the effect of reducing the crown size and, with it, the moisture and nutrient uptake requirements of the oak.
- Regardless of the new build materials and foundations it is considered that the small extent of any new excavations which may be required would not cause any detriment to the health of long-term retention of the veteran oak, particularly given the other works being carried out within the RPA to enhance the ground conditions.
- All recommended tree protection measures in the arboricultural impact assessment must be put into place prior to the commencement of any works in the vicinity of retained trees. A detailed method statement to set out protection measures and phasing, etc. to minimise the potential impact of works on any vulnerable retained trees should be submitted for approval.

(Comments dated 2 August 2023):

No objection.

- No reference is made to the veteran tree adjacent to the proposed visitor centre because almost all of the new proposal (where it is within the RPA) is within the footprint of existing development. Subject to all protective measures taking place in accordance with the supporting arboricultural information there should be no detrimental impact to this tree.

(Comments dated 13 July 2023):

No objection.

- There is a significant topographical survey for the site and the detailed Arboricultural Survey (AS) and Impact Assessment (AIA) by Symbiosis are based on this. The AS and AIA are thorough and all aspects of the proposals and their effects on trees have been examined and considered.
- There are two main areas in the proposals that are likely to cause most concern due to the extent of tree removal required: the proposed new vehicular access into the estate from the A513 along the Lichfield Drive, and the proposed new parking areas.
- To facilitate the proposed parking areas 11 category B and 11 category C (poor quality) trees would need to be removed, along with approximately 1ha of unmanaged and poor-quality conifer plantation. The proposed car park would not require the removal of any category A trees.
- A block of the plantation would be retained between the two car parks which would aid in breaking up their visual extent.
- A block of trees would be retained on the north side of the main car park but a line of poor quality Sycamores would require removal along the railway fence line in order to facilitate the new egress from the car park.
- The proposed access into the estate from the A513 would require the removal of two category A trees, 15 category B trees and 45 category C (poor quality) trees from the woodland belt which defines the north side of the road. A mix of category A, B, and C trees would be retained between the new access and the existing access (to be closed off). Whilst the proposed tree removals would cause some initial detriment to the character of this local area I do not consider that the detriment will be long-term due to the number of trees being retained. Distant approaches/views from both directions to the new access are likely to be largely unaffected.
- Whilst there are clear disbenefits to the proposals caused by the removal of trees there would be only 1% of category A (best quality) trees removed across the whole of the site whilst 71% of those to be removed are category C (poor quality) or U (dead or dangerous). Retained trees and new planting across the sites/proposals would help to maintain the long-term character and historic value of the conservation area.
- The removal of trees in any situation is unfortunate, and particularly if this is unavoidable. Whilst removals could be avoided this would mean that the whole project would be at risk and/or could not be implemented and the restoration of the historic parkland and setting would not be possible. On balance it is considered that the long-term benefits outweigh any short term disbenefits caused by tree losses and accordingly there is no objection to the proposed development.
- A condition is recommended to ensure tree protection; an arboricultural method statement should be submitted and approved prior to the commencement of development.

Biodiversity Officer

(Comments dated 14 July 2023):

No objection.

- Pearce Environment undertook a Preliminary Ecological Appraisal in June/July 2022. A Biodiversity Net Gain Assessment report by Wildwood Ecology is submitted in support of the application.
- Conditions are recommended to ensure the following:
 - o Development to be carried out in accordance with a Construction Environment Management Plan (CEMP) supervised by an Ecological Clerk of Works, and which includes all details of Reasonable Avoidance Measures (RAMs) recommended by Pearce Environment.
 - o Reasonable Avoidance Measures should be implemented as stated with regard to badgers, reptiles, amphibians, and great crested newts.
- Areas should be retained and/or enhanced as grassland, with a mosaic of scrub/trees, and planting to benefit local amphibian populations.
- A new wildlife pond would be created, a minimum of 100sqm with shallow sides and shallower, mid depth margin, down to a sump.
- The site should be managed to benefit the species, including leaving dead wood piles, dead hedging, etc.
- The following provision should be made:
 - o 3 Amphibian hibernacula
 - o 5 Habitat/log piles
 - o 4 Bat boxes
 - o 2 Bat tiles
 - o 2 artificial badger setts
 - o 20 bird nesting boxes for passerine bird species (to include provision for swifts, house martins, sparrows, kestrels, tawny owls, and barn owls).
- External lighting should be installed in accordance with an appropriate plan to avoid light spill on boxes and commuting areas.
- Vegetation works should not be undertaken in the nesting season unless it can be demonstrated by the developer that breeding birds will not be affected.
- The Biodiversity Net Gain report indicates a 22% uplift in habitat units and 23.6% uplift in hedgerow units. Recommendations for restoration of Wood Pasture and Parkland, and Lowland Acid Grassland should be carried out. Subsequent management will be key in achieving/maintaining the required condition. A restoration plan should be secured by condition along with a plan for monitoring and reporting.
- Revised landscaping plans should be secured by condition, to include provision of new hedgerows and tree planting of appropriate native species.

Newt Officer

(Comments dated 12 July 2023):

No objection.

- The ecological report and reasonable avoidance measures/non-licensed method statement are acceptable and should reduce and avoid any likely impact upon great crested newts (GCN).
- A condition is recommended to secure the measures.
- An informative is recommended as a precaution to bring to the attention of the applicant the protected status of GCN.

(Comments dated 6 July 2023):

Objection.

- The application site is within the amber impact risk zone for great crested newts (GCN) where there is highly suitable habitat and a high likelihood of GCN presence.
- There are 16 ponds within 500m of the application site, the closest being within 5m of the northern boundary, and there are recent GCN records within 350m of the site.
- There is connectivity between the application site and surrounding features in the landscape via woodland and grassland.
- The applicant has not provided any ecological information in support of the application, apart from a biodiversity net gain assessment. It cannot, therefore, be determined whether there is a likely impact to GCN and/or their habitats.

Environment Agency

Please refer to standing advice.

Lead Local Flood Authority

(Comments dated 17 July 2023):

No objection subject to conditions to ensure the implementation of the approved drainage scheme and its maintenance in accordance with details to be approved.

County Rights of Way Officer

(Comments dated 27 June 2023):

No objection.

- Public bridleway (64 Colwich) crosses the application site and would be directly impacted by the proposed development.

- The bridleway starts east of White Barn Farm, runs west of the walled garden, east of park farm, heading northeast, then crosses Essex Bridge. It also makes up part of the Staffordshire Way promoted route.
- The granting of planning permission would not constitute authority for any interference with the public right of way and associated items, including its obstruction.
- If the bridleway requires diversion as a result of the proposed development, the applicant must apply to divert the right of way to allow the development to commence.

Environmental Health Officer:

No objection.

- The Ground investigation reports are satisfactory.
- The area of the former military use has been identified as having discrete areas of asbestos containing materials (ACM), the recommendations to manage and contain 'found' asbestos during excavations/construction must be adopted in accordance with the Land Contamination Assessment (report reference 893-30).
- There are no specific comments with regard to noise mitigations/dust management or lighting overspill.
- The following general conditions are recommended:
 - o Restriction of hours of works and demolition.
 - o Prohibition of burning on site during development
 - o Proper removal and disposal of all demolition materials.
 - o Provision of facilities at the site to be used when necessary for damping down to prevent excessive dust.
 - o High intensity site lighting during works should be directed away from nearby residences.

Staffordshire Police

(Comments dated 7 July 2023):

No objection.

- Electric vehicle charging points should be installed within the car park.
- Lighting around the site should allow for safe passage for pedestrians and vehicles.
- Secure bicycle parking should be provided in an area with good surveillance.
- Solar PV panels should be on roofs which are difficult to access and should be secured with theft resistant fastenings.

- The WWII hut should be access controlled at all times.
- The visitor welcome centre should be alarmed.

HS2

(Comments dated 3 July 2023)

No comment response.

Network Rail

(Comments dated 13 July 2023):

No objection.

- The applicant grants leases to Network Rail so they should be aware of these.
- It is requested that the applicant contact Network Rail so it can be understand what works are proposed in the vicinity of the lease area. Network Rail have rights to access and park at Lichfield Lodge and Trout Farm; both are included in the site plan.

Colwich Parish Council:

No objection.

- The Parish Council is unanimously supportive of the proposed development.

Neighbours (48 consulted):

Two representations received in support of the proposed development, raising the following points:

- The proposal would greatly enhance and restore the landscape of the park.
- The proposal would help to develop and improve this tourist facility.
- The current access is awkward and easily obstructed by traffic.
- The current access results in vehicles and pedestrians using a narrow lane for a significant distance.
- Resulting harm to biodiversity would be mitigated to provide a net gain.

Five representations received in objection to the proposed development, raising the following points:

- Encouraging an increase in visitor numbers would lead to an increase in the volume and speed of the traffic on a busy road.
- The existing car park is relatively new and locating a car park further from the attractions is not environmentally advisable.

- Increased vehicle numbers leaving the site in the existing dangerous location is not advisable.
- The proposed access would be inadequate and unsafe.
- The proposed driveway would cut through woodland.
- Harm to biodiversity on the site.
- Loss of walking routes.
- The need for carparking would be reduced if investment was made in subsidising public transport to the estate.
- The proposed access route would not accommodate local access or those using public transport.
- There would be no pedestrian access to the proposed access junction.
- The design of the visitor centre is not in keeping with the estate. The modular building currently in use are small and relatively unobtrusive by comparison.
- The proposed visitor centre is unnecessarily large and duplicates facilities provided elsewhere in the estate in more appropriate locations.
- The proposed development would risk harm to, or loss of, a veteran tree.

One representation received, neither in support nor objection to the proposed development, raising the following points:

- It is unclear how the design would allow continued use of the bridleway to Essex Bridge.

Site notice expiry date: 11 January 2024

Newsletter advert expiry date: 10 January 2024

Relevant Planning History

74/01162/SCG – Proposed erection of a one classroom mobile unit – Approved 12 February 1975

80/11252/SCG – Proposed mobile unit to be used as dining room – Approved 14 January 1981

85/17029/SCG – Timber dormitory block – Approved 20 February 1985

85/17032/SCG – Conversion of loco shed to exhibition area and workshops in association with county museum – Approved 20 February 1985

16/24902/FUL - Enhancement of the existing car park alongside surface improvements to existing areas to provide more all-weather car parking provision, designated disabled and

larger standard spaces, complete with associated drainage, landscaping and screening – Approved 21 December 2016

16/25157/FUL - Erection of a timber framed ticket office structure with canopy – Approved 9 February 2017

17/25702/ADV – Welcome, admission and information signs – Approved 15 March 2017

17/26873/LBC – South walled garden remediation works – Approved 27 October 2017

19/31005/FUL – The creation of a temporary all weather buggy turning area complete with associated landscaping – Approved 31 October 2019

Recommendation 23/37238/FUL

Approve subject to the following conditions and the applicant entering into a planning obligation:

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

2202-3-010 P Existing Ground Floor Plan

2202-3-020 P WW2 Building - Existing GF Plan

2202-3-021 P WWII Building - Existing Roof Plan

2202-3-030 P Walled Garden Building - Existing GF Plan

2202-3-051 P WW2 Building - Existing Sections

2202-3-060 P OEC Canteen Building - Existing Elevations

2202-3-061 P WWII Building - Existing Elevations

2202-3-062 P Walled Garden Building - Existing Elevations

2202-3-110 P1 Visitor Centre- Proposed Ground Floor Plan

2202-3-111 P1 Visitor Centre- Proposed Roof Plan

2202-3-112 P Proposed Reflected Ceiling Plan

2202-3-120 P2 WWII Building - Proposed GF Plan

2202-3-121 P2 WWII Building - Proposed Roof Plan

2202-3-130 P Walled Garden Building - Proposed GF Plan

2202-3-201 P1 Visitor Welcome Building- Sections

2202-3-220 P2 WW2 Building - Proposed Sections

2202-3-301 P1 Visitor Welcome Building- E and W Elevations

2202-3-302 P1 Visitor Welcome Building- NE and SW Elevations

2202-3-303 P1 WC Building- Elevations

2202-3-310 P2 WWII Building - Proposed Elevations

2202-3-320 P Walled Garden Building - Proposed Elevations

2202-3-500 P Visitor Centre and Toilet Block Section Details

2202-3-501 P WWII Building - Proposed Details

3599-LAN-ZZ-XX-DR-L-1001-P02 - Landscape Mitigation Strategy (1 of 3)

3599-LAN-ZZ-XX-DR-L-1002-P01 - Landscape Mitigation Strategy (2 of 3)

3599-LAN-ZZ-XX-DR-L-1003-P01 - Landscape Mitigation Strategy (3 of 3)

893-30-CIV-XX-XX-D-C-30000 P06 PROPOSED BELOW GROUND DRAINAGE SITEWIDE

893-30-CIV-XX-XX-D-C-30001 P02 PROPOSED BELOW GROUND DRAINAGE SHEET 1

893-30-CIV-XX-XX-D-C-30002 P06 PROPOSED BELOW GROUND DRAINAGE SHEET 2

893-30-CIV-XX-XX-D-C-30003 P06 PROPOSED BELOW GROUND DRAINAGE SHEET 3

893-30-CIV-XX-XX-D-C-30004 P06 PROPOSED BELOW GROUND DRAINAGE SHEET 4

893-30-CIV-XX-XX-D-C-30005 P06 PROPOSED BELOW GROUND DRAINAGE SHEET 5

893-30-CIV-XX-XX-D-G-20011 P04 FFL CONTOURS SITEWIDE

893-30-CIV-XX-XX-D-G-20012 P04 FFL CONTOURS SHEET 1

893-30-CIV-XX-XX-D-G-20013 P04 FFL CONTOURS SHEET 2

893-30-CIV-XX-XX-D-G-20014 P04 FFL CONTOURS SHEET 3

893-30-CIV-XX-XX-D-G-20015 P04 FFL CONTOURS SHEET 4

893-30-CIV-XX-XX-D-G-20016 P04 FFL CONTOURS SHEET 5

893-30-CIV-XX-XX-D-G-20017 P04 FFL CONTOURS SHEET 6
893-30-CIV-XX-XX-D-G-20018 P04 FFL CONTOURS SHEET 7
893-30-CIV-XX-XX-D-G-20019 P04 FFL CONTOURS SHEET 8
893-30-CIV-XX-XX-D-G-20020 P04 FFL CONTOURS SHEET 9
893-30-CIV-XX-XX-D-G-20021 P04 FFL CONTOURS SHEET 10
893-30-CIV-XX-XX-D-H-40100 P03 S278 and S38 SWEPT PATH PLAN
893-30-CIV-XX-XX-D-H-40130 P02
893-30-CIV-XX-XX-D-H-40131 P02
893-30-CIV-XX-XX-D-H-40132 P02
893-30-CIV-XX-XX-D-H-40133 P02
893-30-CIV-XX-XX-D-H-40134 P02
893-30-CIV-XX-XX-D-Z-10010 P06 PLANNING RED LINE BOUNDARY SITE
PLAN
893-30-CIV-XX-XX-D-Z-10011 P06 PLANNING RED LINE BOUNDARY SHEET 1
893-30-CIV-XX-XX-D-Z-10012 P06 PLANNING RED LINE BOUNDARY SHEET 2
893-30-CIV-XX-XX-D-Z-90100 P03 S278 and S38 BOUNDARY PLAN SITE WIDE
893-30-CIV-XX-XX-D-Z-90101 P03 S278 and S38 BOUNDARY PLAN SHEET 1
893-30-CIV-XX-XX-D-Z-90102 P03 S278 and S38 BOUNDARY PLAN SHEET 2
893-30-CIV-XX-XX-D-Z-90103 P03 S278 and S38 BOUNDARY PLAN SHEET 3
893-30-CIV-XX-XX-D-Z-90104 P03 S278 and S38 BOUNDARY PLAN SHEET 4
893-30-CIV-XX-XX-D-Z-90130 P03 S278 and S38 GENERAL ARRANGEMENT
PLAN SITE WIDE
893-30-CIV-XX-XX-D-Z-90131 P04 S278 and S38 GENERAL ARRANGEMENT
PLAN SHEET 1
893-30-CIV-XX-XX-D-Z-90132 P04 S278 and S38 GENERAL ARRANGEMENT
PLAN SHEET 2
893-30-CIV-XX-XX-D-Z-90133 P03 S278 and S38 GENERAL ARRANGEMENT
PLAN SHEET 3
893-30-CIV-XX-XX-D-Z-90134 P03 S278 and S38 GENERAL ARRANGEMENT
PLAN SHEET 4

893-30-CIV-XX-XX-D-Z-90500 P01 S278 and S38 LOCATION PLAN

TNT-SUG_HTA-L_DR-0900 04 Landscape Masterplan

TUT-SUG_HTA-L_DR-0901 04 Lichfield Drive Entrance

TUT-SUG_HTA-L_DR-0902 04 Lichfield Drive and bridge

TUT-SUG_HTA-L_DR-0903 06 Lichfield Drive and car parks

TUT-SUG_HTA-L_DR-0904 05 Lichfield Drive and car parks

TUT-SUG_HTA-L_DR-0905 04 Existing Car Park and Walled Garden

TUT-SUG_HTA-L_DR-0906 05 Lichfield Drive

TUT-SUG_HTA-L_DR-0907 04 Park Farm

TUT-SUG_HTA-L_DR-0908 05 Mansion Car Park and Ladywalk

TUT-SUG_HTA-L_DR-0909 04 Mansion Car Park and House

TNT-SUG_HTA-L_DR-0910 04 Walled Garden

TUT-SUG_HTA-L_DR-0911 04 Forest Garden and Underley Cop

TUT-SUG_HTA-L_DR-0912 05 Underley Cop and Parkland

TUT-SUG_HTA-L_DR-0913 04 Walled garden south

TUT-SUG_HTA-L_DR-0914 04 Underley Cop

TUT-SUG_HTA-L_DR-0915 04 Visitor Centre and Underley Cop

TUT-SUG_HTA-L_DR-0916 06 WWII Building

TUT-SUG_HTA-L_DR-0917 04 Park Farm

TUT-SUG_HTA-L_DR-0918 04 Park Farm

TUT-SUG_HTA-L_DR-0919 05 Mansion Car Park

TUT-SUG_HTA-L_DR-0920 04 Existing entrance

TUT-SUG_HTA-L_DR-0945 05 Visitor Centre

TUT-SUG_HTA-L_DR-1001 03 Existing Site Plan Lichfield drive

TUT-SUG_HTA-L_DR-1002 03 Existing Site Plan Lichfield drive and bridge

TUT-SUG_HTA-L_DR-1003 03 Existing Site Plan Lichfield drive

TUT-SUG_HTA-L_DR-1004 03 Existing Site Plan Lichfield drive and Haha

TUT-SUG_HTA-L_DR-1005 03 Existing Site Plan Existing car park and walled garden

TUT-SUG_HTA-L_DR-1006 03 Existing Site Plan Lichfield drive

TUT-SUG_HTA-L_DR-1007 03 Existing Site Plan Park Farm

TUT-SUG_HTA-L_DR-1008 03 Existing Site Plan Mansion Car park and gardens

TUT-SUG_HTA-L_DR-1009 03 Existing Site Plan Mansion Car park and House

TUT-SUG_HTA-L_DR-1010 03 Existing Site Plan W11Building

TUT-SUG_HTA-L_DR-1011 03 Existing Site Plan Existing entrance

TNT-SUG_HTA-L_DR-1900 06 Site Landscape Masterplan

TNT-SUG_HTA-L_DR-3901 P05 Section Walled Garden

TNT-SUG_HTA-L_DR-3902 P04 Section East annex

TNT-SUG_HTA-L_DR-3903 P04 Section Northern route

TNT-SUG_HTA-L_DR-3904 P03 Section Southern route

TNT-SUG_HTA-L_DR-3905 P01 Section Walled Garden

TNT-SUG_HTA-L_DR-3906 P04 Section Parkland route

TNT-SUG_HTA-L_DR-3907 P04 Section visitor centre

TNT-SUG_HTA-L_DR-3908 P04 Section Entrance junction

TUT-SUG_HTA-L_DR-9521 06 TR and R Lichfield Drive Junction

TUT-SUG_HTA-L_DR-9522 07 TR and R Lichfield Drive and Bridge

TUT-SUG_HTA-L_DR-9523 07 TR and R Lichfield Drive and car parks

TUT-SUG_HTA-L_DR-9524 07 TR and R Lichfield Drive and car parks

TUT-SUG_HTA-L_DR-9525 06 TR and R Existing Car Park and Walled Garden

TUT-SUG_HTA-L_DR-9526 07 TR and R Lichfield Drive

TUT-SUG_HTA-L_DR-9527 06 TR and R Park Farm

TUT-SUG_HTA-L_DR-9528 06 TR and R Mansion Car Park

TUT-SUG_HTA-L_DR-9529 07 TR and R WWII Building and Lichfield Drive

2202-3-100 Rev A - Visitor Centre Proposed Site Plan

3. Other than pre-development ecological mitigation works, and hedgerow and tree removal, no development shall take place unless and until an Archaeological Management Plan (AMP) has first been submitted to, and approved in writing by, the Local Planning Authority. The AMP shall provide details of the programme of archaeological works to be carried out within the site, including post-excavation reporting and appropriate publication. The development shall thereafter be implemented in accordance with the approved Archaeological Management Plan and the development shall not be brought into use unless and until the site investigation and post-excavation assessment has been completed in accordance with the approved AMP.
4. Other than pre-development ecological mitigation works, and hedgerow and tree removal, no development shall take place unless and until a Construction Management Plan (CMP) has been submitted to, and approved in writing by, the local planning authority. The CMP shall include, but not be limited to, details relating to the hours of works and associated deliveries, and mitigation measures relating to dust, noise and general disturbance during development works. The development shall thereafter be carried out in accordance with the approved CMP.
5. No above ground construction works shall commence unless and until a Landscape Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The LEMP shall include the following details, including timescales for the works, and ongoing maintenance, management, monitoring, and reporting. The development shall thereafter be carried out in accordance with the approved LEMP.
 - i) Details of areas to be retained, enhanced, or restored as acid grassland/parkland and wood pasture.
 - ii) Details of 3 amphibian hibernacula and 5 habitat/log piles to be provided.
 - iii) Details of planting to benefit local amphibian populations.
 - iv) Other management of the site to benefit herptiles, such as the provision of dead wood piles and dead hedging.
 - v) Provision of a new wildlife pond (in the location of pond WB3) as prescribed within the Preliminary Ecological Appraisal Report by Pearce Environment.
 - vi) Provision of a minimum of 20 bird nesting boxes for passerine bird species as prescribed within the Preliminary Ecological Appraisal Report by Pearce Environment.
 - vii) Provision of 1 tree-mounted kestrel nesting box within a mature tree.
 - viii) Provision of 1 nesting box for Tawny Owls.

The development shall thereafter be carried out in accordance with the approved LEMP.
6. No development shall take place, other than pre-development ecological mitigation works, and hedgerow and tree removal, unless and until an Arboricultural Method

Statement (AMS) relative to the following specific areas of development/works (i-viii) has been submitted to, and approved in writing by, the local planning authority.

- i. Visitor Welcome Centre
- ii. Visitor Car Park
- iii. New A513 Junction
- iv. Lichfield Drive and WWII Track
- v. WWII Maintenance Building
- vi. Egress Road and Sher Brook Bridge
- vii. Underley Cop
- viii. Mansion House Car Park

The AMS shall include the details set out in points a-e of this condition.

- a. The type, position, phasing (including any repositioning), and the final removal of tree protective fencing and ground protection measures.
- b. Special construction techniques to be used where development falls within the RPA (Root Protection Area) of retained trees.
- c. Any excavation for new drainage or services (or alterations to existing) within the RPA of any retained tree, to be shown on plans within the AMS and mitigation measures to minimise the effect of these works on tree roots and the RPA where it is not possible to provide drainage or services outside of the RPA.
- d. Amended details for the position/shape of the Standing Advice's 'enhanced' RPA, the timing and method of removal of the existing tarmac drive, the ground reinstatement and details for ensuring the exclusion of visitors from the new meadow area and veteran Oak tree (T429A) adjacent to the proposed visitor centre.
- e. Details of specific arboricultural supervision, site monitoring and recording.

Thereafter the development shall be carried out in accordance with the approved details.

- 7. No tree removal or pruning shall be carried out unless and until a method statement has been submitted to, and approved in writing by, the local planning authority to demonstrate the timing of preparatory/pre-commencement tree removal and pruning, and the precautions to be taken to ensure no damage occurs to retained trees (including rooting environment) through felling operations and stump removal. All removal and pruning shall thereafter be carried out in accordance with the approved method statement.

8. The development shall be carried out in accordance with the recommendations of the land contamination assessment (reference 893-30-CIV-XX-XX-R-C-30002).
9. The development shall be carried out in accordance with the recommendations set out in the Badger report (reference 090622, dated August 2022) and the Badger update survey (dated January 2023) by Pearce Environment) to include the provision of two artificial badger setts prior to the removal of any existing sett.
10. The development shall be carried out in accordance with the recommendations made within section 5 of the Preliminary bat roost assessment and phase 2 bat survey report (reference 190922.PRA.BSR, dated December 2022, by Pearce Environment).
11. The development shall be carried out in accordance with the reasonable avoidance measures recommended within section 4.2 of the Preliminary Ecological Appraisal Report (reference 280622, dated December 2022, by Pearce Environment).
12. Notwithstanding any description or details of external materials in the application documents, no above-ground construction works shall be commenced with regard to the visitor welcome centre and W.C. block unless and until precise details or samples of the materials to be used in the construction of the external walls and roofs, as well as the windows, doors, and louvres have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
13. Notwithstanding any description or details of external materials in the application documents, no above-ground construction works shall be commenced with regard to the extension to the WWII building unless and until precise details or samples of the materials to be used in the construction of the external walls and roofs have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
14. Notwithstanding any description or detail within the application documents, the 'bolt down plastic kerbing' to the access drives shall have a dark green, dark grey, or black coloured finish and shall be retained as such thereafter.
15. Notwithstanding any description or detail within the application documents, any new or reclaimed facing brickwork to be used in the reconstruction of the corner of the grade II* listed walled garden shall be in accordance with a detailed specification and/or sample which shall first have been submitted to and approved in writing by the Local Planning Authority.
16. Notwithstanding any description or detail within the application documents, an NHL 2 lime mortar shall be used in the above ground reconstruction of the corner of the grade II* listed walled garden, and an NHL 5 lime mortar shall be used in the below ground brickwork.

17. Notwithstanding any description or detail within the application documents, any external coating to be applied to the brickwork of the WWII building shall be in lime, in accordance with full details and specification which shall first be submitted to, and approved in writing by, the Local Planning Authority.
18. Notwithstanding any description or detail within the application documents, all replacement windows and doors to the WWII building shall be installed in accordance with a detailed window and door condition report carried out by a suitably experienced and qualified joiner and full joinery details which shall first have been submitted to, and approved in writing by, the Local Planning Authority before the removal of any existing window or door. The joinery details shall include section drawings at 1:1 scale, elevation drawings at 1:10 scale, material, colour, finish, recesses, cill and header details, any transoms and or mullions, glazing and any glazing bars.
19. The solar photovoltaic panels indicated on drawing 2202-3-310 P2 shall be installed in accordance with details (to include their design, appearance, siting) which shall first have been submitted to and approved in writing by the local planning authority.
20. Before the proposed access route and car park are first brought into use the proposed timber railing, bollards, and vehicle height barrier (the vehicle control systems) shall be installed in accordance with details which shall first be submitted to, and approved in writing by the local planning authority.
21. All external lighting shall be installed in accordance with details which shall first be submitted to, and approved in writing by, the local planning authority, and which are broadly in accordance with the 'Considerations for effective lighting design' document by Elementa, dated November 2022.
22. The development hereby permitted shall not be brought into use until the drainage scheme has been provided in accordance with the following documents:
 - Shugborough Estate Re-Orientation - Flood Risk Assessment and Drainage Strategy (893-30-CIV-XX-XX-R-C-30003, by Civic Engineers, dated 23ma January 2023)
 - Proposed Below Ground Drainage Layout Sitewide (893-30-CIV-XX-XX-D-C-30000 P06)
 - Proposed Below Ground Drainage Layout Sheet 1 (893-30-CIV-XX-XX-D-C-30001 P02)
 - Proposed Below Ground Drainage Layout Sheet 2 (893-30-CIV-XX-XX-D-C-30002 P06)
 - Proposed Below Ground Drainage Layout Sheet 3 (893-30-CIV-XX-XX-D-C-30003 P06)
 - Proposed Below Ground Drainage Layout Sheet 4 (893-30-CIV-XX-XX-D-C-30004 P06)

- Proposed Below Ground Drainage Layout Sheet 5 (893-30-CIV-XX-XX-D-C-30005 P06)
23. The drainage system approved in pursuance of condition 22 of this permission shall be managed and maintained in accordance with a plan (to include details of a named body responsible for its implementation) which shall be submitted to, and approved in writing by, the local planning authority before the development is first brought into use.
 24. Before the welcome centre is first brought into use a minimum of eight bird nesting boxes shall be provided in accordance with the recommendations made within paragraph 5.3.19 of the Preliminary bat roost assessment and phase 2 bat survey report (reference 190922.PRA.BSR, dated December 2022, by Pearce Environment). The bird boxes shall thereafter be retained.
 25. Before the welcome centre is first brought into use a minimum of four bat boxes and two raised tiles shall be provided in accordance with the recommendations made within paragraphs 5.3.8 and 5.3.9 of the Preliminary bat roost assessment and phase 2 bat survey report (reference 190922.PRA.BSR, dated December 2022, by Pearce Environment). The bat boxes and raised tiles shall thereafter be retained.
 26. Before the development is first brought into use a comprehensive tree planting scheme shall be submitted to, and approved in writing by, the local planning authority. The tree planting scheme shall include details of species, planting stock size, location of planting, a planting methodology, a methodology for the lifting and transplanting of any existing hedges, and a timetable for carrying out planting. The tree planting shall thereafter be carried out in accordance with the approved scheme unless the local planning authority gives written consent to any variation.
 27. Notwithstanding any detail/description within the application documents, the proposed Lichfield Drive access junction with the A513 shall not be brought into use unless and until the road layout, road marking, and signage has been provided in accordance with details which shall first be submitted to, and approved in writing by, the local planning authority.
 28. The development hereby permitted shall not be brought into use unless and until a travel plan has been submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan shall set out proposals (including a timetable) to promote travel by sustainable modes. The Travel Plan shall be implemented in accordance with the timetable set out in that plan. Reports demonstrating progress in promoting sustainable transport measures shall be submitted to the Local Planning Authority annually (on the anniversary of the date of the planning consent) for approval for a period of five years from first use of the development.

29. Between 29 March and 2 April 2024 inclusive (Easter Bank Holiday weekend) the number of vehicles (the 'baseline position') turning right from the A513 into the Shugborough Estate at the junction shown on drawing 893-30-CIV-XX-XX-D-Z-90500 P01 shall be monitored and recorded in accordance with a methodology which shall first be submitted to, and approved in writing by, the Local Planning Authority. The baseline position shall be provided to the local planning authority in writing on or before 30 April 2024. The number of vehicles turning right from the A513 into the Shugborough Estate at the junction shown on plan 893-30-CIV-XX-XX-D-Z-90500 P01 shall thereafter be monitored and recorded in accordance with the approved methodology over each Easter Bank Holiday weekend (Thursday to Monday inclusive) for a period of 5 years following the development first being brought into use and the results of the recording and monitoring shall be provided to the Local Planning Authority in writing within 28 days of the monitoring and recording taking place.
30. If, in any year within the 5 years following the development first being brought into use, the number of vehicles turning right from the A513 into the Shugborough Estate at the junction shown on plan 893-30-CIV-XX-XX-D-Z-90500 P01 exceeds 110% of the baseline position recorded in pursuance of condition 29 of this permission, a Traffic Management Scheme shall be installed, to include road signage (including advance directional signage) and road markings restricting motorised vehicles entering the Shugborough Estate from the A513 within 12 months of the monitoring a recording period within which the baseline position was exceeded.
31. Within 12 months of the new car park first being brought into use the existing visitor car park shall be returned to grass parkland, and thereafter retained as a such.

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

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.
3. In order to afford proper archaeological investigation recording and protection. (Policy N9 of The Plan for Stafford Borough).
4. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).
5. In order to ensure that the development results in a net gain in biodiversity. (Paragraph 180 of the National Planning Policy Framework).
6. To enable the Local Planning Authority to consider the scheme of development and the landscaping proposals in relation to the existing trees and hedges. (Policy N4 of The Plan for Stafford Borough).

7. To enable the Local Planning Authority to consider the scheme of development and the landscaping proposals in relation to the existing trees and hedges. (Policy N4 of The Plan for Stafford Borough).
8. In order to ensure that adequate provision is made to safeguard human health. (Paragraph 189 of the National Planning Policy Framework and policy N1e of The Plan for Stafford Borough).
9. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 180 of the National Planning Policy Framework).
10. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 180 of the National Planning Policy Framework).
11. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 180 of the National Planning Policy Framework).
12. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
13. In order to safeguard the architectural and historic character of this Listed Building. (Policy N9 of The Plan for Stafford Borough).
14. In order to sustain and enhance the significance of the grade I listed Shugborough registered park and garden. (Policy N9 of The Plan for Stafford Borough).
15. In order to safeguard the architectural and historic character of this Grade II* Listed Building. (Policy N9 of The Plan for Stafford Borough).
16. In order to safeguard the architectural and historic character of this Grade II* Listed Building. (Policy N9 of The Plan for Stafford Borough).
17. In order to safeguard the architectural and historic character of this Listed Building. (Policy N9 of The Plan for Stafford Borough).
18. In order to retain the historic fabric of the building. (Policy N9 of The Plan for Stafford Borough).
19. In order to safeguard the architectural and historic character of this Listed Building. (Policy N9 of The Plan for Stafford Borough).
20. In order to sustain and enhance the significance of the grade I listed Shugborough registered park and garden. (Policy N9 of The Plan for Stafford Borough).
21. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost and in order to sustain and enhance the significance of the grade I listed Shugborough registered park and garden. (Paragraph 180 of the National Planning Policy Framework and Policy N9 of The Plan for Stafford Borough).

22. To prevent the increased risk of flooding both on and off site (Policy N2 of the Plan for Stafford Borough).
23. To prevent the increased risk of flooding both on and off site (Policy N2 of the Plan for Stafford Borough).
24. In order to ensure that the development results in a net gain in biodiversity. (Paragraph 180 of the National Planning Policy Framework).
25. In order to ensure that the development results in a net gain in biodiversity. (Paragraph 180 of the National Planning Policy Framework).
26. To ensure the satisfactory appearance of the development; to protect, conserve and enhance the landscape; and to protect the significance of the setting of the grade I listed Shugborough Hall. (Policies N1, N8, and N9 of The Plan for Stafford Borough).
27. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
28. In order to encourage the use of sustainable transport modes and reduce the impact of traffic from new development on the road network. (Policy T1 (b, d, and g) of The Plan for Stafford Borough).
29. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
30. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
31. In order to safeguard and enhance the character of this part of the grade I listed Shugborough registered park and garden. (Policy N9 of The Plan for Stafford Borough).

Informatives

- 1 In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015, as amended, and the National Planning Policy Framework 2023, 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 comments of the local highway authority. All comments can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).
- 3 The applicant's attention is drawn to the comments of the County Rights of Way Officer. All comments can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).

- 4 The applicant's attention is drawn to the comments of Network Rail. All comments can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).
- 5 The applicant's attention is drawn to the comments of Staffordshire Police. All comments can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).
- 6 The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.
- 7 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).

Recommendation 23/37342/LBC

Approve subject to the following conditions:

1. This Listed Building Consent is granted subject to the condition that the works to which it relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.
2. This Listed Building Consent relates to the originally submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-

12045-0001-P02 - GA Proposed work

2202-3-020 P WW2 Building - Existing GF Plan

2202-3-021 P WWII Building - Existing Roof Plan

2202-3-051 P WW2 Building - Existing Sections

2202-3-061 P WWII Building - Existing Elevations

2202-3-120 P2 WWII Building - Proposed GF Plan

2202-3-121 P2 WWII Building - Proposed Roof Plan

2202-3-220 P2 WW2 Building - Proposed Sections

2202-3-310 P2 WWII Building - Proposed Elevations

2202-3-501 P WWII Building - Proposed Details

2202-3-512 P WWII Building - Junction details

893-330-CIV-XX-XX-S-S-0053 P02 Proposed structure for curved wall repositioning - plan

893-330-CIV-XX-XX-S-S-0054 P02 Structure for curved wall repositioning details

NT1 Site location plan (1-2500)

TUT-SUG_HTA-L_DR-0916 06 WWII Building

Walled Garden SW Corner - Elevations Existing (1-100 A3)

Walled Garden SW Corner - Elevations Proposed (1-100 A3)

Walled Garden SW Corner - Plan Existing (1-100 A3)

Walled Garden SW Corner - Plan Proposed (1-100 A3)

3. Notwithstanding any description or details of external materials in the application documents, no above-ground construction works shall be commenced with regard to the extension to the WWII building unless and until precise details or samples of the materials to be used in the construction of the external walls and roofs have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
4. Notwithstanding any description or detail within the application documents, any new or reclaimed facing brickwork to be used in the reconstruction of the corner of the grade II* listed walled garden shall be in accordance with a detailed specification and/or sample which shall first have been submitted to and approved in writing by the Local Planning Authority.
5. Notwithstanding any description or detail within the application documents, an NHL 2 lime mortar shall be used in the above ground reconstruction of the corner of the grade II* listed walled garden, and an NHL 5 lime mortar shall be used in the below ground brickwork.
6. Notwithstanding any description or detail within the application documents, any external coating to be applied to the brickwork of the WWII building shall be in lime, in accordance with full details and specification which shall first be submitted to, and approved in writing by, the Local Planning Authority.

7. Notwithstanding any description or detail within the application documents, all replacement windows and doors to the WWII building shall be installed in accordance with a detailed window and door condition report carried out by a suitably experienced and qualified joiner and full joinery details which shall first have been submitted to, and approved in writing by, the Local Planning Authority before the removal of any existing window or door. The joinery details shall include section drawings at 1:1 scale, elevation drawings at 1:10 scale, material, colour, finish, recesses, cill and header details, any transoms and or mullions, glazing and any glazing bars.
8. The solar photovoltaic panels indicated on drawing 2202-3-310 P2 shall be installed in accordance with details (to include their design, appearance, siting) which shall first have been submitted to and approved in writing by the local planning authority.

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

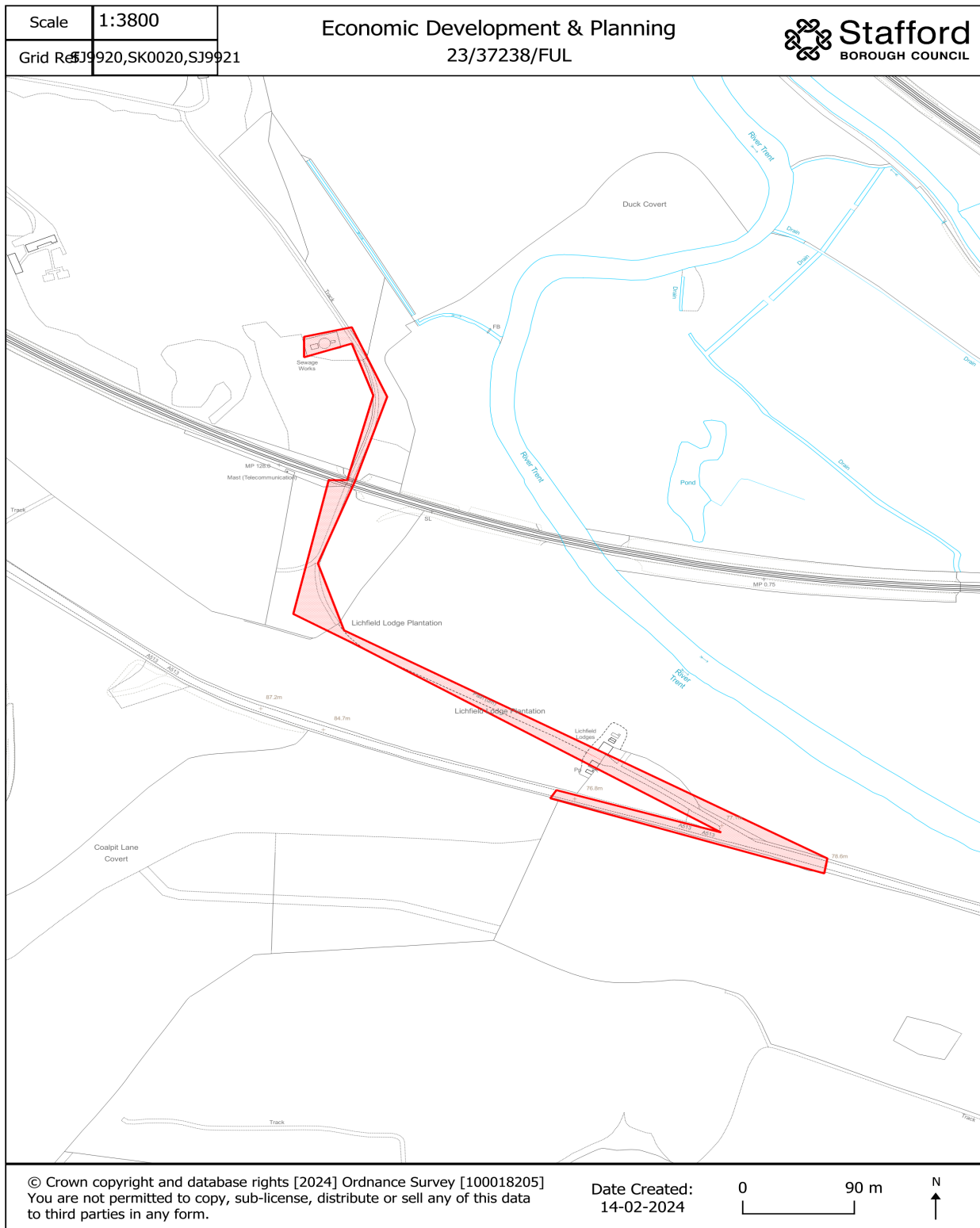
1. The time limit condition is imposed in order to comply with the requirements of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.
2. To define the Listed Building Consent.
3. In order to safeguard the architectural and historic character of this Listed Building. (Policy N9 of The Plan for Stafford Borough).
4. In order to safeguard the architectural and historic character of this Grade II* Listed Building. (Policy N9 of The Plan for Stafford Borough).
5. In order to safeguard the architectural and historic character of this Grade II* Listed Building. (Policy N9 of The Plan for Stafford Borough).
6. In order to safeguard the architectural and historic character of this Listed Building. (Policy N9 of The Plan for Stafford Borough).
7. In order to retain the historic fabric of the building. (Policy N9 of The Plan for Stafford Borough).
8. In order to safeguard the architectural and historic character of this Listed Building. (Policy N9 of The Plan for Stafford Borough).

23/37238/FUL and 23/37342/LBC

Shugborough Park

Lichfield Road

Shugborough



 PLANNING COMMITTEE - 4 SEPTEMBER 2024

Ward Interest - Nil

Planning Appeals

Report of Head of Economic Development and Planning

Purpose of Report

Notification of new appeals and consideration of appeal decisions. Copies of any decision letters are attached as an **APPENDIX**.

Notified Appeals

Application Reference	Location	Proposal
24/38673/HOU Delegated Refusal	44 Mount Avenue Stone	Two storey rear extension with a single storey rear and side extension, including internal alternations and dropped kerb/amended access.
24/38984/HOU Delegated Refusal	18 Lapwing Place Doxey Stafford	Retrospective approval for garden frames for climbing plants

Decided Appeals

Application Reference	Location	Proposal
23/37580/FUL Delegated Refusal Appeal Allowed	Land To The South Of Blackhole Lane Derrington	Erection of new barn, construction of new hardstanding and new track from existing access
23/38083/OUT Delegated refusal Appeal Dismissed	Land Adjacent 3 Quarry Lane Gnosall Stafford	Outline application for a single dwelling within the garden area of 3 Quarry Lane (access only)

Application Reference	Location	Proposal
22/36569/COU Delegated refusal Appeal Dismissed	Bank Farm Bungalow Outwoods Bank Outwoods	Change of use from agricultural land to garden
24/38643/LDC Delegated Decision Appeal Withdrawn	The Lock House Trent Lane Great Haywood	Lawful Development Certificate Existing - Confirmation that property has been in use as a single dwelling house since November 2017.

Previous Consideration

Nil

Background Papers

File available in the Development Management Section

Officer Contact

John Holmes, Development Manager, 01785 619302



Appeal Decision

Site visit made on 9 July 2024

by B Astley-Serougi BA(Hons) LLM MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th August 2024

Appeal Ref: APP/Y3425/W/24/3338788

Field to South of Blackhole Lane, Derrington, Stafford, Staffordshire, ST18 9LL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Sharples against the decision of Stafford Borough Council.
 - The application Ref is 23/37580/FUL.
 - The development proposed is Erection of new barn. Construction of new hardstanding and new track from existing access.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of new barn, construction of new hardstanding and new track from existing access at Field to South of Blackhole Lane, Stafford, ST18 9LL in accordance with the terms of the application, Ref 23/37580/FUL, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos YBD17202-P-001, YBD17203-P-003 Rev B, YBD1720 P 011 Rev B, YBD1720 P 010 Rev B and YBD1720 P 012 Rev B.
 - 3) No development shall take place until either a NatureSpace Partnership Report, or Certificate to demonstrate that the impacts of the proposed development can be addressed through Stafford Borough Council's District Licence or a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs)/Non-Licensed Method Statement (NLMS) strategy documents completed by a suitably qualified ecologist has been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved documents.

Preliminary Matters

2. The appellants submitted a revised Agricultural Need Statement and letter from the National Sheep Association with their appeal. The Council has had the opportunity to consider these documents. There were no comments from interested parties as part of the application process and those interested parties who have now submitted comments were provided with a link to view the documents on the Council's website. Consequently, the parties would not

be prejudiced were I to consider these documents in the determination of the appeal.

Main Issue

3. The main issue is whether the appeal site would be a suitable location for the proposed development, having regard to local and national policy.

Reasons

4. The appeal site is located in an area that is predominantly agricultural land. The site is situated in close proximity to the small village of Derrington. The appeal site is approximately 3.43 Ha and has a boundary of mature hedgerows. The proposed development would provide a combination of hay and equipment storage as well as sheep housing.
5. Policy SP7 of the Plan for Stafford Borough (PSB) outlines the criteria against which development will be supported when it is in the countryside and not within a settlement boundary. SP7(ii) states that a development will be supported when *'it is consistent with the objectives of Spatial Principles SP6, Policies E2 and C5 in supporting rural sustainability.'* Policy SP6 provides support for development that will enhance and sustain a sustainable rural economy. Policy E2 establishes support for rural development and states that *'...support will be given to the achievement of rural sustainability by encouraging...provision for the essential operational needs of agriculture, forestry or rural businesses.'*
6. The proposed development would provide two areas in the new barn which would provide housing for lambing as well as sheep in the winter periods or to provide animal welfare. The appellant has demonstrated that the areas to be used for the sheep are slightly higher than the minimum requirement as per the National Sheep Association (NSA) recommendations. However, I do not consider the size of the space to be excessive and therefore, with regard to the animal housing areas of the barn the size is proportionate and necessary for the proposed use and therefore compliant with Policy E2.
7. The Council argues that there is no requirement for lambing to take place indoors and that sheep should where possible be kept outside resulting in the proposal not being essential to the rural business. However, the NSA does state that *'With weather patterns observed over the past few years, it might be necessary to utilise barns/sheds in locations where lambing had previously been undertaken outdoors.'* Consequently, the proposed development is compliant with Policy E2 of the PSB because the barn is necessary to ensure a high level of animal welfare for the sheep throughout the year and is essential to the operational need of the agricultural holding.
8. The appellant has provided a list of machinery that will be hired when needed as well as the machinery to be stored in the development for both the harvesting of crops and movement of livestock. This demonstrates that the development is proportionate in size for the essential operation of the rural business. The storage of the hay will allow the appellant to sell the crop in the winter when they can achieve a higher price. This in turn will help to ensure the sustainability of the rural business proposed. Therefore, I am satisfied that the proposed barn is proportionate and necessary to achieving the essential

operation of the rural business and consequently is compliant with Policy E2 of the Plan for Stafford Borough.

9. In conclusion, the appellant has demonstrated that the scale of the development is crucial to the essential operational needs of the agricultural enterprise proposed and thus deliver rural sustainability. Consequently, the development accords with Policies SP7, SP6 and E2 of the Plan for Stafford Borough all of which seek to ensure that developments are in accordance with its spatial strategy as well as supporting sustainability of rural enterprises. Policy C5 is in relation to residential development and therefore not determinative in this appeal.

Other Matters

10. Objections to the proposed development have been made by interested parties. These include concerns about the size of the development (including the storage of equipment) which I have already dealt with. The design of the appeal scheme is visually unobtrusive and not dissimilar to other development nearby considering the agricultural nature of the surrounding area. My attention has been drawn to developments close to the appeal site. However, the details of the developments are not before me and even if the schemes were comparable, for the reasons given above, the development before me is policy compliant.
11. There is no substantive evidence before me to indicate that further development on the holding will be necessary to ensure a viable rural business. It follows that it has not been shown that any urbanisation of the countryside would result from any other development or that an 'intensive factory farming operation' is planned.
12. Additionally, the hardstanding and new track are reasonable for the proposed use of the development and there is limited evidence before me which demonstrates that there would be a significant increase in traffic to the locality because of the development. Consequently, there is no substantive evidence that the development would result in harm to the living conditions of the occupiers of dwellings in close proximity to the appeal site.
13. There is limited evidence to demonstrate that the welfare of the animals would be compromised because the appellant does not live close to the site. The use of CCTV will help to ensure the welfare of the animals whilst the appellant is not on the appeal site. Furthermore, there is also limited substantive evidence to suggest that there would be a high amount of light or noise pollution because of the development. Concerns regarding the maintenance of the footpath and appeal scheme site are not a matter for me to determine in the context of this appeal.

Conditions

14. The Council have provided a list of suggested planning conditions, which I have considered against the National Planning Policy Framework, and advice contained in the Planning Practice Guidance.
15. In addition to the standard time limit condition (1), I have attached a condition specifying the approved plans to provide certainty (2).

16. The appeal site lies within a red zone for newts. Therefore, I have added a pre-commencement condition requiring a NatureSpace Report, Certificate or a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs)/Non-Licensed Method Statement (NLMS) strategy documents completed by a suitably qualified ecologist. This is based upon a precautionary approach and would be necessary and proportionate to the risk the development could pose to protected species (such as newts) within the appeal site. The condition needs to be pre-commencement so as to ensure no harm is caused to the protected species as a consequence of the development. I have in writing the agreement of the appellant to this pre-commencement condition (3).
17. The Council state that *'There are trees within close proximity to the proposed building however these will not be affected by the proposal.'* Therefore, a condition requiring the retention or replacement of the hedgerows, trees and bluebells on the appeal site as well as the protection of the mature oak tree is neither necessary nor proportionate when considered against paragraph 57 of the Framework and the advice contained in the Planning Practice Guidance.
18. Additionally, I have not included a condition regarding two Schwegler 1b bird boxes or bat boxes because the immediate area is of low value agricultural grassland. Therefore, there is limited substantive evidence before me to suggest that this is a necessary and proportionate condition. Furthermore, condition 3 will ensure the protection of any protected species and the preservation of the biodiversity value on the appeal site. I therefore consider this suggested condition to be unreasonable when considered against paragraph 57 of the Framework and the advice contained in the Planning Practice Guidance.

Conclusion

19. The material considerations do not indicate that a decision should be made other than in accordance with the development plan. For the reasons given above the appeal should be allowed.

B Astley-Serougi

INSPECTOR



Appeal Decision

Site visit made on 29 May 2024

by N Bromley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th July 2024

Appeal Ref: APP/Y3425/W/24/3337551

3 Quarry Lane, Gnosall, Stafford ST20 0BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr Richard Sadler against the decision of Stafford Borough Council.
 - The application Ref is 23/38083/OUT.
 - The development proposed is described as "Outline application for a single dwelling within the garden area of 3 Quarry Lane."
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline with approval being sought for detailed matters relating to the access only. Layout, scale, appearance, and landscaping are reserved for subsequent approval. I have therefore dealt with the appeal on that basis, treating the plans as illustrative only except where they relate to the access.
3. The site is located within the influence of the Cannock Chase Special Area of Conservation (SAC) which is a European Designated Site afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulations). Although not an issue raised by the Council in its decision, it is incumbent upon me as competent authority to carry out an appropriate assessment as to whether the proposal would be likely to have a significant effect on the integrity of the SAC. I return to this matter later.
4. The appeal site is located within the Shropshire Union Canal Conservation Area (the CA). As such there is a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. I also return to this matter later.
5. The appellant has submitted a Transport Statement (TS), Version 2, dated 10 January 2024. The TS was prepared after the Council's decision, but it was submitted with the appellant's Statement of Case. The Council has had an opportunity to comment on the TS, as has the Highways Authority (the HA). Having regard to the principles established in *Holborn Studios Ltd*¹, I am satisfied that no party has been prejudiced in this regard and I have taken the TS into account in determining this appeal.

¹ *Holborn Studios Ltd v The Council of the London Borough of Hackney* [2017] EWHC 2823

Main Issues

6. The main issues are:

- the effect of the proposed development on highway safety, and
- the effect on the qualifying features and integrity of the Cannock Chase Special Area of Conservation (SAC).

Reasons

Highways safety

7. The appeal site forms part of the side garden of 3 Quarry Lane, located within the village of Gnosall. The host property fronts Quarry Lane and is located near to the junction with Beffcote Road. The property has an existing vehicle access and parking area off the lane, to the side of the main dwelling. The proposed development would share the existing access arrangements.
8. Quarry Lane is a single track unclassified road that serves a small number of residential properties. The carriageway is relatively straight and has a 60mph speed limit. The lane has a rural character with no segregated footway and limited streetlighting.
9. Policy T2 of The Plan for Stafford Borough 2011-2031 (the Development Plan) seeks to ensure that adequate parking facilities are provided for new development, which must, amongst other things, have safe and adequate means of access, egress, and internal circulation, that does not materially impact highway safety or traffic movement and not detract or conflict with the transport function of the road. This is consistent with paragraph 114 of the National Planning Policy Framework (the Framework), which requires that safe and suitable access is available for all users.
10. In addition, paragraph 115 of the Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 116(c) also states that developments should minimise the scope for conflicts between pedestrians, cyclists, and vehicles.
11. The TS includes a speed survey (the survey). The survey was carried out over a seven-day period during July. The survey demonstrates that the 85th percentile speeds on Quarry Lane were 14.7mph northbound and 15.9mph southbound. Therefore, visibility splays of 19m to the North (looking right out from the access) and 18m to the South (looking left out from the access) are recommended.
12. Manual for Streets guidance indicates that visibility splays can be reduced for lightly trafficked streets. Furthermore, the Manual for Streets 2 advises that in rural areas many parts of the highway network are subject to the national speed limit, but they have traffic speeds significantly below 60mph. Speeds on Quarry Lane are significantly below 60mph.
13. The proposed access would achieve visibility splays of 17m in each direction, taken from the centre of the road. This is a shortfall on the recommended guidance and the HA have concerns about the reduced splays and them being taken from the centre of the road.

14. However, I am mindful that the lane serves a limited number of residential properties and vehicle movements along the lane are limited, as confirmed by the speed survey. Furthermore, during my site visit I observed that existing highway signage confirms that at its junction with Cowley Lane, Quarry Lane is unsuitable for motor vehicles. In addition, the proposal is for one dwelling and the increased use of the access and parking area would also be small. As such, I am satisfied that the volume of traffic using the road is low. Likewise, the evidence confirms that pedestrian and bicycle movements along the lane are minimal.
15. While I acknowledge that visibility at the Quarry Lane and Beffcote Road junction is limited, the vehicle movements associated with one additional dwelling would not be significant. The HA has also confirmed that no 'Personal Injury Collisions' have been recorded within 43m of the site in the previous five years, which suggests that the junction and roads close to the appeal site are not inherently dangerous. As such, I find in those regards that the proposed access arrangements would not result in unacceptable or severe levels of highway danger.
16. The single track width of the lane would suitably deter the potential for the future occupiers or visitors from parking on the road. Nonetheless, the submitted plans, while only indicative insofar as they relate to layout of the proposal, demonstrate that five parking spaces, including one visitor space, could be provided within the site. The TS also demonstrates that vehicles can park and manoeuvre within the site. Therefore, appropriate parking provision for the existing and proposed dwelling could be achieved, without resulting in vehicles parking on the lane.
17. It is evident that in order to access services and amenities within the village, the future occupiers of the proposal would be expected to walk along a single width road with no streetlighting. This would be for a short distance until they reach the footway on the other side of the canal bridge on Wharf Road. Therefore, owing to the distance, the volume of traffic, vehicle speeds and the prevailing rural character, occurrences of pedestrian and vehicle conflict is likely to be limited.
18. Consequently, based on the evidence before me, I conclude that the proposed development would not cause an unacceptable impact on highway safety. As such, it would not conflict with Policy T2 of the Development Plan and paragraphs 114, 115 and 116 of the Framework.

Cannock Chase SAC

19. The appeal site is located within 15km Zone of Influence (ZOI) of the SAC. The SAC is designated for its unique heathland habitat. The submitted evidence confirms that the adverse effects to the SAC would be as a result of increased recreational activity from visitors, which could have an adverse effect on the integrity of the SAC. The majority of visitors to the SAC are from within ZOI. Activities such as walking, cycling and horse riding are popular due to the excellent accessibility via its network of public footpaths, bridleways, and permissive trails.
20. Policy N6 of the Development Plan states that development within 15kms of the SAC, leading to a net increase in dwellings, shall provide necessary steps to avoid or mitigate any adverse effects which may include contributions to a

- range of measures. It states that these measures should be secured through a suitable mechanism (such as a Legal Agreement) to mitigate any adverse harmful effects.
21. The Council has formed a partnership with other Council's within the vicinity of the SAC, known as the Cannock Chase SAC Partnership, to assess the impact of development upon the SAC. The Cannock Chase SAC Partnership has agreed a series of mitigation and avoidance measures with Natural England. These are referred to as Strategic Access Management and Monitoring Measures (SAMMM).
 22. Based on the submitted evidence, I find that the proposal, individually and in combination with other development, would be likely to have an adverse effect on the integrity of the SAC. Under the Habitat Regulations, such impact would need to be avoided and in line with the Council's approach to such matters a mitigation payment per net residential dwelling is required. This would need to be secured by a satisfactory legal agreement or CIL contribution to secure the proportional financial contribution towards the SAMMMs.
 23. Natural England, who were consulted as part of this appeal, do not object to the proposal, as a developer contribution can be made as mitigation, in accordance with the SAC Guidance.
 24. The appellant has submitted a signed 'Statement of Willingness' to pay a set developer contribution fee of £344.01 per dwelling, to mitigate the impact of the proposed development on the SAC. Whilst the Council has advised that this is sufficient at this stage, as payment can be conditioned so that it is paid prior to any commencement of works, this approach is not supported by the Planning Practice Guidance², unless in exceptional circumstances. No such circumstances are before me.
 25. The appellant was given an opportunity to suitably address the matter. However, in the absence of a legal agreement to secure a mechanism for suitable mitigation, there is insufficient certainty that the necessary avoidance and mitigation measures would be secured and implemented. Consequently, I am not satisfied beyond all reasonable scientific doubt that effective mitigation measures would be secured which would be effective in avoiding the likely significant effects. In the absence of this there would be residual adverse effects on the integrity of this Site.
 26. For the reason given above, in the absence of suitable mitigation, I conclude that the proposed development would be likely to have a significant effect, either alone or in combination with other development, on the qualifying features and integrity of the Cannock Chase Special Area of Conservation. Accordingly, this would not meet the provisions of the Habitat Regulations and the proposal would conflict with Policy N6 of the Development Plan, and the Framework. These seek, among other matters, for development to be resisted if it would lead to an adverse effect upon the integrity of the SAC.

Other Matters

27. The CA encompasses the linear formation of the canal, and its significance derives in part from the groups of associated industrial buildings strategically located close to the canal, reflecting the importance of the canal for industry.

² Paragraph: 010 Reference ID: 21a-010-20190723

As well as many historic canal side buildings including farms and canal side pubs. It is recognised within The Shropshire Union Canal Conservation Area Appraisal as a 'modern' canal built between 1827-1835 marking the end of the major canal development in Britain, and the last major work to be undertaken by its originator and engineer, Thomas Telford.

28. The appeal site backs onto the canal and is elevated above the tow path by an established embankment. The host building forms a terrace of 19th century, two storey cottages, with rendered walls and a concrete pantile roof. The terrace is located near to 'Boat Inn Bridge' and 'The Boat Inn' canal side pub. The cluster of buildings and structures, adjacent to the canal make a positive contribution to the character, appearance, and significance of the CA.
29. The proposed development would be located to the side and rear of the host building. It would be viewed within the context of the more modern residential developments along Quarry Lane. The Council is content with the principle of a new dwelling on the site, subject to the details provided at reserved matters stage for layout, scale, appearance, and landscaping, and that it would not have an adverse effect on the CA.
30. Based on the submitted evidence, I am also satisfied that a new dwelling, with an appropriate layout, scale, appearance, and landscaping, in this location, would preserve the character and appearance of the CA and no harm would be caused to the significance of the CA as identified above.

Conclusion

31. The Framework states that the planning system should be genuinely plan led. The development plan is the starting point for decision making and I must make my decision in accordance with it unless other considerations indicate otherwise.
32. In terms of the disputed highway matter, I have found in favour of the appellant. Nonetheless, I have assessed that the appeal proposal fails to secure appropriate mitigation for the SAC. This gives rise to a significant conflict with the development plan taken as a whole. Moreover, the appeal proposal would not meet the provisions of the Habitat Regulations.
33. Despite the matters weighing in favour of the appeal scheme, in exercising my statutory duty under the Habitat Regulations this firmly indicates that the appeal should be dismissed.

N Bromley

INSPECTOR



Appeal Decision

Site visit made on 11 July 2024

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 July 2024

Appeal Ref: APP/Y3425/W/23/3329500

Bank Farm Bungalow, Outwoods, Newport, Staffordshire TF10 9ED

- 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 Miss Joanne Day against the decision of Stafford Borough Council.
 - The application Ref is 22/36569/cou.
 - The development proposed is change of use of agricultural land to garden.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development used in the original application and appeal forms is very long and detailed. In the heading above, I have shortened the description so that it explains the development proposed without the lengthy explanation. Although I have removed this information from the description of development above, I have taken it into account in assessing the appeal.

Main Issue

3. The main issue is the effect of the proposed change of use on the rural character and appearance of the area.

Reasons

4. Bank Farm Bungalow is in a rural location, on the edge of the small settlement of Outwoods. There are several nearby properties, including a house and farm adjacent to the site, but the surrounding land is mainly agricultural.
5. The appellant has explained that the appeal site once formed part of a larger farm, but following the death of their father, the land was divided between siblings. The appellant now owns the house and two parcels of land immediately to the north. The appeal is concerned with the parcel closest to the lane.
6. The land around Bank Farm Bungalow is in active agricultural use, but the parcels in the appellant's ownership are no longer being farmed. From the information provided, it seems that the appeal site has not been in agricultural use for about ten years, during which time it has been used to store building materials associated with the renovation of the house. At the time of my visit, the mound of earth shown in photos had been removed, and part of the site

- was being used for wood storage. A timber shed had been erected in the corner of the site, and shipping containers were also present.
7. Despite the presence of these materials and buildings along the edge of the appeal site, the overall impression is that of an open and undeveloped area. The site is at a lower level than the surrounding agricultural land and is adjacent to gardens on two sides, but traditional wooden fencing and metal gates around the site boundaries allow views to the surrounding fields and woodland. Together with the adjacent parcel of land which the appellant owns, the site feels part of the wider agricultural landscape, and contributes to the traditional rural character of the area.
 8. The appellant has applied to change the lawful use of the appeal site from agricultural use to domestic garden, and have explained that they wish to use the plot to grow vegetables on raised beds, and plant wildflowers. Using the land in this way would be entirely appropriate in this rural location, and compatible with an agricultural use.
 9. However, the Council has confirmed that the site could already be used to grow wildflowers and vegetables, albeit without creating raised beds. I agree. The appellant could improve the appearance of the site considerably through the creation of wildflower areas and growing food to eat, which would have educational benefits as well as helping wildlife. This could be done without needing planning permission. If constructing raised beds is important, a sheltered area in the existing garden could be created, perhaps by planting hedges, so that it could be used to grow vegetables.
 10. By allowing the site to become part of the garden, there would be the potential for its character to change significantly. Use of the land as a garden would enable paths, patios and hardstanding to be laid, play equipment installed, and sheds or greenhouses erected. Under householder permitted development rights, outbuildings could be constructed on large portion of the site.
 11. The appellant may have no intention of developing the site in this way, but if I were to allow the proposed change of use, there would be nothing to stop future occupiers from doing so. Use of this area for such domestic purposes would detract from, and cause harm to, the wider rural character of the area. This is particularly the case because of the position of the site, which juts out from the existing house and garden, and does not relate well to it in visual terms.
 12. This may seem unfair, and I appreciate the appellant's desire to adapt to new family circumstances. However, planning permission runs with the land, and I must consider the longer term use of the site. There is already an area of garden associated with the bungalow, and given that the site could already be used to grow wildflowers and vegetables, no convincing explanation has been given as to why a much larger area of garden is needed.
 13. In light of the above considerations, I conclude that there is a significant risk that, over time, the proposed change of use would cause harm to the rural character and appearance of the area.
 14. The proposed change of use would therefore conflict with Policies N8 and E2 of the Plan for Stafford Borough 2014 (local plan), which together require that development should respect, conserve and enhance the natural landscape.

Similarly, it would not comply with paragraph 135 of National Planning Policy Framework (the Framework), which requires that developments are sympathetic to local character and the surrounding landscape setting.

15. In addition, the proposal to extend the garden would not be complementary to the adjacent viable agricultural operations, which is another requirement of local plan Policy E2.
16. In its decision notice, the Council has also referred to local plan Policy N1, but that is concerned with design, and is not directly applicable to the proposed change of use.

Other Matters

17. I note that the Parish Council did not object to the proposal, but they did not explicitly support it either. I have assessed the proposal on its merits and in light of relevant policies in the development plan and found it would be unacceptable for the reasons given.

Conclusion

18. I have found that the proposed change of use would cause harm to the character and appearance of the area. The proposal conflicts with the local plan and the Framework, and no other considerations would outweigh this harm. The appeal is therefore dismissed.

R Morgan

INSPECTOR