Civic Centre, Riverside, Stafford

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Dear Members

Planning Committee

A meeting of the Planning Committee will be held on **Wednesday 5 August 2026** at **6.30pm** in the **Craddock Room, Civic Centre, Riverside, Stafford** to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

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

Head of Law and Governance

PLANNING COMMITTEE - 5 AUGUST 2026

Chairman - Councillor B McKeown

Vice-Chairman - Councillor S N Spencer

AGENDA

		Page Nos
1	**Minutes**	
2	**Apologies**	
3	**Declaration of Member's Interests/Lobbying**	
4	**Delegated Applications**	
	Details of Delegated applications will be circulated separately to Members.	
5	**Planning Applications**	3 - 69
6	**Planning Appeals**	70 - 100
7	**Enforcement Matters**	-

MEMBERSHIP

Chairman - Councillor B McKeown

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

ITEM NO 5 ITEM NO 5

PLANNING COMMITTEE - 5 AUGUST 2026

Ward Interest - Nil

Planning Applications

Report of Head of Economic Development and Planning

Purpose of Report

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

		Page Nos
22/35776/FUL	**Land Adjacent to Swinburne Close, Highfields, Stafford** The application was called in by Councillor D Rouxel **Officer Contact** - Richard Wood, Development Lead Telephone 01785 619324	4 - 51
26/41804/FUL	**8-12 Gaolgate Street, Stafford** The application was called in as the applicant is Stafford Borough Council **Officer Contact** - Elaine Harvey, Planning Validation Officer Telephone 01785 619537	52 - 69

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:	22/35776/FUL
Case Officer:	Tom Cannon
Date Registered:	29 September 2022
Target Decision Date: **Extended To:**	29 December 2022 7 August 2026
Address:	Land Adjacent to Swinburne Close, Highfields, Stafford, Staffordshire
Ward:	Rowley
Parish:	Rowley
Proposal:	Hybrid application for residential development and a new care home: Comprising of full permission for a residential development of 30 new dwellings and full details of a new access from Swinburne Close (Site A) and outline planning permission for a care home (Site B), and construction of retaining walls.
Applicant:	Homes Plus Limited
Recommendation:	Approve, subject to conditions and the applicant entering into a planning obligation to secure the dwellings as affordable housing units and a financial contribution towards mitigation measures for the Cannock Chase Special Area of Conservation

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REASON FOR REFERRAL TO COMMITTEE

The application has been 'called-in' to be determined at Planning Committee by Councillor D Rouxel, Ward Councillor for Rowley, for the following reasons:

Significant risk of flooding, and of passing over the flood risk to adjacent properties. This area is below the current level of Swinburne Close, and is, comparatively, low lying. It was not wanted for development or by the adjacent school because it is basically marsh land as it is. The flood risk assessment supplied does not take into account that the houses on Rowley Hall Drive are even lower than the properties here will be, and do not have main drain services, and all have soakaways. It describes that "in the event of exceedance or failure of the drainage network, overland flows would be directed around the proposed properties and conveyed either onto the proposed highway, towards the existing embankment to the western side of the site or onto Rowley Hall Drive to the east as per

the existing situation" except the existing situation has the open ground which is being developed in this proposal to attenuate this, and surface water is already a concern in Rowley Hall Drive

Context

1.0 Site and Surroundings

1.1 The application site comprises of 2.943 hectares of undeveloped land owned by Staffordshire County Council and largely given over to mown grass with extensive tree cover along the western boundary. The surrounding area is predominately residential in character, with existing semi-detached, detached, terraced properties and flats in Swinburne Close, Lovelace Close and Hillcrest to the west and south. To the east are larger detached dwellings set in substantial plots in Rowley Hall Drive. In addition to surrounding residential development is King Edward VI High School to the north-west of the site, with Highfields Church Hall and a former Scout Hut to the south, also accessed off Lovelace Close.

1.2 To the east of the southern quarter of the site is informal open space and a carpark which serves the major open space of Rowley Park. The park includes an athletics track together with formal and informal open space accessed from Averill Drive off West Way. Further to the east beyond properties in Rowley Hill Drive is the grade 2 listed Rowley Hall Hospital and its associated grounds.

1.3 To the north of the site is an area of unmanaged open land partly overgrown with many mature trees and a pond which links to the area of mown grass. This area extends alongside most of the eastern boundary of King Edward VI High School and to the rear of dwellings in Rotherwood Drive and Maple Court within the Rowley Park estate. Pedestrian access to both areas of open space is via an informal steep unmade path from the rear of the Rowley Park car park.

1.4 The levels on the application site and surrounding land vary, with the southern boundary of the site rising steeply to the church hall site. The southern part of the eastern boundary adjoining Rowley Park is also higher than the application site. Houses on Rowley Hall Drive are higher at the southern end and then the drive falls to a lower level than the application site at the north-east end of the proposed development. Levels are more even along the western boundary.

2.0 Proposed Development

2.1 This is a hybrid application for residential development and a new care home on the site. It is seeking full planning permission for a residential development of 30 new dwellings (reduced down from 32) with a new access from Swinburne Close. This element of the scheme is referred to as (Site A) and is to be situated on the northern part of the larger site. It would provide a 100% affordable housing scheme comprising of the following mix:

- 19 No. 2 storey houses (Plots H1-H17, H24 and H25) comprising of 11 No. 2b, 4p units and 8 No. 3b 5p properties;
- 11 bungalows (Plots B1-B11), comprising of 8 No. 1b, 2p units and 3 No. 2b, 3p properties.

2.2 To take account of the changing levels between the application site and adjoining land, retaining walls and fences are proposed across the development as indicated on the submitted 'retaining walls elevation plans'.

2.3 The second part of the proposal relates to outline planning permission for a 60-bedroom care home (Site B) including access, and construction of retaining walls. The proposed care home would be located on the southern part of the site, and it is anticipated that it would be developed on behalf of the County Council. An illustrative layout plan of the care home has been provided for illustrative purposes only, with the Design and Access Statement indicating that the proposed care home is expected to be 2 storey in scale.

2.4 Access to both sites would be via Swinburne Close, involving demolition of four apartments (nos.33-36) at the eastern end of the cul-de-sac. Properties in Swinburne Close are owned and managed by the applicant and 33 off street parking spaces for existing residents would be provided as part of the development within the Close in groups of 2, 3 and 4 spaces. The red line of the application site includes these spaces.

2.5 A Financial Viability Assessment (FVA) has been submitted with the application, which confirms that 'Site A' which would be 100% affordable, cannot afford to pay any S106 contributions given that the Residual Land Value is below the Benchmark Land Value. The FVA has been independently assessed by the Valuation Office Agency (VOA) on behalf of the Council who confirm that the 'Site A' is unable to support any of the required S106 requirements which would include:

- Education Contribution - £99,816 (subsequently increased to £171,968)
- Health Contribution - £53,300
- Leisure Contribution - £60,008.45

- SAC Contribution @ £329.83 per unit, totalling £10,555 (now increased to £11,087.40 - 30 dwellings x updated net dwelling payment of £369.58)
- Highways Contribution - £10,000

2.6 Site B (care home) is excluded from the FVA and is therefore not subject to any relevant planning obligations. These are discussed in detail later on in this report. The application is also supported by the following technical reports:

- Design and access statement
- Flood risk assessment
- Phase 1 and II Site Appraisal
- Landscape Strategy
- Planning statement
- RAMs Mitigation Strategy
- BNG Report and Metric
- Bat Survey
- Newt Survey
- Statement of Community Involvement
- Travel Plan
- Tree survey / assessment

3.0 Background

3.1 This application was subject to pre-application advice in 2020 where it was advised that the principle of development was broadly acceptable, subject to the consideration of technical matters.

4.0 Legislative 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.

OFFICER ASSESSMENT - KEY CONSIDERATIONS

5.0 Principle of Development

5.1 The National Planning Policy Framework 2024 ("the NPPF"), sets out the Government's planning polices for England and how they should be applied. It advises the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means the planning system has three overarching objectives (economic, social and environmental) which are interdependent and should be pursued in mutually supportive ways.

5.2 National legislation requires planning applications to be determined in accordance with an adopted Local Plan: 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' (Planning and Compulsory Purchase Act 2004, 38(6)). The NPPF, published on 12 December 2024, is a material consideration of significant weight in determining planning applications. Paragraph 2 of the NPPF reflects the position of the Planning and Compulsory Purchase Act 2024.

5.3 On the basis of NPPF paragraphs 2 and 48 it is the position that Stafford Borough Council can use the Plan for Stafford Borough 2011-2031 ("the adopted local plan") for decision-making purposes. The adopted local plan compromises:

- The Plan for Stafford Borough Part 1 (2011-2031) - adopted June 2014
- The Plan for Stafford Borough Part 2 (2011-2031) - adopted January 2017 (TPSB)

5.4 The application site is located within the Stafford urban area as identified in the adopted TPSB. Therefore, based on the TPSB and Spatial Principle 7 the principle of new development in this location is appropriate. Moreover, the updated NPPF applies a new standard methodology to calculate the local housing need. This new methodology has resulted in the Local Housing Need target for Stafford Borough increasing from 358 dwellings per year to 749 dwellings per year, and the housing provision of the adopted Plan's Spatial Principle 2 for 500 dwellings per year has therefore been superseded. This increase has resulted in a reduction of the Council's 5-year land supply to 1.95 years, based on year-end data at 31 March 2026.

5.5 As the Council can no longer demonstrate a 5-year housing land supply and the afore mentioned housing policies in the TPSB are out of date, the presumption in favour of sustainable development in paragraph 11(d) of the NPPF is now engaged (the tilted balance). For decision taking this means that planning permission should be granted unless the proposal affects a protected area or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

5.6 Given that the development does not impact on a protected area and the site is situated in a highly sustainable and accessible location applying paragraph 11(d) of the NPPF, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The 'Planning balance' section of this report provides a conclusion on this assessment.

Polices and Guidance: -

National Planning Policy Framework

Sections 2 and 4

The Plan for Stafford Borough 2011-2031

SP1 (Presumption in Favour of Sustainable Development)

SP2 (Stafford Borough Housing and Employment Requirements)

SP3 (Sustainable Settlement Hierarchy)

SP4 (Stafford Borough Housing Growth Distribution)

SP7 (Supporting the Location of New Development)

SB1 (Settlement Boundaries)

6.0 Character and appearance/heritage

6.1 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.

6.2 Policy N8 advises development proposals must be informed by, and be sympathetic to landscape character and quality, demonstrated through local site-specific assessments. Development should demonstrate that proposals with landscape and visual implications, should protect, conserve and, where appropriate, enhance:

a) The elements of the landscape that contribute to the local distinctiveness of the area (including heritage assets, cultural character and biodiversity);

b) Historic elements of the present-day landscape that contribute significantly to landscape character.

c) The setting and views of or from heritage assets

d) The locally distinctive pattern of landscape elements such as woodland, streams, hedgerows, trees, and field boundaries.

6.3 The NPPF further advises, in paragraph 131, the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the design process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Loss of undeveloped area of green space

6.4 Interested parties have made reference to the proposal resulting in the loss of an existing area of open space which is used by local residents. The site is not a formal area of open space, nor does it have any public rights of way/formal footpaths to or crossing the land. Moreover, the proposed masterplan would retain the majority of this informal green space, with the demolition of the existing properties in Swinburne Close to provide vehicular access to the development, providing the opportunity to access the remaining area of open space. As such, the proposed scheme would not impact on the overall function of this area and potentially improve accessibility to the informal area of open space. An open space plan has been submitted highlighting the retained area of open space, with conditions to be imposed requiring details of any new landscaping in this area to be submitted for approval.

Levels, key views and impact on the surrounding streetscape/built form

6.5 Ground levels across the site vary, as does the relationship with existing residential development to the west, east/north-east and the school and community facilities which lie to the west and south of the site. Existing levels on 'Site A' range from a high point of 94.5 in the south-east corner adjacent to residential properties in Rowley Hall Drive, falling to 92.05 adjoining the western boundary with Swinbourne Close. This compares with minimum ground levels of around 92.99 and 92.04 on land in Rowley Hall Drive/Swinbourne Close outside of the site (levels do rise up to 94.27 in Rowley Hall Drive and 98.68 in Swinbourne Close adjacent to the site). Ground levels are also around 2m higher on the north-western part of 'Site A' when compared with the adjacent school. To address the varying ground levels across the site and with adjoining land, new retaining walls are to be erected, the impact of which is discussed later on in this section of the report.

6.6 The main views of the site are available from Rowley Hall Drive to the north east. The mature tree belts along the western and southern boundaries, largely obscuring public views from Swinburne Close/Lovelace Close, although the former would be partially opened up through the demolition of existing properties to provide the main vehicular access to the development.

Site A

6.7 In terms of the development on 'Site A', the finished floor levels (FFL) of plots H24, H25, B1-B3 and B4-B7 on the south-eastern part of the site would be between 92.75 and 93.15, which compares with existing levels of between 92.83 and 93.80 on this part of the site and adjoining ground levels of 92.06 and 93.88 in Rowley Hall Drive. Therefore, the proposed dwellings in this area, which would be a mix of single, and two storey properties, would not appear unduly imposing and respect the scale and character of the existing built form in this part of Rowley Hall Drive which consists primarily of large, two storey detached houses.

6.8 In respect of the proposed retaining walls/boundary treatments in this area, referred to as 'Elevation 1-1 and 2-2' on the retaining walls plan, only a 1-1.25m high retaining wall with 1.8m high fence above would be required on the application site side of the boundary, with just a 1.8m high fence visible from properties in Rowley Hall Drive. Thus, the new retaining walls/boundary treatments in these areas which would adjoin the rear gardens of existing properties would not introduce overly discordant features within the surrounding streetscape.

6.9 Turning to plots B8-B11 on the north-eastern part of ‘Site A’, the FFLs of these properties would vary between 93.30 and 93.60. This compares with existing ground levels of between 91.52 and 92.55 and adjacent levels outside the site in Rowley Hall Drive of 90.16 to 92.06. It is acknowledged that these properties would occupy an elevated position when viewed from Rowley Hall Drive, however, plots B8-11 would be single storey and set back from the road frontage, with new landscaping to be added between the units and the site boundary. As such, these properties would not be seen as unduly imposing additions within the streetscene and be comparable in height to the existing two storey houses in Rowley Hall Drive. Although a new 1.8m high fence would define the boundaries/rear gardens of these plots which would also be on higher ground than the existing street level in Rowley Hall Drive, this boundary treatment would also be set back from the road with intervening landscaping which would filter its impact. Thus, this boundary treatment which is illustrated on the submitted streetscenes plan (west section), would not represent an overly strident addition when viewed from Rowley Hall Drive.

6.10 In respect of the potential visual impact of plots H1-H7 to be positioned in the south-west corner of Site A, existing ground levels on this part of the site are between 91.1 and 92.8, with the existing ground levels in Swinbourne Close to the north-west being around 91.5. Although the FFLs of plots H1-H7 would be between 92.25 and 92.70 and therefore slightly higher than existing houses in Swinbourne Close, the proposed units would follow the linear alignment of the existing built form and be of a similar scale to existing houses in the cul-de-sac. Therefore, these plots would respect the prevailing pattern and form of development in the surrounding area. There would be no retaining walls required in this area, with 1.8m high fences defining the boundaries.

6.11 Existing ground levels in the north-west part of ‘Site A’ vary between 90.8 and 92.48, with the adjacent ground levels on the school site between 87.2 and 90.9. Although the FFLs of plots H8-17 on this part of the site would be higher (between 93.05 and 93.65) and be two storeys high, there is a substantial tree belt along the western boundary which would largely obscure views of this part of the development from outside of the site (i.e. from the school land). The retaining walls/fences to plots along this boundary would be relatively lower and be viewed against the mature tree belt, limiting their visual impact.

Site B

6.12 Turning to 'Site B', existing ground levels vary between 99.70 along the southern boundary to 93.49 on the northern most part of the site. To the eastern boundary ground levels vary between 92.09 and 95.96. This compares with existing ground levels between 92.44 and 95.16 in Swinbourne Close. In the south-east corner of 'Site B', ground levels are lower (circa 94.19 - 94.99) than existing ground levels on adjoining land in Rowley Hall Drive which varies between 94.27 and 99.11. Existing land levels on the southernmost part of the site are broadly comparable to the adjoining land to the south which comprises for community buildings.

6.13 It is acknowledged that only outline consent is sought for the proposed care home to be erected on Site B. However, the submitted information/indicative plan shows a 2 storey, 60 bedroom care home on this part of the site. The FFL of the care home is anticipated to be around 93.50. Taking account of its indicated scale and position set in off the boundaries and relative ground levels of adjoining land, the proposed care home is unlikely to appear unduly imposing from adjacent properties in Swinbourne Close and Rowley Hall Drive. Its roughly 'H-shaped' configuration would further break up the overall bulk and massing of the structure. As ground levels to the south are broadly comparable to the southern part of Site B and the existing tree belt extends further south and west, the care home would not appear overly imposing from either direction.

6.14 Turning to the retaining walls on Site B, from outside the site (Elevation 4-4 on the retaining wall elevational plan) to the south, only a 1.8m high close boarded fence would be visible. Whilst the retaining wall and fence when viewed from inside the site (Elevation 3-3) would be taller, between 2.4m and 4.8m at its highest point, as this structure would vary in height and be seen against a backdrop of established tree planting, it would not appear as an overly imposing feature when viewed from within the development site.

6.15 In respect of the impact of the proposed care home on houses in Rowley Hall Drive to the south-east, the ground levels of the adjoining land are between 94 and 95. Given that the indicative FFL of the care home would be 93.50, is anticipated to be a maximum of 2 storeys high, it is unlikely that this building would provide an unduly strident addition from Rowley Hall Drive. Externally, only a 1.8m high fence would be visible from this direction, with a modest retaining wall circa 1m-1.8m and fence viewed from within the site.

6.16 Overall, taking account of the varied ground levels across the site in relation to surrounding development and the proposed and indicative scale and FFLs of the dwellings/care home/retaining walls, the scheme would not appear unduly strident within the surrounding area.

6.17 The built form in the immediate area varies significantly, with King Edward High School to the north-west, and a mix of two and three storey flats and two storey detached, semi-detached and terraced properties to the south, west and east. The mix of single and two storey detached, semi-detached and terraced units on 'Site A' would therefore reflect the established pattern and form of existing development in the locality. These units would also be arranged in a similar structure to existing development, particularly properties to the south and west. Given that there are substantial two storey buildings in the vicinity, associated with the high school and Rowley Hall Hospital to the east, the new care home on Site B would be viewed in this context. Thus, the developments on both sites would respect the prevailing structure and character of the built form in this area.

Impact on heritage

6.18 The grade II listed Rowley Hall Hospital and its associated grounds lies around 200m to the north-east of the site at its closest point, with existing large, modern, two storey detached houses in Rowley Hall Drive situated between the hospital and the proposed development. Despite the separation distance involved and intervening buildings, the proposal has the potential to impact on the setting of Rowley Hall Hospital.

6.19 Rowley Hall Hospital is a former Georgian residence constructed in around 1817 which was set in substantial landscaped grounds which has subsequently been converted into a hospital. Despite its current use, the building maintains much of its original character, although modern residential development has been constructed within its immediate setting.

Site A

6.20 It is acknowledged that the application site occupies a slightly elevated position when viewed from Rowley Hall Hospital. However, following revisions to the scheme, the properties on 'Site A' closest to the listed hospital would be single storey, reducing their impact on its setting. Given that the two storey properties are largely concentrated on the southern part of 'Site A', further away from Rowley Hall Hospital, with existing residential development in between, the Conservation Officer is satisfied that this element of the scheme, would preserve the setting of the listed building.

Site B

6.21 The care home to be provided on Site B would be positioned to the south-west of Rowley Hall Hospital, again with existing residential development within its immediate setting. Although outline consent is sought for the care home element, the submitted External Levels Layout (Drawing No. C7614-01-P3) indicates that the bank will be cut out and levelled to accommodate the care home building, and the remainder of the bank supported by a retaining wall. Given these engineering works, the indicative FFL/2 storey height of the proposed building and separation distance involved, the proposal has the potential to preserve the setting of the listed hospital. A condition can be imposed on this outline consent, restricting the height of the care home to 2 storeys to set the anticipated scale parameters for any subsequent reserved matters approval. As such, the scheme would accord with Policy N9 of TPSB, the NPPF and the expectations of the Planning (Listed Buildings and Conservation Areas) Act 1990, that proposals should preserve the historic and architectural interest and setting of listed buildings.

Landscape impact/existing trees

6.22 There are mature tree belts along the western, southern and south-eastern boundaries of the site, with additional trees situated to the north of the proposed development, on the part of the site which would be retained as green space. These mature landscaped areas provide a green buffer between existing residential development and contribute to the verdant character of the area. An Arboricultural Report (AR) has been submitted, which details which trees are to be removed to facilitate the development, and how the remaining trees would be protected during construction works.

6.23 In total, 7 trees are proposed to be removed. This would consist of 3 category U and 3 category B trees on the northern part of the site, with a larger category A tree (common oak) to provide the main access road into the development. The trees to be removed are low to medium quality small specimens of limited amenity value. As such, there is no objection to their removal. Whilst it is regrettable that a large, high quality common oak tree is to be felled, this is essential to provide vehicular access to the site. Given that it forms part of a much wider tree belt along the western boundary of the site, in overall landscape terms, its removal would not detract from the wider amenity value of the land. Moreover, additional street trees are to be planted to the front of plots in this area on both sides of the internal access road and across the wider site, with tree protection measures deployed to preserve the retained trees. Therefore, taken together the proposed landscaping works which can be secured via condition, would enhance the character and appearance of the site and accord with Policy N8 of TPSB which, amongst other things, seeks to ensure that proposals are sympathetic to landscape character and quality.

Policies and Guidance:-

National Planning Policy Framework

Section 12

The Plan for Stafford Borough 2011-2031

N1 (Design),

N8 (Landscape Character)

N9 (Historic Environment)

Supplementary Planning Document (SPD) - Design

7.0 Residential Amenity

7.1 Policy N1 requires the design and layout of development to take account of noise and light implications and the amenity of adjacent residential areas. The Design SPD provides guidance on amenity standards and separation distances.

Site A

7.2 The north-eastern part of Site A occupies a slightly elevated position when viewed from Rowley Hall Drive, with the FFLs of these units being around 3m higher than the existing dwellings. The flank and rear elevations of the proposed bungalows on plots B8, B9 and B11 would directly face the front elevations of existing properties in Rowley Hall Drive, with a separation distance of at least 27m between the existing and proposed dwellings. Whilst it is acknowledged that the proposed units would occupy higher ground, given the separation distance involved (exceeds SPD guidance), intervening landscaping/boundary treatments and single storey scale of the proposed properties, it is not considered that these units would appear unduly overbearing to or directly overlook existing properties in Rowley Hall Drive. The revised boundary treatments in this area shown on 'Streetscenes Plan Ref: 15037/29E (West Section)' and the proposed intervening landscaping, would ensure that these features would also not appear unduly overbearing to existing properties in Rowley Hall Drive.

7.3 The scheme also includes a new section of retaining wall to the north of plots B10-B11 (Elevation 6-6 on Retaining Wall Elevations Plan Ref: 15037/37C), adjacent to an existing property in Rowley Hall Drive. Whilst this retaining wall would be a relatively tall structure, it would directly abut the large detached garage serving this property, thereby screening the retaining wall from the main house further to the north and any potential adverse impact on outlook for the occupiers.

7.4 Plots B3, B5, B6 and B7 (bungalows) also adjoin existing residential development in Rowley Hall Drive. Ground levels between this part of the site and those of the existing properties are not significantly different and therefore the proposed single storey bungalows with their hipped roofs which pitch away from the boundary would not visually dominate or reduce the outlook to neighbouring occupiers. Moreover, there would be no windows in the flank elevations of plots B3 and B5, meaning that there would be no loss of privacy to existing residents in Rowley Hall Drive. Although the rear elevations of plots B6 and B7 would directly face an existing property in Rowley Hall Drive, there would be a separation distance of around 25m between the proposed and existing units, which exceeds SPD guidance.

7.5 Turning to the impact of plots H1-H7 on the western side of Site A, these properties would follow the existing alignment of houses in Swinburne Close and would not therefore directly impact on the outlook, privacy or daylight/sunlight received to the occupiers. As plots H8-H17 would back directly onto open space/a high school, there would be no adverse impact on residential amenity from this element of the scheme. In terms of the proposed retaining walls/fences on this part of the site (Elevation 2-2 on Retaining Walls Plan), these elements would be standard 1.8m close boarded fencing when viewed from outside of the site, meaning that there would be no impact on the outlook of existing properties from this aspect.

Site B

7.6 In respect of the proposed care home, as previously indicated, this element is in outline form only, and details of the scale and layout are reserved for subsequent determination. That being said, the illustrative layout shows a 2 storey building which would be set back behind a mature tree belt, with a separation distance of over 35m between the new development and existing 2 storey properties in Swinburne Close. This would accord with SPD guidelines between 2 storey buildings. The illustrative layout also shows a roughly ‘H-shaped’ building which would break up its overall massing and potential visual impact on these properties. These factors would also mean that the care home building would not directly impact on existing houses in Lovelace Close to the south-west. There are no residential properties immediately to the south which would be affected.

7.7 The proposed care home would also extend across the site towards properties in Rowley Hall Drive in the south-east corner of the site. However, due to the existing levels difference and indicative position of the proposed care home, it is unlikely that this part of the scheme would be unduly overbearing or significantly reduce the level of daylight/sunlight received to these properties.

Noise and Disturbance

7.8 Concerns have been raised regarding the potential noise and disturbance generated by the use and occupation of both the residential scheme and care home. It is acknowledged that the proposal would increase the number of vehicle movements through Swinburne Close as this is currently a residential cul-de-sac. However, such disturbance associated with 32 new dwellings is unlikely to be significant. Moreover, any vehicle movements associated with the care home would be limited to staff members/visitors. Therefore, this would not be unusual for a residential area with a mix of different uses in the immediate vicinity including a high school, parade of shops and hospital.

8.0 Access and Parking

8.1 Policies T1 and T2 states that all new development must have a safe and adequate means of access and internal circulation; not have unacceptable highway safety impacts and provide sufficient parking provision. Paragraph 115 of the NPPF confirms that planning decisions should provide safe and suitable access to the site for all users, with paragraph 116 stating 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, following mitigation, would be severe, taking into account all reasonable future scenarios.

Access arrangements/geometry

8.2 Access to both Site A and B would be via Swinburne Close. This would involve the demolition of a block of four apartments at the eastern end of Swinburne Close. The existing highway will also be realigned at this location, with the existing footpaths extended and continued into the proposed development site. In order to accommodate the additional traffic generated by the development parked residential vehicles are to be removed from Swinburne Close. Some properties already have off-street parking, however, to accommodate those who do not, and visitors an additional 33 off-street parking spaces are to be provided on Swinburne Close. The highway authority is satisfied that the proposed access arrangements on Swinburne Close will provide safe and suitable access to the site, with appropriate visibility splays.

8.3 The highway authority has confirmed that the access road and drainage layout will require approval under Section 7 of the Staffordshire Act/agreement under Section 38 of the Highways Act if it is to be adopted as ‘highway maintainable at public expense’. The applicant has confirmed that the internal access road and associated drainage will be adopted and this can be secured through the County Council’s technical approvals process before development commences.

Highway capacity/connectivity

8.4 A Transport Statement (TS) has been submitted with the application which assesses the impact of the development on the surrounding highway network, including the junction between Swinburne Close and West Way, a priority-controlled T-junction. The results indicate that this junction would operate with significant reserve capacity and the additional traffic associated with proposed development results in negligible increase in delay and queueing for all scenarios in both the AM and PM peaks.

8.5 The site has sustainable transport modes, located close to local bus stops connecting the site with the town centre and Stafford railway station. The town centre, local schools and essential facilities are also all accessible by foot, within a 20-25 minute or 1.1 mile walk of the site following existing footpaths. The accessible location of the site would further reduce the potential traffic impact of the proposed development.

Parking Provision

8.6 The development proposals include the supply of 93 parking spaces including 60 spaces for the residential dwellings (Site A) and 33 spaces indicated for the proposed care home (Site B - the latter is an illustrative layout given that this element is only seeking outline consent).

8.7 The 60 parking spaces for the 30 residential properties, which includes 1, 2 and 3 bedroom properties, meets the Borough Council Parking Standards. In respect of the proposed care home, as this element is in outline form, only limited information has been provided on staff numbers etc associated with Site B. However, the layout plan indicates that 33 parking spaces would be provided which accords with the Council parking standards for care homes (1 space per 3 bed spaces for visitors, with 22 staff spaces). This level of parking provision should prevent any overflow parking on the highway and in the housing development. The detailed layout of Site B should also include parking for an ambulance, details of which can be conditioned as part of this outline consent.

Overall highway conclusion

8.8 Subject to the detailed layout of Site B being determined at reserved matters stage and notwithstanding the comments received from interested parties, it is considered that the proposed access arrangements and internal road layout would provide a safe and suitable access to the development, and the residual cumulative impacts on the surrounding highway network would not be severe. Conditions are required concerning the construction of the approved access, parking and turning arrangements, surfacing details, CEMP and submission of a travel plan.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs 115 and 116

The Plan for Stafford Borough

T2 (Parking and Manoeuvring Facilities)

9.0 Flood Risk and Drainage

9.1 The existing site levels show a large embankment along the south and eastern boundaries, with levels starting at 94.80 banking up to 99.40 along the site boundary. Additionally, there is also an embankment from the southern field down to the northern field, ranging from 92.05 down to 87.50. Along the western side of the site, the surveyors were unable to access due to a dense overgrowth of vegetation, however looking at the levels outside of the site, its apparent that here is also an embankment down to the boundary where the levels fall from 92.20 down to 89.90.

9.2 The Severn Trent sewer records included within Appendix B, identify a 225mm surface water sewer and a 150mm foul water sewer which both run along Swinburne Close to the west of the site.

9.3 The site lies in Flood Zone 1, which the NPPF defines as land assessed to be at low probability of tidal or fluvial flooding. The Strategic Flood Risk Assessment also indicates that the site is also located outside of the areas susceptible to groundwater flooding. Notwithstanding this, the Environment Agency flood map identifies that the site is susceptible to surface water flooding along the western boundary, where the existing site banks down significantly within the existing situation. Therefore, as it is proposed to raise the levels of the proposed properties on this part of the site, they would be protected from any surface water runoff. In the event of exceedance, overland flows would be directed around the proposed properties and either onto the proposed highway, towards the existing embankment to the western side of the site or onto Rowley Hall Drive to the east as per the existing situation.

9.4 An overland flow route drawing illustrating the above has been produced based on the proposed site levels which illustrates that in the event of exceedance or blockage within the proposed drainage system, that all flows generated from the development will be directed away from the plots without causing any risk to the properties or their occupants.

9.5 Flooding can occur from other sources such as blocked drains and sewers. The site is bounded to the West by Swinburne Close which is identified from the topographical survey to have gullies which could be a source of flooding. Moreover, the proposed surface water drainage system, has been designed to accommodate a 1 in 100 year storm event + 40% climate change with a maximum discharge rate of 9 l/s exiting the site. Therefore, if any flooding was to occur due to exceedance within the existing surface water sewerage system, flows would be accommodated within that provided on-site storage.

9.6 As the existing site is a greenfield site, surface water runoff from the proposed development should reflect, as far as possible, the surface flows from an undeveloped greenfield site. Building Regulations standards guidance advises that surface water should be disposed of via sustainable drainage systems/infiltration before connection is considered to the main/underground sewer. As part of the Drainage Strategy (DS) and Flood Risk Assessment (FRA) for the development, infiltration testing on the site found that ground conditions were not suitable for soakaways, and the small drainage ditch 300m to the north-west of the site on the opposite side of the high school was unsuitable to take the additional load from 32 extra dwellings and the care home. Therefore, the DS and FRA confirm that the most appropriate method of discharging flows from the development is through controlled release into the existing sewers. The Lead Local Flood Authority concurs with this assessment.

9.7 With the exception of permeable paving, all other options for sustainable drainage systems (SuDs) including green roofs, swales and ponds have been considered and discounted due to cost and limited available flat ground which is not affected by the root protection areas of existing trees.

9.8 In detail, surface water from the care home element would be stored/attenuated within a below ground cellular storage tank within the parking area, before discharge to the adoptable sewer network at a restricted discharge rate. Surface water from the residential scheme will be directed to below ground gravity feed sewers within the adopted highway with any surplus flows attenuated using oversized pipes and geocellular storage tanks. The sewers will be offered for adoption by STW under a Section 104 Agreement.

9.9 In summary, subject to conditions ensuring that the full detailed drainage design (including management and maintenance plan) is submitted for review for each phase of the development, the proposal would not increase flood risk on the site or nearby land and therefore accord with Policy N2 of TPSB and the NPPF.

9.10 Turning to the disposal of foul water, it is proposed that foul water flows from the development will discharge via a traditional network of below ground pipework before connecting into the proposed 150mm adoptable foul water network located beneath the proposed access road prior to discharging into the existing 150mm foul water sewer located along Swinburne Close. Connection is subject to Section 106 approval with STW. The applicant has received a response from STW which confirms that the existing 150mm foul sewer located beneath Swinburne Close has sufficient capacity to accommodate the additional foul flows generated from the development.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs 181-182

The Plan for Stafford Borough 2011-2031

N2 (Climate Change)

10.0 Ecology and Biodiversity

10.1 Policy N4 states that the natural environment will be protected and that new development where damage to the natural environment is unavoidable must provide appropriate mitigation. The policy further requires that natural habitats and species in the locality are protected.

10.2 Policy N1 requires development to retain significant biodiversity and landscaping features and create new biodiversity areas. To comply with the guidance contained within the Framework and the Council's biodiversity duty new development must demonstrate that it will not result in the loss of any biodiversity value of the site.

On site habitats

10.3 The submitted Preliminary Ecological Appraisal (PEA) sets out how the 'construction zone' for Sites A and B are of 'low ecological value, consisting of species poor, semi-improved grassland, though the native woodland, and mature trees with high bat roost potential is of high ecological value. As there is Japanese knotweed on the site a detailed treatment and removal plan should be produced prior to site works. This can be secured via a pre-commencement condition.

10.4 In terms of the potential impact on bats, at least 4 on site trees have high bat roost potential, with 3 bat emergence surveys undertaken by the applicant's ecologist. This found no roosting bats in the trees, although bats were recorded foraging in the area. To protect bats and provide potential roosting sites, the Biodiversity Officer recommends that external lighting should be down-facing and avoid light spill on any commuting areas, with 3x woodcrete bat boxes installed on mature trees at least 3m above ground level. These details can be secured by condition.

10.5 A walk over badger survey has been provided which found no evidence of foraging badgers on the site, and although there are no setts on the site itself, any site works should be undertaken with caution. Although reasonable effort has been employed to detect setts in accordance with current guidelines, there remains a small risk that badgers could reoccupy old disused setts or construct new setts at some time in the future. Consequently, it is recommended that development proceed with caution, with an informative note to be attached to the decision, advising the applicant of their obligations in respect of badgers under the Wildlife and Countryside Act (WCA).

10.6 All wild birds, their nests and eggs are protected under Section 1 of the WCA. This means that vegetation clearance works should not be undertaken in the nesting season (March to August), unless it can be demonstrated by the developer that breeding birds will not be affected. Again, an informative note can be attached to the decision in this respect.

10.7 A single record of great crested newt from the local area has been identified and several ponds are located within 500m of the site. The closest pond is 200m to the south with a second around 290m in woodland to the east. Although the grassland ley offers poor quality terrestrial habitat, the hedgerows and associated neutral grassland offer potential habitat and a ditch that holds a good depth standing water is present on site. On this basis Naturespace are satisfied that the risk to great crested newts is minimal and any potential impact can be secured via Reasonable Avoidance Measures (RAMs). An informative note is recommended to this effect.

Biodiversity Net Gain (BNG)

10.8 As the application was submitted prior to 12th February 2024, the development is exempt from the mandatory requirement for scheme to provide a 10% increase in BNG. However, the NPPF is clear at paragraph 193 that proposals should conserve and where possible enhance biodiversity. The development of the site, without mitigation, will cause a net loss in biodiversity through the development of this green field site and loss of a small number of existing trees. Therefore, to accord with the requirements of the NPPF, additional biodiversity measures need to be secured to off-set the net loss of biodiversity.

10.9 The submitted Biodiversity Net Gain Report (BNGR) and BNG Metric demonstrate that with the proposed on-site enhancements (new hedgerow and tree planting etc), the proposal would result in a gain of 0.39 units (3.94%) in habitat biodiversity, and a 2.61 (426.65%) in hedgerow biodiversity units, therefore ensuring there is a net gain in biodiversity. These enhancement/mitigation measures can be delivered through a condition requiring the submission of a landscape management plan.

Special Areas of Conservation

10.10 Policy N6 states that development which has a direct or indirect adverse impact upon the integrity of the Cannock Chase SAC, and the effects cannot be mitigated, will not be supported.

10.11 Policy N6 also sets out that any development leading to a net increase in dwellings within a 15km radius of the Cannock Chase Special Area of Conservation (SAC) will be deemed to have an adverse impact on the SAC, unless or until satisfactory avoidance and/or mitigation measures have been secured. The Council has adopted guidance acknowledging a 15km Zone of Influence and seeking financial contributions for the required mitigation from residential developments within the 0-15km zone.

10.12 The proposal lies within the 15km buffer of the Cannock Chase SAC and seeks the provision of new residential development and as such a financial contribution is required for the new residential development on Site A - the care home on Site B would be excluded from this requirement. The proposed scheme would attract a financial contribution of £11.826.56 (£369.58 per unit). This is a slight uplift in the figure of £10,555.00 (£329.83 per unit) stated in the submitted viability statement, as the SAC Partnership agreed to a slight increase in the standard net dwelling financial contribution to apply on 1 April 2026 (the viability assessment was undertaken in 2024).

10.13 Under the provisions of the Conservation of Habitats and Species Regulations 2017 (CHSR), the Local Planning Authority as the competent authority, must have further consideration, beyond the above planning policy matters, to the impact of this development, in this case, due to the relative proximity, on the Cannock Chase SAC. Therefore, in accordance with Regulation 63 of the Regulations, the Local Planning Authority has undertaken an Appropriate Assessment (AA). The Council's AA concludes that the mitigation measures identified within the Council's Development Plan for windfall housing sites will address any harm arising from this development to the SAC. Natural England concur with the conclusions of the Local Planning Authority's AA and therefore they have offered no objections to the proposal. Natural England advises that if all mitigation measures are appropriately secured, they are satisfied that there will be no adverse impact on the sites from recreational pressure.

10.14 In summary, subject to appropriate mitigation being secured by a legal agreement, the development is acceptable in terms of its impact upon Cannock Chase SAC. The applicant's viability assessment has confirmed that the scheme cannot stand the cost of the proposed contributions, including the SAC mitigation payment. However, as the SAC payment is required to ensure that the scheme meets its obligations under Regulation 63 of the CHSR, the applicant has now agreed to make the required contribution.

Policies and Guidance:-

National Planning Policy Framework

Section 15

The Plan for Stafford Borough

N1 (Design)

N2 (Climate Change)

N4 (The Natural Environment and Green Infrastructure)

N5 (Sites of European, National and Local Nature Conservation Importance)

N6 (Cannock Chase SAC)

11.0 Housing Mix

11.1 The Strategic Housing Market Assessment identifies an undersupply of 1 and 2 bedroom homes and an oversupply of 3 bedroom homes in the Borough. A mix of these required properties would therefore be expected on site. The proposed residential scheme on Site A would provide 8, 1 bed, 14, 2 bed and 8, 3 bed units, and would therefore help contribute to the undersupply of 1 and 2 bed properties. Moreover, the proposed development on Site B would also contribute towards a general need for additional care home provision in the borough.

12.0 Viability/Contributions

12.1 A Financial Viability Assessment (FVA) has been submitted with the application, which confirms that 'Site A' which would be 100% affordable, cannot afford to pay any S106 contributions given that the Residual Land Value is below the Benchmark Land Value. The FVA has been independently assessed by the Valuation Office Agency (VOA) on behalf of the Council who confirm that the 'Site A' is unable to support any of the required S106 requirements which would include:

- Education Contribution - £99,816 (subsequently increased to £171,968)

- Health Contribution - £53,300
- Leisure Contribution - £60,008.45
- SAC Contribution @ £329.83 per unit, totalling £10,555 (now increased to £11,087.40 - 30 dwellings x updated net dwelling payment of £369.58)
- Highways Contribution - £10,000.

12.2 Given the above, no developer contributions are being sought in this case for Site A, although a S106 legal agreement will be required to ensure that the residential scheme is 100% affordable and the tenure type/mix is 25% First Homes and 75% social rent as requested by the Housing Officer. Site B (care home) is excluded from the FVA and is therefore subject to any relevant planning obligations.

12.3 Whilst it has been accepted that no developer contributions can be sought in this case, as set out in section 10 of this report, the Council still has an obligation to ensure that the required mitigation measures are secured to ensure that the development would not have an adverse impact on the SAC to meet its Regulation 63 requirements. The applicant has confirmed that they are now willing to make the required SAC payment.

13.0 Other Matters

13.1 Various other concerns not covered in the above sections of the report have been raised by interested parties, including insufficient time provided for public comments and noise and dust pollution concerns during the construction phase. Several consultation letters have been sent to neighbouring occupiers in relation to the original proposal and subsequent revisions. Therefore, it is considered that sufficient time and opportunity has been given for interested parties to comment on the proposals. To ensure that noise and dust pollution does not impact on residential amenity and mud/debris is not deposited onto the highway, a condition is recommended, requiring the submission of a construction environmental management plan, which will include measures to control dust/noise and require the provision of a wheel wash.

13.2 Officers understand that there is Japanese knotweed on the site. A condition is also recommended to ensure that this is appropriately disposed of prior to excavation/construction works taking place.

13.3 The Police Architectural Liaison Officer has requested that measures to prevent easy access to the top of the retaining brick walls, which may provide a climbing aid to access the rear of the lower-level properties are provided. These details can be conditioned.

14.0 Conclusion and Planning Balance

14.1 As the Council can no longer demonstrate a 5-year housing land supply and the afore mentioned housing policies in the TPSB are out of date, the presumption in favour of sustainable development in paragraph 11(d) of the NPPF is now engaged. For decision taking this means that planning permission should be granted unless the proposal affects a protected area (not relevant to this case); or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

14.2 In addition, the development would be located within the Stafford settlement boundary, which is at the top of the sustainable settlement hierarchy of the TPSB. Therefore, it is considered acceptable within the context of Spatial Principle 7 criteria (a) and (b) (is of an appropriate scale to the existing settlement). In addition, the site is located in a highly sustainable location in terms of accessibility, with a range of services and facilities within a reasonable walking distance. These factors count in favour of the scheme.

14.3 It has also been demonstrated that, subject to conditions and the full details of the care home being established at reserved matters stage, the proposal would preserve the character and appearance of the area, provide an appropriate living environment for existing and proposed residents, not have a significant impact on highway safety, enhance biodiversity and not increase flood risk on the site or surrounding land.

14.4 As a viability assessment has been provided which confirms that the scheme cannot stand the cost of the required planning obligations, such matters do not weigh against the proposal (the applicant has agreed to pay the SAC payment to meet their obligations under Regulation 63.

CONSULTATIONS (Summarised)

SCC Lead Local Flood Authority

Comments received 1 April 2026

We have reviewed the Flood Risk Assessment and Drainage Strategy (C7614-ODP-FRA-Rev D 17.03.2026) which has bene updated following receipt of a new masterplan/ housing layout for Site A. We are satisfied that an acceptable drainage strategy has been proposed; as such, we have no objection to the application at this stage subject to pre commencement conditions being attached to any planning permission, to ensure that the full detailed drainage design (including management and maintenance plan) is submitted for review for each phase of the development.

Police Architectural Liaison Officer

Comments received 24 March 2026

No objections, but it is important that a high level of physical security is incorporated in the proposals, including the installation of measures to prevent easy access to the top of the retaining brick wall, which may provide a climbing aid to access the rear of the lower-level properties.

Natural England

Comments received 6 March 2026

No objections, subject to all mitigation measures being secured to ensure that the potential impacts of the development do not adversely affect the Cannock Chase SAC. Based on the information provided, the development would also not damage or destroy the interest features of the Cannock Chase SSSI.

Naturespace

Comments received 17 March 2026

Naturespace are now satisfied that the RAMS document has been adequately corrected and is acceptable.

SBC Biodiversity Officer

Comments received 29 April 2024

As this application was made prior to mandatory net gain under the Environment Act, a 10% gain in biodiversity units is a guideline and not compulsory. However, the NPPF is clear that there must still be a measurable gain. The Biodiversity Gain Report states, “The total net unit change for habitats is calculated at +0.39 units which correlates to a gain of 3.94% in habitat biodiversity. The total net unit change for linear habitats is calculated at +2.61 units which correlated to a gain of 426.65% in hedgerow biodiversity.” (page 26) Therefore, a measurable net-gain can be achieved by following the recommendations laid out in the report. There will need to be a Landscape Management Plan submitted detailing the required management and maintenance of the proposals for a 25-year period, as set out on pages 30-31 of the report.

The RAMs measures set out in the report by Dr Stefan Bodnar, July 2024, should be carried out as stated.

SCC Education

Comments received 18 December 2026

The response is based on the information contained within the planning application which details a dwelling mix of 22, 2 and 3 bed units (1 bed units do not attract a contribution):

In determining whether there is a need for the developer to mitigate the impact of this development it was calculated that 22 dwellings would require 5 primary school places, 3 secondary places and 1 Post 16 places. These are based on a pupil product ratio (PPR) 0.03 per dwelling per year group. Using 7 year groups for Primary, 5 for secondary and 1 for Post 16 places. All 1 bedroom dwellings and 4 existing flats have been deducted from the dwellings numbers in line with our Staffordshire Education Infrastructure Contributions Policy. There are projected to be an insufficient number of school places in the local area to mitigate the impact of this development at secondary phase of education.

The contribution from this development will be put towards a new secondary school in Stafford and therefore has been calculated based on the most up to date cost of the project. The secondary school education contribution has been calculated as follows: £38,693,000 (cost of a new school) / 900 (number of places it delivers to give a cost per pupil place) £42,992 x 4 (number of places required by development) = £171,968.

SBC Sport and Outdoor Leisure

Comments received 20 April 2026

The leisure contributions are related to Site A of the development. If the development was just to comprise of Site B (care home) then no leisure contributions would be requested.

Comments received 2 December 2022

Contributions towards open space: Due to the size of this development the Council is reasonably entitled to request a quantative provision of 30.81m2 per person of open space provision under its current policy.

All open space provision should be on offsite. However, from the information provided there does not appear to be any green space allocated for the residential care home. We would expect to see some provision for the residents to be able to enjoy a green space.

In accordance with the financial contributions guide for new development provision of Open Space and commuted sums, the contribution required for this development should be: £53,103.26 capital with £6,905.20 towards maintenance.

In order for developers to calculate the open space requirements, the cost of open space per dwelling is set out below:

Table 1: Open Space requirement per dwelling

Open space required per person (M2) 30.81

Capital Cost £915.57

Offsite Maintenance £119.06

Due to the nature of the site and its location, a financial contribution to an existing offsite facility will be required. Sports Provision - The Councils Open Space, Sport and Recreation Assessment update identifies that there will be a need for an additional 6 ATP pitches required due to an increase in the population of the borough and demand. Sport England and the Open Space, Sport and recreation Assessment identifies there is currently as shortfall of 300sqm of pool space and that Stafford Leisure Centre is currently operating at capacity along with Alleyne's. Any future developments will further increase the deficiency in swimming capacity. We have applied the current Sport England Facilities calculator to the proposed development as there will be an impact upon facilities in the local area as residents join local sporting clubs either as adults or through schools and increased usage on swimming pools. The calculator is based upon the population of the new development and how many visits the development will generate at peak times to sport facilities.

Pool £34,989

Sport Courts / Halls £31,966

Artificial Turf Pitches (3G) £4,828

SCC Highways Authority

Comments received 6 February 2023

The care home is accessed off the new access road to be developed for the residential properties, although it has to be assumed at this stage that the residential properties may not be agreed and built before the care home gets approval and so conditions will apply to both site A and site B. Although a lot of information is not supplied, the development involves the demolition of an existing block of residential properties at the head of the cul -de -sac on Swinburne Close to accommodate the new access road to both developments.

The existing highway will also be realigned at this location, with the existing footpaths extended and continued into the proposed development site. In order to accommodate the additional traffic generated by the development parked residential vehicles are to be removed from Swinburne Close. Some properties already have off-street parking, however, to accommodate those who do not, and visitors an additional 35 off-street parking spaces are to be provided on Swinburne Close.

As part of the application the developer submitted a Transport Statement that looked at the impact of the development on the surrounding highway network, including the junction between Swinburne Close and West Way which is a priority-controlled T-junction. The results indicate that this junction would operate with significant reserve capacity and the additional traffic associated with proposed development results in negligible increase in delay and queueing for all scenarios in both the AM and PM peaks.

The site has sustainable transport modes, as the site is located close to local bus stops with 5 bus stops within 400m of the point where the site connects to Swinburne Close Bus service 9, operated by Select Bus Services, provides a good connection to Stafford town centre with frequent (every 15-20 mins). Stafford railway station is located 1.1 miles to the north-west of the development site and serves national rail services. The station is approximately a 20-25-minute walk or 10-minute bus journey (via service 9). The development site is also located within close proximity to 4 schools and other local amenities It is considered there is sufficient provision of pedestrian footpaths around the development site and this environment would encourage and promote walking for short trips as a mode of travel.

The development proposals include the supply of 95 parking spaces including 62 spaces for the residential dwellings and 33 spaces for the care home. The 62 parking spaces for the residential properties, which includes 1, 2 and 3 bedroom properties, meets the Borough Council Parking Standards, however, the parking for the care Home, which is outline at this stage needs to be explained and show how the staff numbers are accommodated within the 33 car-parking spaces provided. The number of parking spaces provided needs to prevent any overflow parking on the highway and in the housing development. Parking for an ambulance also needs to be shown on any future plans.

This access road and drainage layout will require approval under Section 7 of the Staffordshire Act 1983 and will require an agreement under Section 38 of the Highways Act 1980 if it is to be adopted as 'highway maintainable at public expense'. There are detailed issues that need to be approved in order to achieve technical approval under that process and the developer should be advised to contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works. The obtaining of planning permission for this design/layout will not be considered as a reason to relax the required technical standards for the adoption of the road and drainage, and any changes may necessitate the submission of further planning applications. If the road is to be private then the residents should be advised that they may be taking on the responsibilities and liabilities of the highway authority with regards to maintenance, show clearance etc and are advised to take advice on public liability insurance against claims associated with those responsibilities.

No objection, subject to conditions requiring the construction of the approved access, parking and turning arrangements, surfacing details, CEMP and submission of a travel plan, together with a legal agreement securing a £10,0000 contribution towards the travel plan outcomes and measures.

SBC Health and Housing Services

Comments received 27 April 2026

Given that a viability assessment has been submitted in relation to Site A, and Site B relates to a care home, there is no affordable housing requirement for the scheme.

SBC Conservation Officer

Comments received 1 December 2022

32 Dwellings (Site A):

The 32 dwelling would be located in the northern portion of the site, known as 'Site A', they are proposed to be a mix of 2 storey dwellings and 1 storey bungalows of predominantly brick and tile construction. There is no conservation objection in principle to this part of the development as due to the houses being no higher than two storeys it is likely that any intervisibility between the listed Rowley Hall and the new dwellings would be limited; the roofs of the dwellings in the north-eastern corner of the site may be visible from the listed building due to them being on a higher land level than that of Rowley Hall Drive at this point.

I would suggest swapping out the two storey dwellings in the north-eastern corner of the site for the bungalows. This may have a dual benefit of avoiding overshadowing of the nearby existing residents of Rowley Hall Drive, the two storey dwellings could then be relocated to the southern portion of Site A where the existing bungalows are currently proposed. At this point Rowley Hall Drive is on a higher land level than the proposed development and so this would be a more appropriate site for the two storey dwellings in terms of reducing their impact.

60 bed care home (Site B):

Little to no information is provided for the proposed care home due to the application only being for outline consent (with all matters reserved except for access) therefore conservation comments relating to its scale, appearance and layout are limited to what has been indicated on the submitted site plan drawings. There is an indicative layout shown on the submitted drawings which indicates a substantial H-shaped footprint, but there is no indication of how many storeys the care home would be or how it would appear elevationally.

Site B is located at the southern end of the existing field, where the ground level is generally lower than the dwellings on Rowley Hall Drive, but there is a steep rise in land level in the form of a steep bank at this end of the site. The submitted External Levels Layout (Drawing No. C7614-01-P3) seems to indicate that the bank will be cut out and levelled to accommodate the care home building, and the remainder of the bank supported by a retaining wall. With the care home being proposed to comprise of 60 units it is assumed it will likely be at least three storeys in height, possibly more.

There is likely, due to the substantial size of the care home indicated and its potential height, that there could be some intervisibility between the new building and the listed Rowley Hall, and there is the potential for it to impact upon its setting. Without knowing the overall height and how many storeys the proposed care home would be it is difficult to assess the extent of harm this may cause to the setting of the listed building.

In summary, whilst there is no conservation objection in principle to the proposed development, the extent of any harm that could be caused to the setting of the grade II listed Rowley Hall Hospital is unclear as no information has been supplied in terms of the overall height of the proposed care home building. Therefore, I would request a condition be included, should consent be granted, limiting the height of the care home to no more than three storeys. I would also request to be consulted on any subsequent reserved matters application(s) for the care home, particularly where it relates to scale, layout, and appearance.

Staffordshire and Stoke on Trent Integrated Care Board

Comments received 14 May 2026

The development would have access to a number of provider sites across 3 primary care networks serving Stafford. Infrastructure investment will be required across this network over the medium to long-term, however, a scheme of funded works are progressing within 2 relevant GP provider sites and this augmented infrastructure capacity would be capable of serving the scale of development proposed in this case therefore no direct requests are hereby made in respect of mitigation towards healthcare infrastructure.

Severn Trent Water

Comments received 2 November 2022

No objections subject conditions regarding detailed drainage plans for surface and foul water disposal.

Fire and Rescue Service

Comments received 3 November 2022

Appropriate supplies of water for firefighting and vehicle access should be provided at the site, as indicated in Approved Document B Volume 1 requirement B5, section 13 and section 14.

In the interest of preventing deaths and injuries from fires within domestic dwellings Staffordshire Fire and Rescue Service strongly recommend the provision of a sprinkler system to a relevant standard. Early consultation with the Fire Service when designing buildings which incorporate sprinklers may have a significant impact on reducing fire deaths and injuries in domestic premises and financial implications for all stakeholders.

SBC Tree Officer

Comments received 20 October 2022

I have no objection to the proposal in accordance with the information within the tree survey, subject to the following conditions being added to any permissions:

<u>Arb Method Statement/Tree Protection Plan - compliance</u>

All measures within the approved Tree Protection Plans and Arboricultural Method Statements shall be implemented and maintained throughout development of each phase until completion of all construction related activity in that phase, unless agreed otherwise in writing with the local planning authority.

Bird Nesting Season - compliance

Works to hedgerows and trees shall not be undertaken in the bird nesting season (March to August) unless it can be demonstrated that breeding birds will not be affected, through the submission, approval in writing by the local planning authority and subsequent implementation in accordance with the approved details of a method statement for the protection/avoidance of nesting birds. This may include timing of work, pre-work checks, avoiding nesting areas. BS5837:2021 - pre commencement (phased development)

A Tree Retention and Protection Plan showing all trees and tree groups which are classified as retained and which is compliant with BS5837:2012 "Trees in relation to design, demolition and construction - Recommendations" shall be submitted and agreed in writing with the local planning authority for each phase of the development prior to the commencement of any ground works and construction activity in that phase, including the delivery to site of any materials or equipment.

Pruning and Removals pre commencement (phased development) A comprehensive schedule of works for tree pruning and removal shall be agreed in writing with the Local Planning Authority prior to the commencement of any demolition works, ground works and construction activity in each phase, including the delivery to site of any materials or equipment. Thereafter no tree removals or pruning of any kind shall be carried out except as prescribed in the approved schedule of works, unless agreed in writing with the local planning authority.

5 Year Retention/Replacement - compliance If within a period of 5 years from the completion of any phase of development any of the trees, plants or shrubs that are to be retained or planted in accordance with an approved landscaping scheme are felled, uprooted, removed, destroyed, or in the opinion of the local planning authority die, become seriously damaged or defective, another tree, plant or shrub of the same species and size shall be planted at the same location in the next available planting season, unless the local planning authority agrees in writing to dispense with or vary this requirement.

Neighbours

Number of representations received	Comments summarised
54 in objection as of 2/4	- Noise and Disturbance from construction and occupation of the development on neighbouring properties; - Loss of outlook and overbearing impact of the development/retaining walls/fences on residential amenity; - Loss of daylight/sunlight to neighbouring properties; - Conflict with the Council Space About Dwellings standards - Insufficient time given for residents to comment on the application/lack of consultation; - Flooding and drainage concerns, infrastructure cannot cope with increased surface water run-off and foul drainage load from the development; - Access concerns, including HGVs during the construction phase; - Highway safety and congestion concerns; - Impact on flora and fauna, wildlife/ecology - Loss of green space which is an asset to the area; - Elevated position of the site, the proposed dwellings and walls/fences adversely impact on the character and appearance of the area; - Development poorly planned and has significant cost factors which mean it is not viable; - Over intensification/overdevelopment of the site; - Loss of existing trees; - Height of proposed development out of keeping with its surroundings; - Air pollution and dust concerns; - Cumulative traffic impact with use of Rowley Park Stadium.
1 in support	- Seems a reasonable location for new housing.
1 neutral	- Neither objects or supports the proposal.

Publicity

Site notice	
Yes	
Expiry date:	3 November 2022

Press advert	
Yes	
Expiry date:	16 November 2022

RELEVANT PLANNING HISTORY

None Relevant

Recommendation

Approve, subject to the following conditions: or Refuse due to the following reasons:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

2. The development authorised by this permission shall be carried out in complete accordance with the following drawings and specifications, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-

    - Site Masterplan Ref: 15037/2C
    - Landscape Drawing No: ADL305 Rev B and Landscaping Schedule
    - Retaining Wall Elevations Ref: 15037/37 C
    - Overland Flow Route Layout Ref: C7614 03 Rev P3
    - Drainage Layout Ref: C7614 02 Rev P6
    - External Levels Layout C761401 Rev P7
    - Flood Risk Assessment and Drainage Strategy C7614-ODP-FRA-Rev D
    - Bat Activity Survey July 2023
    - Great Crested Newts Habitat Suitability Survey March 2023
    - New/Retained Open Space Plan Ref: 15037/36
    - Location Plan Ref: 15037/1B.

- Streetscenes Ref: 15037/29E
- Elevations: Bungalows B8-B11 Ref: 15037/24A
- Plans: Bungalows B8-B11 Ref: 15037/14B
- Site A Layout Ref: 15037/7D
- Reasonable Avoidance Measures/Mitigation for Herpetiles dated July 2024
- BNG Elite Ecology Biodiversity Metric Calculation (September 2024)
- BNG Elite Ecology Biodiversity Net Gain Report (September 2024)
- Arboricultural Report Ref: THL-R20-98b
- Elevations: Bungalows B1-B3 Ref: 15037/26
- Elevations: Bungalows B4 and -B5 Ref: 15037/27A
- Elevations: Bungalows B6-B7 Ref: 15037/28A
- Plans: Bungalows B1 - B3 Ref: 15037/16
- Plans: Bungalows B4 and B5 Ref: 15037/17A
- Plans: Bungalows B6 and B7 Ref: 15037/18A
- Elevations: Houses H1-H4 Ref: 15037/19
- Elevations: Houses H5-H7 Ref: 15037/20
- Elevations: Houses H8-H9 Ref: 15037/21
- Elevations: Houses H10-H13 Ref: 15037/22
- Elevations: Houses H14-H17 Ref: 15037/23
- Plans: Houses H1-H4 Ref: 15034/9
- Plans: Houses H5-H7 Ref: 15037/10
- Plans: Houses H8 and H9 Ref: 15037/11
- Plans: Houses H10 and H13 Ref: 15037/12
- Plans: Houses H14-H17 Ref: 15037/13A

- Transport Statement Ref: COSTR9001P/7/001 01

3. No development shall commence on Site A unless and until a final detailed surface water drainage design (inclusive of management and maintenance plan/ Surface Water Management Plan) has been submitted to and approved in writing by the Local Planning Authority. The final design shall conform to the design detail summarised in the Flood Risk Assessment and Drainage Strategy (C7614-ODP-FRA-Rev D 01.04.2026) and further demonstrate:-

   - Surface water drainage system(s) designed in accordance with the National Standards for Sustainable Drainage systems (SuDS)

   - Detailed design (plans, network details and full hydraulic calculations) in support of any surface water drainage scheme, including details on any attenuation system, SuDS features and the outfall arrangements. The final drainage plan shall include for a petrol interceptor at the downstream end of the drainage system for Site A (e.g., manhole S8) to ensure that all surface water generated by the site is treated prior to discharging off site.

   - Performance calculations shall demonstrate the performance of the designed system and attenuation storage for a range of return periods and critical storm durations (15 mins up to 48 hours), to include as a minimum the 1:2 year, 1:30 year and the 1:100-year plus climate change return periods.

   - The hydraulic modelling design shall use FEH Rainfall Data and shall apply a 40% allowance upon rainfall to model the impact of climate change.

   - Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system. Finished floor levels are to be set 150mm higher than ground levels to mitigate the risk from exceedance flows (i.e., blocked gullies etc). In all cases, the surrounding ground level shall slope away from the finished floor level of properties and any entrances to mitigate against the risk of surface water inundation.

   - Provision of an acceptable management and maintenance plan to ensure that surface water drainage systems shall be maintained and managed for the lifetime of the development. To include the name and contact details of the body(-ies) responsible.

- Provision of an acceptable Surface Water Management Plan (SWMP) to ensure that runoff and contamination are managed during the construction phase.

The development shall thereafter be implemented in accordance with the approved details.

4. No development shall commence on Site A unless and until drainage plans for the disposal of foul water flows have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

5. No dwellings on Site A shall be occupied until the access to the site within the limits of the public highway has been completed.

6. The development on Site A hereby permitted shall not be brought into use until details of the access road, footpaths improvements and realignment as indicated on drawing 15037/2C, together with the surface material, access width, footpath widths, visibility splays, surface water drainage and radius of kerbs for the access road have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details and retained as such for the lifetime of the development.

7. The development hereby permitted on Site A shall not be brought into use until the access, parking, servicing and turning areas for each plot, have been provided in accordance with the approved plans. No dwelling shall be occupied until such time as the associated driveway has been surfaced in a bound material, and sustainably drained, in accordance with details to first be approved in writing by the Local Planning Authority.

8. No dwelling hereby permitted shall be occupied until the 35 off street parking spaces, as shown on drawing 15037/2C, have been provided for existing residents of Swinburne Close. The approved 35 off street parking spaces shall thereafter be retained for the parking of vehicles.

9. Prior to the commencement of any construction on Site A, including any demolition and regrading works, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall include details relating to construction access, hours of construction, routing of HGV's, delivery times, the location of the contractors' compounds, cabins, material storage areas and contractors parking and a scheme for the management and suppression of dust and mud from construction activities including the provision of a vehicle wheel wash. It shall also include a method of demolition for the existing apartment block. All site operations shall thereafter be undertaken strictly in accordance with the approved CEMP for the duration of the construction programme.

10. No development shall commence unless and until a materials schedule plan together with samples of the materials to be used in the construction of the external wall(s) and) roof(s) of the building(s) have been submitted to and approved in writing by the Local Planning Authority.

11. No development shall commence and unless and until details of the materials to be used in the construction of the retaining walls have been submitted to and approved in writing by the Local Planning Authority.

12. No site clearance, excavation works or development shall commence on Site A until a detailed treatment and removal plan for the disposal of Japanese knotweed has been submitted to and approved in writing by the local planning authority. Japanese knotweed shall be treated and disposed of in accordance with the approved treatment and removal plan before any site clearance, excavation or development works take place.

13. The finished floor levels and external ground levels of the dwellings, gardens, parking areas and internal access road on Site A shall be constructed in accordance with the approved External Levels Layout Plan Ref: C761401 Rev P7.

14. No development above damp proof level shall take place until details of measures to prevent access to the top of the retaining brick walls to the rear of the lower-level properties have been submitted to and approved in writing by the local planning authority. The approved measures shall be implemented prior to the first occupation of the dwellings hereby approved.

15. No excavation, levelling or construction works shall commence until the tree protection measures for all retained trees/hedgerows on the site, as detailed in the approved Arboricultural Report Ref: THL-R20-98b have been installed. The approved tree protection measures shall be retained in accordance with the approved details/positions for the duration of the construction phase.

16. No development shall commence, including any excavation, levelling or construction works on Site A until a Landscape Management and Maintenance Plan (LMMP) providing a scheme of landscaping which reflects the enhancement measures contained in the approved Biodiversity Net Gain Report (BNGR) and indicative landscaping measures detailed on the Site Master Plan Ref: 15037/2C and New/Retained Open Space Plan Ref: 15037/36 have been submitted to and approved in writing by the local planning authority. The scheme shall include:

    - Details of the location, species, plant supply sizes and numbers of all new tree, hedgerow and shrub planting;
    - New landscaping including the maintenance and management of the retained area of open space to the north of the new housing development;
    - Biodiversity enhancement measures referred to in the BNGR.
    - An implementation programme.

17. The landscaping works shall thereafter be carried out in accordance with the approved details before any part of the development on Site A is first occupied, in accordance with the agreed implementation programme

18. This is an outline permission in respect of access only and before the development is commenced, details of the layout, scale of the buildings; the appearance of the buildings including materials to be used on the external surfaces and the landscaping of the site (hereinafter called the "reserved matters") shall be submitted to and approved in writing by the Local Planning Authority.

19. Application(s) for approval of reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

20. The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.

21. The development authorised by this outline permission shall be carried out in complete accordance with the following drawings and specifications, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-

    - Retaining Wall Elevations Ref: 15037/37 C
    - Overland Flow Route Layout Ref: C7614 03 Rev P3

- Drainage Layout Ref: C7614 02 Rev P6
- External Levels Layout C761401 Rev P7
- Flood Risk Assessment and Drainage Strategy C7614-ODP-FRA-Rev D
- Bat Activity Survey July 2023
- Great Crested Newts Habitat Suitability Survey March 2023
- New/Retained Open Space Plan Ref: 15037/36
- Location Plan Ref: 15037/1B
- Reasonable Avoidance Measures/Mitigation for Herpetiles dated July 2024
- BNG Elite Ecology Biodiversity Metric Calculation (September 2024)
- BNG Elite Ecology Biodiversity Net Gain Report (September 2024)
- Arboricultural Report Ref: THL-R20-98b
- Transport Statement Ref: COSTR9001P/7/001 01

22. No development shall commence on Site B unless and until a final detailed surface water drainage design has been submitted to and approved in writing by the Local Planning Authority. The final design shall conform to the design detail summarised in the Flood Risk Assessment and Drainage strategy (C7614-ODP-FRA-Rev D 01.04.2026) and further demonstrate:-

    - Surface water drainage system(s) designed in accordance with the National Standards for Sustainable Drainage systems (SuDS)
    - Limiting the discharge rate from Site B generated by all rainfall events up to the 100 year plus climate change to 4 l/s.
    - Provision of surface water runoff attenuation storage.
    - Final detailed design (plans, network details and calculations where necessary) in support of any surface water drainage scheme, including details of any attenuation system, and the outfall arrangements.
    - Performance calculations shall demonstrate the performance of the designed system and attenuation storage for a range of return periods and critical storm durations (15 mins up to 48 hours), to include as a minimum the 1:2 year, 1:30 year and the 1:100-year plus climate change return periods.

- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.

- Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water drainage systems shall be maintained and managed for the lifetime of the development.

- The plan shall include a named body responsible for undertaking the management and maintenance.

- Provision of an acceptable Surface Water Management Plan (SWMP) to ensure that runoff and contamination are managed during the construction phase.

23. Any future reserved matters application on Site B for the approved care home shall include full drainage plans for the disposal of foul water flows.

24. The development on Site B hereby permitted shall not be brought into use until details of the access road, footpaths improvements and realignment as indicated on drawing 15037/2C, together with the surface material, access width, footpath widths, visibility splays, surface water drainage and radius of kerbs for the access road have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details and retained as such for the lifetime of the development.

25. The care home hereby permitted shall not be occupied until the 35 off street parking spaces as shown on drawing 15037/2C, have been provided for existing residents of Swinburne Close. The approved 35 off street parking spaces shall thereafter be retained for the parking of vehicles.

26. Prior to the commencement of any construction on Site B, including any demolition and regrading works, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall include details relating to construction access, hours of construction, routing of HGV's, delivery times, the location of the contractors' compounds, cabins, material storage areas and contractors parking and a scheme for the management and suppression of dust and mud from construction activities including the provision of a vehicle wheel wash. It shall also include a method of demolition for the existing apartment block. All site operations shall thereafter be undertaken strictly in accordance with the approved CEMP for the duration of the construction programme.

27. No part of the development permitted by this consent shall be occupied 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 which are with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning consent to the Local Planning Authority for approval for a period of five years from first occupation of the development permitted by this consent.

28. Notwithstanding any description, details and specifications submitted as part of this outline application, the height of the care home submitted as part of any future reserved matters application shall be limited to a maximum of 2 storeys and retained as such for the life of the development.

29. Any future reserved matters consent shall provide details of all boundary/retaining wall materials.

30. Any future reserved matters consent shall include a detailed treatment and removal plan for the disposal of Japanese knotweed on the site.

31. Any future reserved matters consent shall include details of measures to prevent access to the top of the retaining brick walls at lower levels.

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

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

2 To define the permission.

3 To ensure that the site is appropriately drained and does not increase flood risk on the site or surrounding land, in accordance with Policy N2 of The Plan for Stafford Borough 2011-2031.

4 To ensure that the development is provided with a satisfactory means of foul drainage and to minimise the risk of pollution, in accordance with Policy N2 of The Plan for Stafford Borough 2011-2031.

5 To provide safe and suitable access to the development, in accordance with Policy T2 of The Plan for Stafford Borough 2011-2031.

6 To provide safe and suitable access to the development, in accordance with Policy T2 of The Plan for Stafford Borough 2011-2031.

7 To provide safe and suitable access to the development, in accordance with Policy T2 of The Plan for Stafford Borough 2011-2031.

8 To provide appropriate off-street parking facilities for residents in Swinburne Close, in accordance with Policy T2 of The Plan for Stafford Borough 2011-2031.

9 To provide safe and suitable access to the development, in accordance with Policy T2 of The Plan for Stafford Borough 2011-2031.

10 To preserve the character and appearance of the area, in accordance with Policy N1 of The Plan for Stafford Borough 2011-2031.

11 To preserve the character and appearance of the area, in accordance with Policy N1 of The Plan for Stafford Borough 2011-2031.

12 To ensure that Japanese knotweed is appropriately removed, in accordance with Policy N4 of The Plan for Stafford Borough 2011-2031.

13 To preserve the character and appearance of the area and protect the amenities of nearby occupiers, in accordance with Polices N1 and N4 of The Plan for Stafford Borough 2011-2031.

14 In the interests of security. (Policy N1 of The Plan for Stafford Borough 2011-2031).

15 To protect existing trees, in accordance with Policy N8 of The Plan for Stafford Borough 2011-2031.

16 To preserve the character and appearance of the area and ensure there is no net loss in biodiversity on site, in accordance with Policies N4 and N8 of The Plan for Stafford Borough 2011-2031.

17 To preserve the character and appearance of the area and ensure there is no net loss in biodiversity on site, in accordance with Policies N4 and N8 of The Plan for Stafford Borough 2011-2031

18 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

19 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

20 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

21 To define the permission

22 To ensure that the site is appropriately drained and does not increase flood risk on the site or surrounding land, in accordance with Policy N2 of The Plan for Stafford Borough 2011-2031.

23 To ensure that the development is provided with a satisfactory means of foul drainage and to minimise the risk of pollution, in accordance with Policy N2 of The Plan for Stafford Borough 2011-2031.

24 To provide safe and suitable access to the development, in accordance with Policy T2 of The Plan for Stafford Borough 2011-2031.

25 To provide appropriate off-street parking facilities safe for residents in Swinburne Close, in accordance with Policy T2 of The Plan for Stafford Borough 2011-2031.

26 To provide safe and suitable access to the development, in accordance with Policy T2 of The Plan for Stafford Borough 2011-2031.

27 In the interests of sustainable travel and to accord with Policy T2 of The Plan for Stafford Borough 2011-2031.

28 To preserve the character and appearance of the area and protect the amenities of nearby residents, in accordance with Policies N1 and N9 of The Plan for Stafford Borough 2011-2031.

29 To preserve the character and appearance of the area, in accordance with Policy N1 of The Plan for Stafford Borough 2011-2031.

30 To ensure that Japanese knotweed is appropriately removed, in accordance with Policy N4 of The Plan for Stafford Borough 2011-2031.

31 In the interests of security, as required under Policy N1 of The Plan for Stafford Borough 2011-2031.

Informatives

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

2 Highway Works Agreements - The proposed new access requires a dropped kerb extension permit from Staffordshire County Council Network Management Section.

Please note that you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing to widen the access. Please complete and send to the address indicated on the application form, which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, TippingStreet, STAFFORD, Staffordshire, ST16 2DH. (Or email to nmu@staffordshire.gov.uk) Vehicle access crossing (dropped kerb) - Staffordshire County Council.

The conditions requiring off-site highway works shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack and an application form for the agreement. Please complete and send to the address indicated on the application form, which is Staffordshire County Council at Network Management unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire ST16 2DH. (Or email to nmu@staffordshire.gov.uk).

The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales.(www.staffordshire.gov.uk/roads-parking-and-transport/highway-applications-and-licences/highway-agreements)

The development will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

3 Although no evidence of foraging badgers or badger setts have been recorded, there remains a small risk that badgers could reoccupy old disused setts or construct new setts at some time in the future. Consequently, it is recommended that development proceed with caution. Precautionary measures should include:

- Ensure that all those in work are aware of the potential for setts or badgers to be encountered, and the actions to be taken if these are discovered at anytime.

- Any excavations to be covered over or ramped so that any badgers could get out of an excavated structure.

- Any ground-works that are to be left open overnight will be provided with a means of escape should a badger enter. This could simply be in the form of a roughened plank of wood placed in the trench as a ramp to the surface. This is particularly important if the trench fills with water.

- Any trenches/pits will be inspected each morning to ensure that no badgers have become trapped overnight. Should a badger become trapped in a trench it will likely attempt to dig itself into the side of the trench, by forming a temporary sett. Should a trapped badger be encountered the Named Ecologist should be contacted immediately for further advice who, if necessary, will contact Natural England in respect of legislative and licensing issues.

- The storage of topsoil or other 'soft' building materials on site will be given careful consideration. Badgers will readily adopt such mounds as setts; so as to avoid the adoption of any mounds, these will be kept to a minimum and any essential mounds

4 All wild birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981. This means that vegetation clearance works should not be undertaken in the nesting season (March to August), unless it can be demonstrated by the developer that breeding birds will not be affected.

5 Although the risk to great crested newts is minimal, there will be a need for appropriate safeguards and reasonable avoidance through appropriate working methods to be employed during the development works. These works should involve:

1. Carefully strip of any paved area, long grass or gravel on which the development is to take place. There is a very low chance that newts (including common species) could use these structures as refugia. It is recommended that this is undertaken under direct ecological supervision

2. If great crested newts are discovered at any time during processes involved with the development, work should cease immediately and the advice of a licensed ecologist sought.

3. All site staff involved with site clearance and construction works are to be made aware of the potential (although extremely low) for encountering great crested newts through a tool kit talk and the appropriate measures to be taken if great crested newts are encountered.

4. Keep duration of ground-works as short as possible.

5. Undertake during the day works that might only affect newts above ground.

6. Backfill trenches and other excavations before nightfall, or leave a ramp to allow newts to easily exit. Raise stored materials (that might act as temporary resting places) off the ground, e.g. on pallets

7. Working areas and storage: all storage of materials to take place on pallets, keep working area and disturbance within red boundary area, without tracking or construction vehicles entering other areas of the site.

8. If great crested newts are discovered at any time during processes involved with the development, work should cease immediately and the advice of a licensed great crested newt ecologist sought.

9. Appropriate supplies of water for firefighting and vehicle access should be provided at the site, as indicated in Approved Document B Volume 1 requirement B5, section 13 and section 14.

   The roads and drives upon which appliances would have to travel in order to proceed to within 45 metres of any point within the property, should be capable of withstanding the weight of a Staffordshire firefighting appliance (G.V.W. of 17800 Kg).

Stafford BOROUGH COUNCIL

22/35776/FUL
Land Adjacent To Swinburne Close
Highfields

Author:
Date: 21/07/2026

0 10 20 30 40m
Scale: 1:2000 @ A4

Cannock Chase Council | Stafford Borough Council working together



Application:	26/41804/FUL
Case Officer:	Steven Owen
Date Registered:	22 April 2026
Target Decision Date: **Extended To:**	17 June 2026 7 August 2026
Address:	10-12 Gaolgate Street, Stafford, Staffordshire, ST16 2BG
Ward:	Forebridge
Parish:	N/A
Proposal:	Demolition of the structures known as 8-12 Gaolgate Street (to retain the façade of 8-9 Gaolgate Street), including a sensitive split to adjacent neighbouring properties. Materials to be crushed voids and holes to be filled and remaining materials to remain in site
Applicant:	Stafford Borough Council
Recommendation:	Approve, subject to conditions

REASON FOR REFERRAL TO COMMITTEE

The application is being referred to the planning committee because Stafford Borough Council is the applicant.

Context

The Application Site

The development site comprises 10-12 Gaolgate Street and 8-9 Gaolgate Street. The building forming 8-9 Gaolgate Street is the former Co-op Department Store, most of which is subject to prior approval for demolition. 10-12 Gaolgate Street is a two and three-storey building within the town centre of Stafford. The site occupies a corner plot where Gaolgate Street and Stafford Street meet. 10-12 Gaolgate Street includes retail uses on the ground floor (formally Millets and Blue Cross) and Sui Generis use on the first floor (formally a dance studio).

The site falls within Stafford Town Centre Conservation Area and is within the setting of several Listed Buildings, including:

- 34 Gaolgate Street (Grade II)
- 35 and 35A Gaolgate Street (Grade II)
- 36 and 37 Gaolgate Street (Grade II)
- National Westminster Bank, 3 Market Square (Grade II)
- Stafford Railway Building Society, 4 Market Square (Grade II)
- Lloyds Bank, 5 Market Square (Grade II)
- 6 and 7 Market Square (Grade II)
- Midland Bank 8 Market Square and 1 Greengate Street (Grade II)
- 18 Market Square (Grade II)
- Shire Hall and Attached Railings Gates and Lamp Standards (Grade II*)
- Four telephone kiosks Type K6 1935

The site also falls within the following designations:

- Within 15km of the Cannock Chase Special Area of Conservation
- Buffer zone of an historic landfill
- Green impact risk zone for Great Crested Newts
- Flood zone 1

There are two trees forward of the principal elevation on Gaolgate Street. These trees are afforded protection by reason of their location within a Conservation Area.

Site History

The building dates from the 1930-1940. According to the site's planning history the site has had a consistent retail/commercial usage.

Prior approval was granted under 24/39235/PDEM for the demolition of the majority of the former Co-op Department Store.

There is no other planning history relevant to the consideration of this application.

The Development Proposal

Permission is sought for the following:

- Demolition of the remaining elements of 8-9 Gaolgate Street, except for the façade, which is to be retained
- Demolition of 10-12 Gaolgate Street
- Site restoration to comprise the site being left clear of voids and holes with materials to be crushed on site.

Officer Assessment - Key Considerations

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) sets out that the determination of applications must be made in accordance with the development plan, unless material considerations indicate otherwise. For the purposes of this application, the development plan comprises of The Plan for Stafford Borough 2011-2031 Parts 1 and 2.

In this case the material planning considerations include:

1) The principle of the development
2) The proposal's impact upon the character and appearance of the area and heritage assets
3) The development's impact upon amenity
4) The impact upon highway safety.
5) The ecological impact of the development.

Principle of Development

The development comprises the demolition of commercial buildings within Stafford town centre. Spatial Principles 1, 3, and 7 and Policy Stafford 1 are therefore central in considering the principle of the demolition. In this case, the demolition of the building is ultimately considered acceptable in principle for reasons outlined below.

Spatial Principle 1 states that, when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will work proactively with applicants and communities jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies within TPSB (and, where relevant, with policies in neighbourhood plans) should be approved without delay, unless material considerations indicate otherwise.

Spatial Principle 3 defines the Borough's Sustainable Settlement Hierarchy. Stafford sits at the top of this hierarchy due to its high level of services, facilities and transport links. The town therefore has the greatest potential to provide major new development.

Spatial Principle 7 states that settlement boundaries will be used to assess the acceptability of individual proposals and will be used to ensure development within the boundaries will be acceptable in principle because it;

a) is in, or adjacent to, an existing settlement;

b) is of an appropriate scale to the existing settlement;

c) is accessible and well related to existing facilities;

d) is accessible by public transport, or demonstrates that the provision of such services could be viably provided;

e) is the most sustainable in terms of impact on existing infrastructure, or demonstrate that infrastructure can be provided to address development issues;

f) will not impact adversely on the special character of the area, including not impacting on important open spaces and views, all designated heritage assets including, Listed Buildings, Conservation Areas and locally important buildings, especially those identified in Conservation Area Appraisals;

g) will appropriately address the findings of the Landscape Character Assessment, and the conservation and enhancement actions of particular landscape policy zone / zones affected;

h) will not lead to the loss, or adverse impact on, important nature conservation or biodiversity sites;

i) will not lead to the loss of locally important open space or, in the case of housing and employment, other locally important community facilities (unless adequately replaced);

j) will not be located in areas of flood risk or contribute to flood risk on neighbouring areas;

k) will ensure adequate vehicular, pedestrian and cycle access as well as cycle and short stay parking facilities on the site; and

l) will not adversely affect the residential amenity of the locality.

Policy Stafford 1 states that the development strategy for Stafford will, in part, include the following elements:

i. Encouraging the development and expansion of the town centre to provide an increase of 14,000 square metres (net) of non-food (comparison) retailing and 3,400 square metres (net) of food (convenience) retailing and improve the level and quality of the offer as well as establish new development opportunities;

ii. Ensuring that there is 45,000 square metres of new office space and commercial premises within Stafford town centre;

iii. Promoting mixed use development on larger development sites, particularly those that are within the town centre, through a phased approach for the major regeneration plan on the following sites:

   a. Kingsmead

   b. Riverside

iv. Strengthening the retail and service function of the primary retail core / shopping area as well as protecting and enhancing its distinctiveness, vitality and viability including the night-time economy;

v. Supporting an enhanced range and diversity of educational, health, cultural and community

   services and facilities in the town centre;

vi. Improving accessibility to the town centre, particularly by public transport, from the rest of the Borough.

vii. B1 (a) office development should only be permitted on employment sites outside the town centres if it can be proved, through a sequential assessment, that proposed development cannot be located within the town centre or edge of centre sites'

The proposed demolition would occur within the town centre of Stafford, which is the settlement most capable of accommodating new development. The demolition of the building would result in the initial loss of commercial premises but is part of a 'Stafford

Town Centre Transformation Programme'. A 'Development Framework' for that programme has been adopted by the Borough Council's Cabinet.

On balance, whilst the proposed demolition would result in an initial loss of town centre commercial premises, that loss would take place within a town centre Development Framework adopted by the Borough Council's Cabinet. The demolition would occur within the settlement boundary of Stafford which is the most capable of sustaining redevelopment.

The application is considered to be compliant with Spatial Principles 3 and 7 and Policy Stafford 1. The development is therefore acceptable in principle, subject to all other material considerations.

Policies and Guidance:-

National Planning Policy Framework, December 2024 (NPPF)

Paragraph 8 and 11

The Plan for Stafford Borough (TPSB) 2011-2031

Policies SP1 (Presumption in Favour of Sustainable Development), SP2 (Stafford Borough Housing and Employment Requirements), SP3 (Sustainable Settlement Hierarchy), SP7 (Supporting the Location of New Development), Stafford 1 (Stafford Town)

The Plan for Stafford Borough: Part 2 (TPSB2) 2011-2031

SP3 (Sustainable Settlement Hierarchy), SP7 (Supporting the Location of New Development), SB1 (Settlement Boundaries)

Character, Appearance and Heritage

The demolition works would occur within Stafford Conservation Area and within the setting of several Listed Buildings. Policy N1 and N9 of TPSB are key to considering the development's impact upon the visual setting and significance of the heritage assets. On balance, the demolition works are considered acceptable for the reasoning detailed in this section.

Policy N1 states that development should include high design standards that make efficient use of land, promote activity, and take into account the local character, context, density, and landscape.

Policy N9 states that development proposals will be expected to sustain and, where appropriate, enhance the significance of heritage assets and their setting by understanding the heritage interest, encouraging sustainable re-use and promoting high design quality.

No. 10-12 Gaolgate Street is a commercial unit dating from the 1930s. The flat roof building occupies a prominent corner plot within Stafford's town centre. The building has a simple appearance with an active frontage on Gaolgate street and a repeated window pattern. Overall, the building has no architectural interest and is not a designated Heritage Asset.

The elements of the former Co-op Department Store building which would be demolished under this proposal sit behind the façade which is to be retained and, prior to commencement of demolition under the earlier prior approval, comprised internal elements of the building and the urban block.

Under this application the building would be demolished and the footprint would be levelled with crushed hardcore rubble with the remaining material removed from the site. Timber hoarding would be erected around the demolition project.

Historic England has raised no objection to the demolition but has raised concerns that the vacant site would harm the character and appearance of the conservation area. They have therefore encouraged an expedient implementation of the Stafford town centre Development Framework. Historic England note that the corner building is neutral in its value to the significance of the Conservation Area.

Officers note that the elements of the former Co-op Department Store to be demolished offer no value to the significance of the Conservation Area on the basis that the façade is to be retained.

The Council's Conservation Officer has been consulted but no representation has been received

The County Council's Archaeologist has highlighted the site's archaeological value. The site occupies a central location within the historical settlement of Stafford. The Archaeologist has therefore requested an 'archaeological watching brief', which can be secured through an appropriately worded condition.

Subject to the above condition and given the demolition forms part of the Stafford town centre regeneration project, it is considered that the proposal would have an acceptable impact upon the character and appearance of the town centre and its designated heritage assets. The development is therefore considered acceptable with regard to its impact upon the character, appearance and historic significance of the town centre conservation area and neighbouring Listed Buildings.

Policies and Guidance:-

National Planning Policy Framework (NPPF) - Section 12. Achieving well-designed places, Section 16. Conserving and enhancing the historic environment

The Plan for Stafford Borough (TPSB) 2011-2031 - Policies N1 (Design), N9 (Historic Environment)

Supplementary Planning Document (SPD) - Design

Amenity

Demolition works can cause disturbances relating to noise and dust. Policy N1 outlines the need to considered existing uses when granting planning permission. Through consultation with the Council's Environmental Health Officer, it has been shown that impacts upon amenity can be mitigated and controlled through planning conditions.

Policy N1 states development should take account of noise and light implications, together with the amenity of adjacent residential areas or operations of existing activities.

The Environmental Health Officer raises no objection to the proposal, subject to conditions designed to mitigate adverse effects of dust and noise associated with demolition works. These conditions are considered appropriate and reasonable to maintain an adequate level of amenity during the works.

On balance, the proposal would not result in an unacceptable level of noise, dust or disturbance and, therefore, subject to the conditions recommended by the Environmental Health Officer, the proposed development is considered to be acceptable in this regard.

Policies and Guidance:-

National Planning Policy Framework (NPPF) - Paragraph 129

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

Supplementary Planning Document (SPD) - Design

Highway Safety

Demolishing the building will require the use of HGVs, skips, and scaffolding, all of which would need to utilise the public highway. Overall, it is considered that impacts upon the highway can be managed through appropriate conditions.

Policy T2 states that new development must not materially impair highway safety nor detract from, or conflict with, the transport function of the road. The policy also states that development must make provision for parking.

The Highway Authority has raised concerns relating to skip placement, scaffolding, HGV routing, and parking. The Highway Authority recommend a condition requiring the submission and approval of a Traffic Management Plan which contains such details. This condition is considered to be appropriate and necessary in order to ensure that the proposed development is acceptable.

Subject to a condition to secure a Transport Management Plan, it is not considered that the proposed demolition would result in any undue harm with regard to highway safety or the ongoing operation of the network.

Policies and Guidance:-

National Planning Policy Framework (NPPF) - Section 9. Promoting sustainable transport

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

Ecology

Demolition of the existing building could negatively impact both nesting birds and the nearby trees on Gaolgate Street. Policy N4 has been considered when assessing the likely impact on ecology and the need for protective measures.

Policy N4 states that any new development, where damage to the natural environment is unavoidable, must include measures to mitigate and / or compensate such impacts, through the establishment of replacement habitats or features, including appropriate site management regimes.

The Council's Biodiversity Officer advises that the information available demonstrates that there is negligible likelihood of any protected species being found within the buildings and that no conditions are recommended in this regard. Furthermore, the preliminary ecological appraisal has not identified any nesting birds. Despite this the Biodiveristy Officer has requested a condition designed to prevent demolition during bird nesting season unless a method statement detailing how nesting birds will be identified and protected is submitted to the Council for approval. However, it is considered that nesting birds are adequately protected under Section 1 of the Wildlife and Countryside Act 1981 and that a standard informative should therefore be attached to any approval reminding the developer of their legal responsibility regarding nesting birds.

Due to the site's location and sealed surface, the application is exempt from statutory biodiversity net gain.

The Council's Tree Officer has been consulted on the application due to the close proximity of street trees falling within the Stafford Conservation Area boundary; however, no representation has been received. Notwithstanding this, it is considered that any approval should be subject to a condition to require the submission of a tree protection method statement prior to demolition.

The development is within the 15km impact zone for the Cannock Chase Special Area of Conservation. However, due to the nature and context of the proposed development, it is not considered that adverse effects upon the reasons for designation of that site would result. The development has therefore been screened out via assessment under the Habitat Regulations.

Policies and Guidance:-

National Planning Policy Framework - Section 15. Conserving and enhancing the natural environment

The Plan for Stafford Borough - Policy N4 (The Natural Environment and Green Infrastructure)

Conclusion

The proposed demolition of is considered to be acceptable in principle, having regard to the site's location within Stafford town centre and its relationship to the wider Stafford Town Centre Transformation Programme.

While the proposed works would result in the loss of an existing commercial building and a temporary demolition site within the Conservation Area, the proposal would not result in the loss of any designated heritage asset. Subject to appropriate safeguards, including archaeological recording and tree protection, the proposal would not cause unacceptable harm to the character, appearance or historic significance of the Conservation Area or the setting of nearby listed buildings.

The remaining impacts of the development, including noise, dust, highway safety, ecology and residential amenity, can be adequately controlled through the recommended planning conditions and informatives.

On balance, the proposal accords with the provisions of the Plan for Stafford Borough and the National Planning Policy Framework, and there are no material considerations which indicate that permission should be refused. The application is therefore recommended for approval, subject to conditions.

Consultation Responses (Summarised)

County Archaeology:

‘Whilst we do not wish to raise any archaeological-related objections to the proposed demolition, there is potential for groundworks within the application site to impact upon below ground archaeology that may contribute to our understanding of the development of the town/settlement from at least the Anglo-Saxon period onwards, including the timber-framed building(s) mentioned above. As such, it is recommended that, should permission be granted, an archaeological watching brief is carried out during any works, such as the removal of the ground slab/footings and grubbing out of foundations, that have the potential to reveal below ground archaeological features.’

Historic England

‘Whilst Historic England has no principle objection to the demolition of the existing building, it has concerns with regards to harm upon the existing conservation area (character and appearance) with regards to the site remaining vacant. Therefore Historic England encourages that the progress of the Stafford Development Framework is implemented as expediently as possible, where new buildings must demonstrate that it preserves or enhances the character and appearance of the conservation area, along with the setting of listed buildings opposite, utilising high quality design and materials.’

Biodiversity Officer

Comments dated 17 July 2026:

‘The original bat surveys found negligible potential for bats and, since then, there has been demolition of most buildings on site. On that basis, I would presume the remaining structures to have little potential for bats and that the demolition of the rest of the buildings can go ahead without the requirement for conditions.

Comments dated 22 May 2026:

‘The Preliminary Ecological Appraisal by Tetra Tech, November 2025, has not identified any protected species issues other than nesting birds.

All wild birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981. This means that works should not be undertaken in the nesting season (March to August), unless it can be demonstrated by the developer that breeding birds will not be affected. This can be done by requesting a method statement for protection / avoidance of nesting birds as a condition - this may include timing of work, pre-work checks, avoiding nesting areas etc,

4x integral swift bricks should be installed in the replacement building under the eaves, not facing south

The urban location and setting of sealed surfaces mean the application is exempt from statutory BNG. The two street trees should be retained and protected during demolition, if possible. In the eventuality of the loss of the trees, they would require replacement planting as compensation.'

Highway Authority

Comments dated 15 July 2026:

'No objection, subject to a condition for a traffic management plan to be submitted prior to the commencement of works.

The developer would need to contact Staffordshire County Council highways team and the network management team with regard to licencing for scaffolding and skips within the highway.

Comments dated 4 June 2026:

'There is very limited information regarding highways.

There is no Traffic Management Plan - How many HGVs, at what times and what route is to be used.

Gaolgate and the surrounding streets is a pedestrianised area between the hours of 10am and 4pm. How do they intend to get large vehicles safely into a pedestrianised area between these hours.

The Demolition Method Survey suggests some contractors will park on street, where?

Do they have permission for any skips on the highway and how do they intend to fill them and pick/drop them off safely within this pedestrianised area?

Will any scaffolding be on the highway and if so, do they intend to ask for a licence?

Environmental Health

'Demolition activities are potentially very noisy and can be dusty. To protect nearby sensitive receptors, this unit recommends that:

Working Hours for Demolition/Construction Sites

No demolition or construction work (including deliveries to or from the site and sub-contractors) shall take place on the site outside the hours of 08.00 and 18.00 Mondays to Fridays and 08.00 and 13.00 on Saturdays, and at no time on Sundays, Bank Holidays or Public Holidays.

REASON: In the interests of residential amenity and reducing pollution

Dust Management Plan and Mitigation - larger sites

No development shall take place until a dust management plan has been submitted to and

approved in writing by the Local Planning Authority. The plan shall identify detailed measures to assess, control and monitor the emission of dust and dirt during construction and/or demolition.

The plan shall provide details of how construction works are to be undertaken and shall include:

a) the site-specific, sensitive receptors, either human or ecological, including a plan(s) identifying the location of sensitive receptors;

b) any “hot spot” dust source(s) on the site, e.g. spoil heaps, aggregate storage, haul routes, etc. and a plan to identify their location;

c) a site-specific risk assessment for dust emissions;

d) the site-specific mitigation measures that shall be implemented to mitigate adverse impacts from dust emissions.

e) a plan for monitoring and recording dust levels during construction

f) An action plan setting out procedures to be followed if dust levels exceed agreed thresholds or if complaints are received.

At all times during construction and/or demolition, best practicable means shall be employed to minimise dust. Such measures may include water bowsers, sprayers whether mobile or fixed, or similar equipment.

The development shall be carried out in accordance with the approved dust management plan.

Any mitigation shall be implemented as approved and be retained at all times throughout the demolition and construction phases.’

Neighbours (52 consulted):

No Responses received

Site Notice expiry date: 5 June 2026

Relevant Planning History

74/00482/FUL - Retail shop with appurtenances - Permit - 23 October 1974

74/00741/ADV - Illuminated advertisement - Permit - 23 October 1974

94/30912/ADV - Fascia panel signage - Permit - 6 July 1994

94/30913/FUL - New shop front glazing and framing new glazed double entrance doors and reduced depth lobby entrance - Permit - 6 July 1994

06/07069/FUL - Installation of new shopfront and internal shop refit - REFUSE - 24 November 2006

07/07587/ADV - Signage - Permit - 15 February 2007

07/07649/FUL - Installation of new shopfront - Permit - 15 February 2007

08/10347/ADV - Signage - Permit - 30 September 2008

Recommendations

Approve subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents submitted with the application, unless otherwise required by conditions attached to this permission:-

   Location Plan (Revision P01) (received 17 July 2026)

3. No development shall commence, 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 shall thereafter be implemented in accordance with the approved project design and timeframes contained therein.

   If unexpected evidence of historic character, that would be affected by the works hereby permitted, is discovered an appropriate record, together with recommendations for dealing with it in the context of the scheme, shall be submitted for written approval by the local planning authority.

4. No demolition or construction work, including deliveries to or from the site, shall take place on the site outside the hours of 08.00 and 18.00 Mondays to Fridays and 08.00 and 13.00 on Saturdays, and at no time on Sundays, Bank Holidays or Public Holidays.

5. No development shall commence unless and until a Dust Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved dust mitigation measures shall thereafter be carried out and maintained throughout the demolition period. The dust mitigation plan shall include, but not necessarily limited to:

    a) An assessment, to include a plan to identify the location, of site specific, sensitive human and/or ecological receptors.

    b) An assessment, to include a plan to identify any "hot spot" dust source(s) on the site, e.g. spoil heaps, aggregate storage, haul routes, etc.

    c) A site specific risk assessment for dust emissions.

    d) Site-specific measures to mitigate adverse impacts from dust emissions.

    e) A plan for monitoring and recording dust levels during demolition.

    f) Detailed procedures to be followed if dust levels exceed agreed thresholds or if complaints are received.

6. No demolition works shall take place unless and until a Traffic Management Plan (TMP) has been submitted to, and approved in writing by, the local planning authority. The plan shall include details of contractors' parking; loading and unloading areas; HGV routing; site access arrangements; skip placement; scaffolding; pedestrian safety measures; and any temporary works affecting the public highway. The development shall thereafter be carried out in accordance with the approved TMP.

7. No demolition works shall take place unless and until a Tree Protection Plan and Arboricultural Method Statement, to ensure the retention and protection of street trees adjacent to the site, has been submitted to, and approved in writing by, the local planning authority. Demolition shall thereafter be carried out in accordance with the approved protection measures and methodology.

8. Following demolition, the site shall be left in a safe, level, and tidy condition, with all voids and holes filled and all surplus demolition materials removed from the site.

9. All site boundary hoardings shall be installed in accordance with details which shall first be submitted to, and approved in writing by, the local planning authority. Such details shall include the outward facing finish, the location and size of observation panes within the hoarding, together with a schedule for maintenance.

10. No development shall commence unless and until a demolition method statement (DMS) has been submitted to, and approved in writing by, the local planning authority. Demolition works shall thereafter be carried out in accordance with the

approved DMP. The DMP shall include, but not be limited to, the following elements:

a) Demolition methodology.

b) Provision of external site and/or work lighting.

c) Methodology to ensure the retention of the facade to unit 8-9 Gaolgate Street.

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

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

2. To define the permission.

3. To ensure that any archaeological remains affected by the development are appropriately investigated, recorded and reported, in accordance with Policy N9 of The Plan for Stafford Borough and the National Planning Policy Framework.

4. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).

5. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).

6. In the interests of highway safety and the safe and efficient operation of the highway network, in accordance with Policy T2 of The Plan for Stafford Borough.

7. To safeguard existing trees within the Conservation Area and to protect the character and appearance of the area, in accordance with Policies N1 and N4 of The Plan for Stafford Borough.

8. To ensure the site is made safe and does not adversely affect the character, appearance or amenity of the town centre and Conservation Area, in accordance with Policies N1 and N9 of The Plan for Stafford Borough.

9. To ensure the site does not adversely affect the character, appearance, or amenity of the town centre and Conservation Area, in accordance with Policies N1 and N9 of The Plan for Stafford Borough.

10. In the interests of the safety and convenience of users of the highway and to safeguard the amenities of the area (Policies T1c and N1e of The Plan for Stafford Borough).

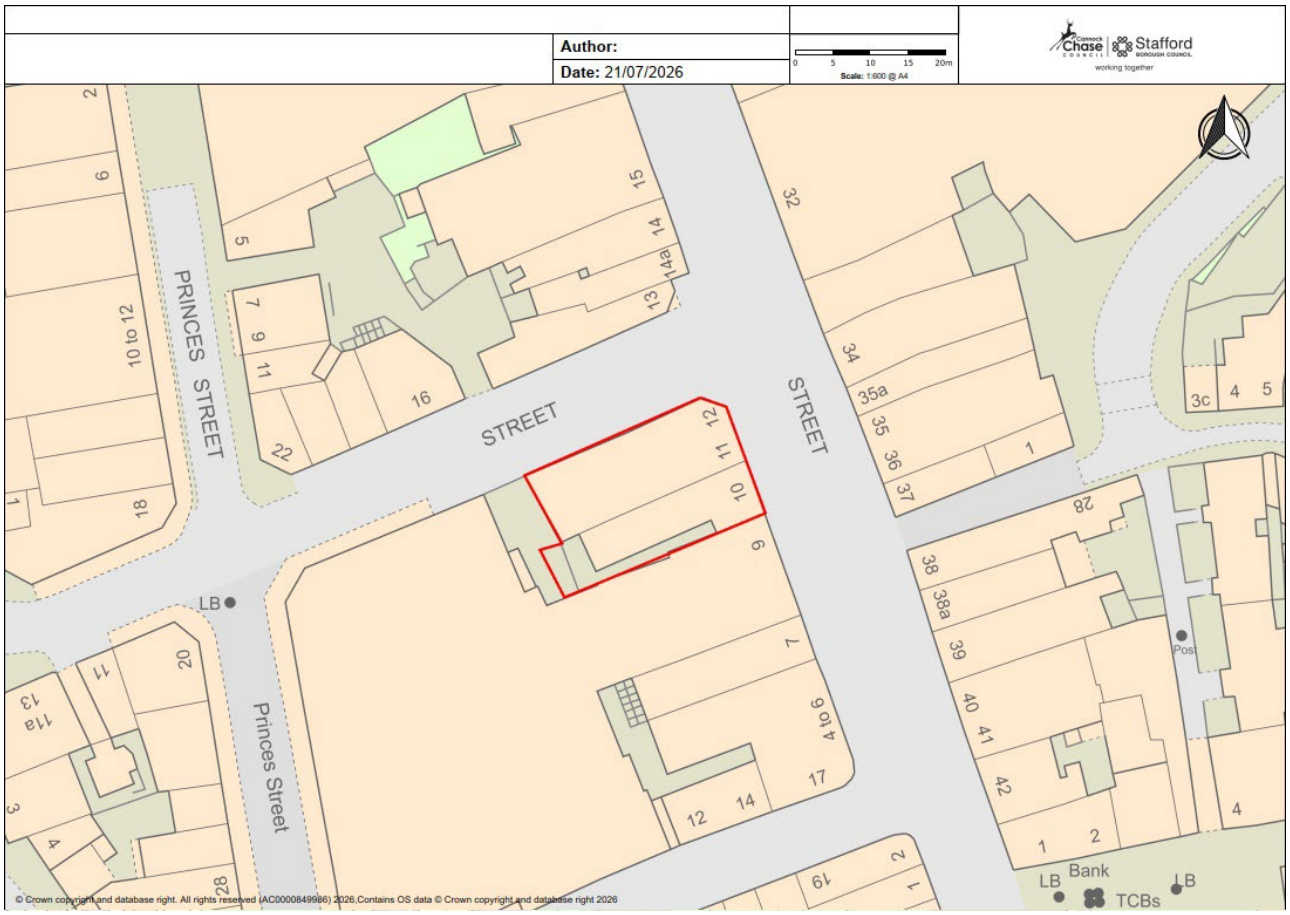
Informatives

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

2 The applicant's attention is drawn to the protected status of nesting birds and the requirement that they are not disrupted during the nesting season (March to August).

3 That the applicants attention be drawn to the comments of the local highway authority with regard to licensing. All comments can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).

26/41804/FUL
8 - 12 Gaolgate Street
Stafford



ITEM NO 6 ITEM NO 6

PLANNING COMMITTEE - 5 AUGUST 2026

Ward Interest - Nil

Planning Appeals

Report of Head of Economic Development and Planning

Purpose of Report

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

Notified Appeals

Application Reference	Location	Proposal
25/41644/PAR **Delegated Refusal**	Pole Barn Hollywood Farm Uttoxeter Road	Prior Approval - Conversion of redundant agricultural building to one dwelling
25/40867/FUL + Cost Claim **Delegated Refusal**	Heather Lodge 2 Old Acre Lane Brocton	Erection of Replacement Dwelling (self-build)

Decided Appeals

Application Reference	Location	Proposal
25/41421/FUL **Appeal Allowed**	1 - 3 Radford Street Stone	Change of use from a drinking establishment/restaurant (Use Class E(b)) to an education and examination centre for Special Educational Needs (SEN) and home-schooled (F1)
26/41736/POTH **Appeal Dismissed**	Land At Mill Lane Great Haywood	Prior Approval - 60 day temporary recreational camp site

Application Reference	Location	Proposal
25/40587/FUL + Costs **Appeal dismissed and Costs refused**	1 Brancote Row Baswich Lane Baswich	Sub division of existing plot to create a building plot for a three bed detached property adjacent to existing end of terrace property, and a new access to the existing property
25/41243/PIP **Appeal Dismissed**	Land Adjacent The Hollies Sandon Road Hilderstone	Permission in Principle - Erection of two low carbon self build houses with associated works
24/38729/OUT **Appeal Allowed**	Land At Willow Farm Sandon Road Sharpley Heath	Outline application with all matters reserved for a proposed dwelling to replace an existing static caravan.
25/40944/ADV **Appeal Allowed**	Footpath Outside Stafford Police Station Eastgate Street Stafford	Two digital 75 inch LCD display screen, one on each side of the Street Hub unit. Linked with 25/40943/FUL
25/40943/FUL **Appeal Allowed**	Footpath Outside Stafford Police Station Eastgate Street Stafford	Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit. Linked with 25/40944/ADV

Previous Consideration

Nil

Background Papers

File available in the Development Management Section

Officer Contact

Sushil Birdi, Development and Policy Manager, 01543 464326

Planning Inspectorate

Appeal Decision

Site visit made on 7 July 2026

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 July 2026.

Appeal Ref: 6008963
1-3 Radford Street, Stone ST15 8DA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Louise Martindale against Stafford Borough Council.
- The application Ref is 25/41421/FUL.
- The development proposed is 'Change of use from a drinking establishment/restaurant (use Class E(b)) to an education and examination centre for special educational needs (SEN) and home schooled (F1).'

Decision

1. The appeal is allowed and planning permission is granted for 'change of use from a drinking establishment/restaurant (use Class E(b)) to an education and examination centre for special educational needs (SEN) and home schooled (F1)' at 1-3 Radford Street, Stone ST15 8DA in accordance with the terms of the application Ref 25/041421/FUL and the conditions below:

    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 the following plans, drawings and documents: Location Plan, Drawing No. 0013 05; Proposed Site Layout Plan, Drawing No. 0013.02; Proposed Ground Floor Plan, Drawing No. 0013 04; Transport Statement.

    3) Prior to the first use of the development hereby permitted, details of the coded gates shall be submitted to, and approved in writing by, the Local Planning Authority.

    4) Prior to the first use of the development hereby permitted, provisions for bicycle storage shall be agreed in writing with the Local Planning Authority and implemented in full. The agreed upon facilities shall thereafter be kept available for the storage of bicycles during business hours.

Reasons

2. The appeal is made against the failure of the Council to determine the planning application within the statutory period. The Council's appeal statement confirmed that if it had determined the application, the decision would have been to grant planning permission, subject to 3 conditions which it has provided with its appeal statement.

3. The officer report submitted with the appeal confirms that there are no outstanding matters which would require me to withhold permission and dismiss the appeal. This

includes with respect to highway safety, living conditions of adjacent residents or ecology.

4. The appeal site is located within the Stone Conservation Area (SCA), and there are evidently adjacent listed buildings. As such even with a lack of concern from the Council on this matter, I do still have a statutory duty under sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to have special regard/attention to the preservation of both the SCA and listed buildings. However, given the lack of external changes the Council does not object on this basis, and I see no reason to disagree.

5. Taken together, the change of use would accord with the requirements of the Act under sections 66(1) and 72(1) and policies E1, E8, N1, N9, T1, and T2 of the Plan for Stafford Borough 2011- 2031 (adopted June 2014). These seek to ensure, among other things, that development proposals will sustain and where appropriate enhance the significance of heritage assets. The proposal would also accord with paragraph 210 of the National Planning Policy Framework (the Framework) to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Conditions

6. I have had due regard to the conditions suggested by both main parties. The standard 3 year commencement of development condition is attached for clarity to all parties, as is the approved plans and documents condition. This includes the Transport Statement as this provides information on how parking will be managed for the operation of the business.

7. A further condition to require details of gates indicated on the floor plan is also suggested. There are scant details of these, and the appellant indicates that they are padlocks rather than gates. It is unclear as to whether they are in place or not at this time, and while there is no objection to their installation in principle, further details to be agreed prior to their installation would provide clarity for all parties and control any potential adverse effects to the character and appearance of the area, including the SCA.

8. The appellant has also suggested a condition to secure cycle parking. In order to promote sustainable travel patterns in the town centre location, this is considered appropriate and is also attached to this permission.

Conclusion

9. The proposal would accord with the development plan taken as a whole and provisions of the Act and Framework. For the reasons given, and having regard to all other matters raised, I conclude that the appeal should be allowed subject to the conditions detailed in the first paragraph.

C McDonagh

INSPECTOR

Planning Inspectorate

Appeal Decision

Site visit made on 7 July 2026

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2026

Appeal Ref: 6008888
Land at Mill Lane, Great Haywood, ST18 0RJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 4, Class BC of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- The appeal is made by Nick Bennett against the decision of Stafford Borough Council.
- The application Ref is 26/41736/POTH.
- The development proposed is '60 day temporary recreational camp site.'

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Schedule 2, Part 4, Class BC of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO) allows the use of any land as a recreational campsite for not more than 60 days in any calendar year for up to 50 pitches and any moveable structures reasonably necessary for the for the purposes of the permitted use. This is subject to the limitations given in section BC.1 (a)-(f) and conditions in section BC.2 (a)-(d).

3. I note that the appeal site is not located in or on any of the sites or areas subject to section BC.1, while it would also meet the conditions given in BC.2 (a)-(c). However, the site is located within flood risk zones 1, 2 and 3 at various points and as such, the prior approval of the local planning authority was required before commencement of the development in each calendar year.

Main Issue

4. Based on the above, the main issue is whether prior approval should be granted for a temporary recreational campsite with regards to flood risk.

Reasons

5. The appeal site is located on land which abuts the Trent and Mersey Canal. At the time of my visit, I observed that signage was in place advertising the campsite while portable toilets were also in position. The application included a site-specific flood risk assessment[1] (FRA) which advised that the field to the south of the site could flood from water backing up the ordinary watercourse through the culvert under the Canal but is not expected to reach the site in the 100 year event. The 1000 year River Trent flood event could flow on to the site if water surcharges the canal

[1] Julia Williams – January 2026.

system. It is advised that the camping pitches be positioned on the highest ground above 73.23m.

6. However, section BC.3(2)(a) states that the site specific flood risk assessment must include provision for warning and evacuation. The FRA advises that the owner and manager of the campsite must sign up to the Flood Warning System to be aware of when a large flood event is expected on the River Trent that could affect the site. Nonetheless, there is only reference to the preparation of an emergency plan, while it is recommended that evacuation of the site should be carried out if water levels are forecast to exceed the 100 year water level at Great Haywood, prior to the onset of flooding at the site and on local roads. Further advice includes monitoring weather forecasts and that the site should be evacuated if intense rain is forecast as water levels could rise quickly.

7. There are no substantive details of how the warning of flooding, or an evacuation would work in the FRA other than what would be considered general advice. Furthermore, section BC.3(4)(a) of class BC states that the local planning authority must take into account the response from the Environment Agency (EA) following the required consultation regarding flood risk. I note the EA did not object to the scheme but did raise several concerns. With regards to an evacuation management plan, the EA states quite clearly that it does not normally comment on or approve the adequacy of flood emergency response and flood evacuation procedures accompanying development proposals, as it does not carry out these roles during a flood.

8. While the appellant argues that a detailed flood evacuation management plan could be secured by condition, the GPDO is clear through the use of the word ‘must’ that the FRA includes provisions for emergency and evacuation. The GPDO is also clear in article 3(1) that subject to the provisions of the Order, planning permission is granted for the classes of development described as permitted development in Schedule 2. Regardless of whether prior approval could be granted subject to conditions, without adequate provision for these matters, to my mind this provides adequate reason for withholding planning permission which would otherwise be granted under article 3(1) of the GPDO.

9. Furthermore, section BC.3(4)(b) requires that regard is had to the National Planning Policy Framework (the Framework) so far as it is relevant to the subject matter of the prior approval, as if the application were a planning application. Paragraph 175 advises that a sequential test should be used in areas known to be at risk now or in the future from any form of flooding. This was confirmed by the FRA to be a risk.

10. Paragraph 174 of the Framework advises that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source while development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

11. Paragraph 175 of the Framework advises that in situations where a specific FRA demonstrates that no built development within the boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding for any source, now and in the future then a sequential test is not needed.

12. The FRA confirms that the tents would be sited in the area of the site at the lowest risk of flooding and outside the areas at medium and high risk. The Environment

Agency raise no concerns regarding the FRA in this respect. This could have been secured by way of a condition were I to allow the appeal as it is not detailed on the site plan. Furthermore, the access and parking area would also be located in the area at lowest risk of flooding. Hence, while not built development, the tents can be considered as a vulnerable element which would meet the requirements of paragraph 175 of the Framework. Consequently, in this instance a sequential test would not be required.

13. Despite the conclusion on the sequential test, for the foregoing reasons relating to warning and evacuation provisions I am unable to conclude that the proposal could be suitably mitigated against flood risk at the appeal site due to a lack of substantive details on this matter.

Other Matters

14. The second reason for refusal in the decision notice states that there was insufficient information for the Council to make a determination on the likely impacts of the proposal on designated heritage assets and European Sites.

15. With regards to heritage assets, the appeal site is located within the Great Haywood and Shugborough Conservation Area and adjacent to both the Trent and Mersey Canal, and Staffordshire and Worcester Canal Conservation Areas. Moreover, I understand it is adjacent the Great Haywood Canal Bridge which is both a scheduled monument and a grade II listed building.

16. As section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) refers to any functions under or by virtue of any of the provisions mentioned in subsection (2), which includes the planning Acts, the statutory duty to pay special attention to preserving the character or appearance of a conservation area does generally apply to developments permitted by the GPDO. However, as there are no prior approval matters relating to design, character or appearance of class BC of part 4, this does not require further assessment.

17. Regard does not need to be had to the statutory duty given under section 66(1) of the Act as it relates to the granting of planning permission or permission in principle with respect to the special regard to preserving listed buildings or their settings. This is because planning permission is granted by Article 3(1) of the GPDO. With regards to both the listed building and the scheduled ancient monument designations of the bridge, section BC.1(a) of this class of the GPDO relates only when the site is on a scheduled monument or on the site of a listed building. While it may be adjacent to the bridge and therefore within the setting of both, both would be outside of the scope of the prior approval matters.

18. With regards to the European Sites identified by the Council, I understand that the site is within the prescribed zone of influence for several of these. The planning permission granted under Article 3(1) of the GPDO is subject to the provisions of that order as well as regulations 75-78 of the Conservation of Habitats and Species Regulations 2017 (the Regulations).

19. Regulation 75 states that it is a condition of any planning permission granted by a general development order that the development which may relate to subsections (a) and (b) must not be begun until the developer has received written notification of the approval of the local planning authority under regulation 77. As it is a condition

of the permission granted under the development order, in effect this means that the development cannot be lawfully begun until both procedures are complied with.

20. However, there is no prescribed order in either the GPDO nor the Regulations and therefore no requirement to gain approval under regulation 77 before granting prior approval. As such, this is not a reason to withhold planning permission which would otherwise be granted under the GPDO, subject to the prescribed limitations and conditions in the relevant sections. As I have dismissed the appeal on other matters, I have not considered this further in the scope of this appeal, although this should not be taken as a judgement in favour or against the scheme before me as it relates to this matter.

Conclusion

21. It has not been adequately demonstrated that the appeal proposal would meet the requirements of Schedule 2, Part 4 Class BC of the GPDO with respect to flood risk. As such, the appeal is dismissed.

C McDonagh

INSPECTOR

Planning Inspectorate

Appeal Decision

Site visit made on 24 June 2026

by K Stephens BSc (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 July 2026

Appeal Ref: 6007489
One Brancote Row, Baswich Lane, Stafford ST18 0YD

- 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 and Mrs Edgecombe against the decision of Stafford Borough Council.
- The application Ref is 25/40587/FUL.
- The development proposed is subdivision of existing plot to create a building plot for a 3 bed detached property adjacent to existing end of terrace property, and a new pedestrian access to the existing property.

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Edgecombe against Stafford Borough Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The appellant originally described the appeal site location as ‘One Brancote Row’. However, the submitted plans, the Council’s refusal notice and the appellant’s subsequent appeal statement all refer to the existing property as ‘1 Brancote Row’. I shall do the same.

4. Originally the description of development on the application form included ‘a new access to existing property’. This was shown on the submitted plans as a new vehicular access off Baswich Lane into the front garden of the existing property, 1 Brancote Row (No.1), and creation of a permeable area for on-site parking for 2 vehicles for use by occupiers of No.1. The proposed new dwelling would continue to use the existing vehicular access and parking/turning area. However, during determination of the application the proposed new vehicular access and parking arrangement for No.1 was omitted, as the Highway Authority could not support it.

5. Amended plans were then submitted that showed No.1 would no longer have its own on-site parking and instead would have a new pedestrian access, in the form of a path up the middle of the front lawn accessed off the pavement along Baswich Lane. Parking for No.1 would revert to using the historical arrangement of a shared access drive and row of garages alongside No.3 Brancote Row, located to the south of the terrace.

6. To reflect this, the Council amended the description but apparently this did not find its way onto the decision notice. The Council has no objection to the appellant’s

suggested clarification that the new access for No.1 is 'pedestrian'. Hence, I have amended the description of development in the banner heading above accordingly.

Main Issue

7. The main issue in this appeal is the effect of the proposed development on highway safety with regard to parking provision.

Reasons

8. The appeal site for the proposed dwelling is currently the side garden of No.1, which itself is the end property of a terrace of 3 similar properties, which I am led to understand were built in the 1950s. Vehicular access for the three dwellings was provided as a shared drive off Baswich Lane, to the south and alongside No.3, that leads to a row of 3 garages, one for each dwelling. This historical arrangement endures today.

9. I am told that in the 1980s additional land was purchased by a previous owner of No.1, and the garden was extended sideways up to the corner with the road junction of Baswich Lane and Tixall Road. A new vehicular access was then created off Baswich Lane leading into the new side garden. The access is now gated with curved brick walls either side of the splay. I saw that the 'acquired' land was in use as garden laid to lawn, children's play equipment and a landscaped pond and seating area. The part of the land closest to Baswich Lane was laid to block paving and gravel hardstanding for use as driveway, parking and turning for vehicles for occupiers of No.1.

10. The appeal proposal seeks to erect a detached 3-bedroom dwelling on this side garden. The boundary of the appeal plot and the side of the proposed dwelling would be close to the existing property No.1, such that there would be no space for vehicles for No.1 to park adjacent to, or within the reduced grounds of, No.1. Consequently, No.1 would lose all of its existing on-site parking provision and its occupiers would instead have to revert to using the remote, historical shared driveway and garage arrangements.

11. A key point of dispute in this appeal is whether reverting to the historical parking arrangements for No.1 should be considered as part of the assessment of the proposal for a new dwelling in its grounds.

12. Irrespective of whether the garage/parking space for No.1 is currently used, circumstances have changed since the 1950s and it is therefore appropriate to consider the knock-on effects on the historical parking arrangement for the existing dwelling No.1 as part of the proposal for a new dwelling in its garden.

13. The acquisition of additional adjacent land for No.1 to have its own on-site parking would have likely relieved pressure on the wider use of the garages and shared driveway, as they would have been used largely by occupiers of two properties, not three.

14. Cars have got larger, more people own cars and single households often have more than one car. If the existing households have more than one car, they could park one in the garage, if it is big enough to do so, and the other in front of the garage door. However, space is then constrained and limited for manoeuvring and turning by the shape and width of the driveway, especially if cars are inconsiderately parked or someone has visitors.

15. On my visit, I saw a car parked outside the garage for No.2. Outside the garage for No.3 was some building materials piled up on a pallet and a car was parked behind it. This would have made it difficult for the car outside garage 2, or indeed a car parked outside garage 1, to manoeuvre and turn. If vehicles are parked in a tandem arrangement with little room to manoeuvre, then cars could get blocked in and parking would then become more troublesome and inconvenient for occupiers of all the dwellings.

16. The swept path plan SK02 does not reflect the inconsiderate parking or additional parking that may occur with visitor parking, or the configuration I saw on site. A photograph in the appellant's Transport evidence shows a vehicle parked alongside the shared driveway, half on the grass verge. The swept path plan SK02 also shows linear parking for some 3 vehicles along the length of the shared driveway. However, this was laid to grass verge and therefore not available as formal parking spaces. This indicates to me that the existing parking provision is not ideal for toady and the swept path in SK02 is not entirely representative. I accept that current space standards for garage dimensions and turning areas for larger cars cannot be retrospectively applied to an extant situation. However, the proposal for a new dwelling will have knock-on effects for occupiers of No.1, and those who currently use the shared driveway and garages, as more cars would be required to park in or in front of the garages and use the shared driveway than at the present time.

17. There are also likely to be further implications for convenience and thus parking elsewhere. No.1 is located furthest from the parking/garages. Occupiers of Nos.2 and 3 have direct pedestrian access to their rear gardens off the parking area. However, occupiers of No.1 do not, and would have to walk from their garage/car along Baswich Lane to their front door. This is likely to encourage occupiers or visitors to No.1, or indeed the other dwellings, to park on the road outside No.1 and other dwellings, or on the grass verge on the other side of Baswich Lane, to unload shopping, for example.

18. If a car was parked on the road outside No.1, vehicles turning into Baswich Lane from the traffic-light junction would have to avoid it. For vehicles turning blind round the corner into Baswich Lane, a parked car would be a surprise obstacle, even if speeds are relatively low with vehicles having just negotiated the corner. Turning vehicles would have limited scope to avoid the parked vehicle(s) as there could well be other vehicles queued up on the other side of the road waiting at the lights on Baswich Lane. During my visit, albeit a snap shot in time, I saw the traffic light junction of Baswich Lane/Tixall Road was in constant use. At times, vehicles waiting in the line of traffic approaching the traffic lights from the south backed up past the end of the shared drive to the garages, No.1 and the existing access into No.1.

19. Since the 1950s there has also likely been a general increase in traffic using Baswich Lane. I saw recent new large housing developments in close proximity to the appeal site. South of the site, on the western side of Baswich Lane, is a large housing estate whose main route through, Audlem Road, joins Baswich Lane such that estate traffic is able to turn left and head north to the traffic light junction, travelling past the shared driveway and appeal site. North west of the site, on the other side of Tixall Road, are other large housing estates and another much larger traffic-light controlled junction. Here Bayswater Square, Hydrant Way and Kensington Drive all feed onto/off Tixall Road, which itself is part of the strategic

route in/out of Stafford. Traffic can approach the signal-controlled junction and turn down Baswich Lane, past the appeal site, No.1 and the shared driveway to the garages.

20. Notwithstanding the lack of parking restrictions on Baswich Lane, such indiscriminate parking so close to an existing vehicular access (which could impede visibility for those using the access) and so close to a heavily trafficked, four-way traffic-light controlled junction, would have an adverse impact on highway safety. Even though accident/collision data does not reveal there to be an accident black-spot at this part of Baswich Lane or the junction, there is no data to show the situation with the proposed dwelling and No.1 reverting back to its historical parking arrangements.

21. In addition, submitted evidence shows that the Highway Authority has, on a number of occasions, observed cars parked on the grass verge on Baswich Lane, opposite Nos.1-3. Irrespective of whether these cars are connected to occupiers of the three dwellings or the nearby housing estate opposite, it nonetheless shows that indiscriminate parking does occur on Baswich lane close to the traffic junction with a strategic route in/out of Stafford. This is likely to worsen due to the knock-on effects and increased pressure on the historical parking arrangements as a result of the proposed new dwelling.

22. The principal of remote parking is not of itself an issue and is not uncommon to find, although the lack of proximity is likely to make it less practical for occupiers. The appellant has drawn my attention to a number of examples of remote parking courts on the nearby Bayswater Square/Dewsbury Crescent housing development, and which I saw during my visit. However, these do not displace existing parking and bear little comparison to the specific highway arrangements being considered for the appeal proposal and No.1.

23. The SK02 plan would also seem to suggest a different parking arrangement could be achieved and the appellant indicates they are willing to have a pre-occupancy condition imposed to allow improvements to be made to the shared driveway. However, based on the evidence before me, this is not within the appellant's gift. The submitted land registry plan shows the appellant owns No.1, its side garden land and one of the remote garages. It does not show the appellant owns any part of the shared driveway or other areas outside any of the other garages. A right of access over the shared driveway is not akin to a right to park.

24. It is therefore unclear how the appellant proposes to implement the parking arrangements and linear 'verge' parking shown along the driveway in SK02. There is no substantive evidence to demonstrate they have permission to make upgrades/alterations to the driveway/parking. It would therefore not be reasonable to impose a pre-occupancy condition requiring any such improvements, especially as no definitive improvements have been put forward as part of the appeal proposal or which the Highway Authority has approved. The appellant goes on to suggest that if the appeal is allowed, they will revisit the provision of suitable on-site access for No.1. However, the implications of parking for No.1 would be created by the proposed development and hence should be addressed as part of the current appeal proposal, not later.

25. I am aware there have been other applications for a dwelling. The most recent was allowed on appeal[1] for a dwelling on the appeal site with the provision a new vehicular access for No.1 into its front garden. That decision was made over 10 years ago, and whilst the new access for No.1 did not form a reason for refusal, the Highways Authority has confirmed that it does not share the view of its previous colleagues, even with the speed limit having been reduced from 60 to 30mph. In any case, a new vehicular access for No.1 no longer forms part of the proposal before me. A number of applications have also been approved for a replacement detached dwelling for No.1, severing it from the terrace. Determined some 19-20 years ago they are not directly relevant, as on-site parking would have continued to have been provided for No.1 without the knock-on implications the current appeal has for the garages/shared driveway.

26. Whilst the proposal is for a new dwelling with its own on-site parking provision, the proposal would create a knock-on effect for occupiers of No.1 who would no longer have on-site parking and instead would have to use the historical remote garage and shared driveway. This arrangement is not ideal by today's standards and would likely lead to an increase in on-street parking on Baswich Lane, close to a heavily trafficked 4-way controlled junction, including on one of Stafford's strategic routes, and lead to an adverse impact on highway safety. Furthermore, based on the evidence before me, it has not been satisfactorily demonstrated that improvements to the historical parking arrangement could be made by the appellant.

27. Accordingly, for the reasons above, I conclude that the proposal would be harmful to highway safety. The proposal would be contrary to Policy T2 of The Plan for Stafford Borough (2011-2031), which seeks amongst other things, to ensure that adequate parking, safe means of access, ingress and internal circulation/turning arrangements are provided for all new development and meet the parking standards in its Appendix B.

Planning Balance

28. The Council is unable to demonstrate a five year supply of deliverable housing land supply. In such instances, for applications involving the provision of housing footnote 8 of the National Planning Policy Framework (the Framework) directs that the policies which are most important are out-of-date and engages Framework paragraph 11d)ii), often referred to as the 'tilted balance'. This means that planning permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

29. There is no dispute between the parties that the appeal site lies adjacent to the built up edge of Stafford, the Borough's largest settlement, in a sustainable location, such that the proposed dwelling is acceptable in principle. One new dwelling would help reduce the Council's housing shortfall and boost the supply of housing, promoted by the Framework, and provide economic and social benefits to which I give modest weight. On the other hand, the proposal would reduce on-site parking and worsen an already less than ideal and substandard parking/turning situation onto a busy road. The Framework advises against development that would have an unacceptable impact on highway safety.

[1] APP/Y3425/W/15/3139802 dated 9 May 2016

30. Therefore the adverse impacts of granting planning permission for a single dwelling would significantly and demonstrably outweigh the benefit of a single dwelling, when assessed against the policies in the Framework taken as a whole.

Conclusion

31. For the reasons above I conclude that the appeal proposal would not accord with the development plan and the material considerations I outline above, including the Framework, are not sufficient to outweigh this conflict. Consequently, the appeal should be dismissed.

K Stephens
INSPECTOR

Planning Inspectorate

Costs Decision

Site visit made on 24 June 2026

by K Stephens BSc (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 July 2026

Costs application in relation to Appeal Ref: 6007489
One Brancote Row, Baswich Lane, Stafford ST18 0YD

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The application is made by Mr and Mrs Edgecombe for a full award of costs against Stafford Borough Council.
- The appeal was against the refusal of planning permission for subdivision of existing plot to create a building plot for a 3 bed detached property adjacent to existing end of terrace property, and a new pedestrian access to the existing property.

Decision

1. The application for an award of costs is refused.

Reasons

2. Parties in planning appeals normally meet their own expenses. However, the Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs (the applicant) to incur unnecessary or wasted expense in the appeal process.

3. The PPG gives examples of the types of behaviour that could give rise to an award of costs against a local planning authority. They are not exhaustive but include preventing or delaying development which should clearly be permitted; having regard to its accordance with the development plan, national policy and any other material considerations; vague, generalised or inaccurate assertions about a proposal's impact, or not determining similar cases in a consistent manner.

4. In summary, the applicant cites unreasonable behaviour by the Council for refusing the application by including the existing dwelling within its scope of assessment. The applicant considers that, as the proposal is for a dwelling on a separate parcel of land, considering the parking situation of the existing dwelling that already has its own lawful parking arrangements, is not necessary. The applicant also considers that concerns raised by Staffordshire County Council (SCC acting as the Highways Authority) were speculative and not supported by technical data and hence an unacceptable impact on highway safety cannot be demonstrated.

5. Furthermore, SCC's comments differed from their colleagues who supported two previous applications for a similar proposal, and when there has since been a material change in circumstances with the reduction in the speed limit from 60mph to 30mph. The refusal reason does not accord with paragraph 116 of the National Planning Policy Framework (the Framework) as the impacts on the road network would not be "severe".

6. In response, the Council contends that consideration of the parking arrangements for the existing dwelling are materially relevant and that its concerns are not speculative. The views of SCC colleagues on previous schemes were made some time ago and those schemes were different in that they included a new vehicular access for the existing dwelling. A new vehicular access for the existing dwelling no longer forms part of the current appeal scheme that was determined. The change in speed limit is not relevant to the matter of parking provision. The Council points out that the applicant's Transport Statement (TS) was submitted in support of the appeal, not with the planning application, and is later evidence.

7. I explain in my decision letter why I too found that consideration of the parking arrangements for the existing dwelling is material to the assessment of the proposal, even though the existing arrangements are historical. Therefore the Council did not act unreasonably in considering the parking implications for the existing dwelling.

8. I do not find SCC's reasoning to be speculative. Whilst it may not have produced a technical report in response to the applicant's TS submitted with the appeal, it nonetheless explained clearly and rationally its concerns and provided sufficient information for me to determine the appeal. Lawfulness of the existing access and acquired land is a different test and would be subject of a separate application process.

9. With regards the submitted TS, it was not unreasonable for the appellant to seek to resolve a reason for refusal through the appeal process and to submit additional information to do so. The Council have had the opportunity to comment on it as part of their appeal submission.

10. There has been some planning history on the site for replacement dwelling and a new dwelling. The most recent was for a dwelling in the garden that was allowed on appeal over 10 years ago, and included a new vehicular access provided in front of the existing dwelling. The current SCC officer makes clear they would not have found the previous new access and parking arrangements for the existing dwelling to be acceptable - no swept path analysis was submitted back then and there is some doubt now as to the ability to provide the necessary visibility splays without third party land. Hence SCC was unable to support the new vehicular access for the existing dwelling as part of the current appeal. The applicant subsequently amended the scheme to remove it and instead relied on the existing 'remote' parking arrangements from the 1950s.

11. There is nothing to prevent a different officer looking at a scheme afresh years later and coming to a different conclusion. Professional disagreement about a scheme, especially when so much time has lapsed and circumstances have changed, does not amount to unreasonable behaviour. None of the previous approved planning applications have been implemented. The applicant's intentions to pursue alternative parking for the existing dwelling at a later date, and any accusations of lack of engagement with the Council, is a matter for the applicant to pursue with the Council and SCC.

12. In terms of the Framework and refusing development on highway grounds, the applicant has conflated the two different scenarios in Framework paragraph 116. Development can be refused "if there would be an unacceptable impact on highway safety", which is the case in this appeal. Paragraph 116 goes on to deal with an

alternative scenario for refusal with the word “or”, whereby if the “residual cumulative impact on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios”. In this appeal, there were unacceptable impacts on highway safety, but they do not need to be “severe”. Hence paragraph 116 has not been misapplied.

13. Drawing all the points together, the Council’s concerns with regard to the application were justified, as I also found them to be. I also find the reasons for refusing the proposal to be reasonably made. The applicant was able to defend them in their appeal, and they were adequate enough for me to have made my decision. I therefore find the Council has not acted unreasonably.

14. I need not concern myself as to whether wasted expenditure has occurred, as both tests need to be satisfied before an award of costs can be made.

Conclusion

15. Unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

K Stephens
INSPECTOR

Planning Inspectorate

Appeal Decision

Site visit made on 11 June 2026

by H Wilkinson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 July 2026

Appeal Ref: 6007471
Land adjacent to the Hollies, Sandon Road, Hilderstone, Staffordshire ST15 8RT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
- The appeal is made by Mr Simon Carr against the decision of Stafford Borough Council.
- The application Ref is 25/41243/PIP.
- The development proposed is the erection of two low carbon self-build houses with associated works.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages. 4.

3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted[1]. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.

4. The description of development refers specifically to 'self-build', as defined in Section 1 of the Self-build and Custom Housebuilding Act 2015. I have determined the appeal on the basis that any subsequent technical details consent would incorporate an appropriate mechanism to ensure that occupation of the dwellings is restricted to custom and self-build use.

Main Issue

5. The main issue is whether the appeal site is suitable for residential development, having regard to its location, land use and amount of development proposed with particular reference to the spatial strategy for the area including access to services and facilities.

[1] PPG Paragraph: 012 Reference ID: 58-012-20180615

Reasons

6. Policies SP3, SP7 and C5 of the Plan for Stafford Borough 2011–2031 (2014) (Local Plan) establish the spatial strategy for development within the Borough. Collectively, these policies seek to promote sustainable development and reduce travel by directing housing growth towards those towns and key service villages identified within the Sustainable Settlement Hierarchy (SSH) where services and facilities are more accessible. Outside of these locations, as is the case with the appeal proposal, development is only supported where specific criteria are met, as set out in Policies SP7 and C5. Overarching Policy SP1 reiterates the presumption in favour of sustainable development. There is agreement between the parties that the proposal does not fall within any of the identified exceptions for development outside of the SSH.

7. The appeal site comprises a parcel of land located on the edge of the village and lies between existing residential development. It is therefore not isolated. Within the village there is a church, village hall, sports ground, local garage and a nursing home, all of which are within walking distance of the appeal site. Whilst noting the suggestion of re-opening, the public house is currently closed. Key day-to-day services such as a food shop, primary school and medical facilities are not available within Hilderstone.

8. Whilst there is a bus service connecting to the nearest high schools in Cheadle, there is a notable absence of regular public transport linking the village to larger centres where a wider range of services and facilities can be accessed. Further, given the rural character of the surrounding road network, including the lack of pavements and street lighting coupled with the national speed limit, and distances involved, walking and cycling are unlikely to represent realistic or attractive modes of travel to larger settlements on a routine basis.

9. Opportunities for sustainable transport and reduced travel are often more limited in rural areas, and even in more urban locations there is no certainty that such options will be utilised or that residents will travel less. While home delivery services, mobile healthcare provision and the ability to link trips with journeys to larger settlements may reduce some travel demand, given the lack of key services within the village and limited access to public transport, future occupiers of the development would remain heavily reliant on private vehicles to meet their day-to-day needs.

10. Accordingly, I find that the appeal site is not suitable for residential development, having regard to its location, land use and amount of development proposed, with particular reference to the spatial strategy for the area including access to services and facilities. It is therefore contrary to Local Plan Policies SP1, SP3, SP7, E2 and C5, the objectives of which are set out above. I attribute significant weight to the harm arising from this conflict.

Other Matters

11. The Local Plan is silent in respect of self-build and custom housing. The Council's Annual Monitoring Report[2] identifies 83 individuals seeking custom and self-build plots within the Borough. In the absence of any substantive evidence demonstrating that this need has been met, it is reasonable to conclude that the

[2] Stafford Borough Authority Monitoring Report 2025

identified demand remains. In addition, the appellant submits that the Council can only demonstrate a 3.7-year housing land supply, representing a significant housing shortfall. This position is not disputed by the Council. The proposal would deliver two custom and self-build dwellings, one of which would be developed by the appellant and could come forward within a relatively short timeframe, thereby contributing to the supply of housing in the context of the recognised shortfalls. However, as the provision of two dwellings would make only a small contribution towards addressing both the identified self-build demand and housing land supply deficit, only limited weight is attributed to this benefit.

12. For the same reason, the economic benefits, including those associated with the construction phase and the ongoing expenditure of future occupants in nearby towns would be small and are therefore afforded only limited weight. The introduction of new residents would provide a degree of support to community cohesion and village vitality, helping to sustain facilities that may otherwise be vulnerable to declining patronage. I afford these social benefits limited weight. There may also be some uplift in footfall to the public house should it re-open, while the care home would provide employment opportunities which future occupiers could potentially access. Given the speculative nature of these benefits, limited weight is attributed.

13. The dwellings would incorporate resource-efficient design measures. However, as the details of these measures are not fully established at this stage, their benefits are uncertain and accordingly carry only limited weight. The provision of electric vehicle charging points would support the uptake of low-emission vehicles. However, there is no guarantee that future residents would choose to adopt this technology. This therefore attracts limited weight.

14. Although situated in the countryside, the appeal sites in those cases referenced by the appellant differ in scale and were located either adjacent to a Key Service Village[3] or, in the case of Piddington[4] (outside the Borough), adjoining a Secondary Village. Whilst the level of services in those settlements varied, they nonetheless benefitted from access to sustainable modes of travel and main transport links to larger towns nearby. As the current appeal site does not benefit from a comparable level of accessibility or service provision, it is materially different from the cases referred to and does not lead me to a different conclusion.

15. The appeal site is located within 15km of the Cannock Chase Special Area of Conservation (SAC). As competent authority, I am required to consider whether there would be adverse effects on the integrity of the Habitats sites in accordance with The Conservation of Habitats and Species Regulations 2017. However, as I have found the scheme to be unacceptable for other reasons, it is not necessary for me to assess the effect of the proposal on the designated site. That said, even if I were to conclude no harm to the SAC, this would be a neutral factor in the planning balance.

Planning Balance and Conclusion

16. I have found that the appeal site is not located in a sustainable location and thus undermines the spatial strategy for the distribution of new housing in the area. The proposal would conflict with Local Plan Policies SP1, SP3, SP7, E2 and C5 in this

[3] APP/Y3425/W/24/3354385 and 25/40892/FUL
[4] APP/W2845/W/24/3353512

regard. Although insufficient housing is currently being provided, given the fundamental lack of day to day, key services and facilities within the village and limited access to sustainable modes of transport, I give significant weight to the conflict between the proposed development and these policies. Therefore, there would be conflict with the development plan as a whole.

17. Paragraph 11d) of the National Planning Policy Framework (the Framework) is engaged. In such circumstances, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

18. The Framework seeks to boost the supply of housing and specifically supports custom and self-build schemes. It also seeks to help build a strong economy and support vibrant, strong and healthy communities. In addition, the Framework places importance on the protection and enhancement of the natural environment, including the mitigation and adaptation to climate change through the delivery of low carbon schemes and resource-efficient design measures. As set out above, the proposal would deliver only limited benefits in relation to these objectives.

19. While options will differ between areas, the Framework also promotes sustainable patterns of development, including prioritising walking, cycling and public transport, with the aim of reducing the need to travel and reliance on the private car. It encourages the planning system to actively manage patterns of growth in support of these objectives. For the reasons outlined, the location of the development would be neither sustainable nor capable of being made so. I attribute significant weight to the harm arising from this conflict.

20. Consequently, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The presumption in favour of sustainable development therefore does not apply.

21. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Having regard to the above, the appeal is dismissed.

H Wilkinson

INSPECTOR

Planning Inspectorate

Appeal Decision

Site visit made on 11 June 2026

by H Wilkinson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 July 2026

Appeal Ref: 6007153
Land at Willow Farm, Sandon Road, Sharpley Heath, ST15 8SL

- 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 Tony Sayer against the decision of Stafford Borough Council.
- The application Ref is 24/38729/OUT.
- The development proposed is a dwelling to replace existing static caravan.

Decision

1. The appeal is allowed and outline planning permission is granted for a proposed dwelling to replace existing static caravan at Land at Willow Farm, Sandon Road, Sharpley Heath, ST15 8SL in accordance with the terms of the application, Ref 24/38729/OUT subject to the conditions set out in the attached schedule.

Preliminary Matters

2. I have adopted the address as set out in the Council's decision notice, as it clearly and succinctly identifies the location of the appeal site. This is consistent with the address provided in the appellant's Statement of Case. I have also corrected an error in the appellant's name.

3. The appeal proposal has been submitted in outline, with all matters reserved for future consideration. While a block plan, floor plan and elevations have been provided, I have treated these drawings as indicative only, demonstrating a possible way that the appeal site could be developed.

Main Issues

4. The main issues in this appeal are:

   - Whether the development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework), any relevant development plan policies and the effect on openness;

   - Whether the development would be in a suitable location having regard to the spatial strategy for the borough.

Reasons

Inappropriate development

5. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 154 of the Framework explains that the

construction of new buildings should be regarded as inappropriate development in the Green Belt, unless it falls within the given list of exceptions. The exception at paragraph 154 (g) advises that limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings) which would not cause substantial harm to the openness of the Green Belt would not constitute inappropriate development.

6. Policy SP7 of The Plan for Stafford Borough 2011–2031 (2014) (Local Plan) states that development within the countryside will only be supported where, in the case of sites located within the Green Belt, it is consistent with national policy for the control of development. This approach aligns with the provisions of the Framework.

7. The Certificate of Lawfulness[1] (LDC) confirms the lawful use of the land for the siting of one mobile home and a garden incidental to its residential occupation, together with the erection of a shed for storage incidental to that use. At the time of my site visit, the appeal site was occupied by a static caravan including a porch extension together with several outbuildings including a shed, summer house, stables and dog kennels. Irrespective of the static caravan and whether it constitutes a building, I am satisfied that the shed referred to in the LDC would amount to a permanent structure. The extent of the previously developed land would comprise both the shed and its associated curtilage, as shown on the plan attached to the LDC. Therefore, the site meets the definition of previously developed land as set out in the Framework.

8. The Framework identifies openness as an essential characteristic, encompassing both spatial and visual dimensions. A belt of mature trees along the eastern boundary provides effective screening from views from the highway, whilst the remaining boundaries are largely open and adjoin the surrounding countryside. There is also a substantial, relatively modern agricultural building immediately adjacent to the site. Views of the site from the wider countryside are generally obtained from considerable distances, where it is seen in the context of the adjacent agricultural building and set against a backdrop of mature vegetation.

9. The submitted plans indicate the provision of a three-bed, single storey dwelling which would replace the static caravan. The evidence also sets out that the existing structures on site would be consolidated, thereby reducing the current sprawl of built form. As matters relating to the layout, scale and appearance of the development are reserved for future consideration, these details are indicative only. Nevertheless, based on the evidence before me, I am satisfied that a form of development consistent with the proposal could be achieved without causing substantial harm to the openness of the Green Belt.

10. Accordingly, the proposal would not be inappropriate development. It would accord with the Green Belt objectives of the Framework and Policy SP7 of the Local Plan. As I have concluded that the proposal satisfies the exception set out at paragraph 154 (g), it is not necessary to assess the scheme against the exception at paragraph 154 (d).

[1] 21/34520/LDC

Spatial strategy

11. Policy SP3 of the Local Plan establishes the Sustainable Settlement Hierarchy for the borough. Whilst it seeks to direct the majority of new housing development towards identified towns and key service villages, it does not preclude new housing in the countryside. Policy SP1 reiterates the presumption in favour of sustainable development. The appeal site lies in the open countryside some distance from the nearest identified town or village. The nearest services and facilities are located a considerable distance away, and the surrounding highway network is rural in nature, lacking pavements and street lighting. As a result, future occupiers would be heavily reliant on private car travel to access day-to-day services and amenities. However, the proposal would replace an existing residential caravan and would not be expected to result in a significant increase in trip generation.

12. Given the circumstances of the case, I find that the development would be in a suitable location having regard to the spatial strategy for the borough, in accordance with Local Plan Policies SP1 and SP3.

Conditions

13. I have had regard to the various planning conditions suggested by the Council and have considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents and for clarity and consistency.

14. In addition to the standard time limit, a condition specifying the approved drawing is necessary in the interests of certainty and to clearly define the extent of the development site. The appeal site is located within the Red Impact Zone for Great Crested Newts (GCN). Whilst the ecological report indicates a low suitability of the site for GCN, to ensure no harm to protected species, a condition requiring a scheme of precautionary reasonable avoidance measures in respect of GCN is imposed. While the evidence indicates that the proposal would consolidate existing structures, no definitive details have been provided. Therefore, to ensure that the proposal does not result in substantial harm to the openness of the Green Belt, it is necessary to impose a condition requiring these details to be submitted at the same time as reserved matters.

15. The appeal proposal relates to a single dwelling. As such, a condition requiring swept path analysis for agricultural vehicles would neither be necessary nor reasonably related to the development. As matters relating to access are reserved for future consideration, it is not necessary to impose conditions requiring details of visibility splays, access gates, car parking and a construction method statement at this stage. The evidence presented does not demonstrate that the existing bin collection arrangements are unacceptable. In any event, such matters could be appropriately addressed at the reserved matters stage, when the layout of the development and access is considered.

Conclusion

16. For the reasons given above the appeal is allowed.

H Wilkinson

INSPECTOR

SCHEDULE OF CONDITIONS

1) Details of the access, appearance, landscaping, layout, and scale, shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

3) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.

4) The development hereby permitted shall be carried out in accordance with drawing no. 23-002-02 in so far as it relates to the extent of the appeal site.

5) No development shall take place, including any works of demolition, until a scheme of Reasonable Avoidance Measures (RAMs) in respect of Great Crested Newts has been submitted to and approved in writing by the local planning authority. The development shall thereafter be undertaken strictly in accordance with the Reasonable Avoidance Measures as approved.

6) A scaled plan clearly indicating all buildings/structures within the application site boundary specifying which are to be retained or demolished together with a timetable for demolition/removal shall be submitted as part of the application for reserved matters. The development shall thereafter be undertaken strictly in accordance with the details as approved.

END OF SCHEDULE

Planning Inspectorate

Appeal Decision

Site visit made on 24 June 2026

by K Stephens BSc (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 July 2026

Appeal A Ref: 6005588
Footpath outside 29 Eastgate Street, Stafford ST16 2LZ

- 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 BT Group PLC against the decision of Stafford Borough Council.
- The application Ref is 25/40943/FUL.
- The development proposed is installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit.

Appeal B Ref: 6005589
Footpath outside 29 Eastgate Street, Stafford ST16 2LZ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
- The appeal is made by BT Group PLC against the decision of Stafford Borough Council.
- The application Ref is 25/40944/ADV.
- The advertisement proposed is two digital 75-inch LCD display screen, one on each side of the Street Hub unit.

Decision

1. Appeal A is allowed, and planning permission is granted for the installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit, at the Footpath outside Stafford Police Station, Eastgate Street, Stafford ST16 2LZ, in accordance with the terms of the application reference 25/40943/FUL and the plans submitted with it subject to the attached conditions.

2. Appeal B is allowed and express consent is granted for the installation of 2 digital 75 inch LCD display screens, one on each side of the Street Hub Unit, at the Footpath outside Stafford Police Station, Eastgate Street, Stafford ST16 2LZ, in accordance with the terms of the application reference 25/40944/ADV and the plans submitted with it, subject to the attached conditions.

Preliminary Matters

3. The appeal site address in the banner heading is taken from the application forms. However, the Council's refusal notices describe the site location as the "Footpath outside Stafford Police Station, Eastgate Street." On my visit I saw that this was clearly the case as No.29 Eastgate Street was located some distance away and on the opposite side of the road. I have therefore used the Council's site description above.

4. The two appeals relate to the same site. Appeal A relates to the refusal of planning permission for the installation of a Street Hub Unit (the Street Hub). Appeal B is

against the refusal of advertisement consent for illuminated digital signs on either side of the Street Hub. However, the Street Hub and the digital advertisements are inextricably linked. Therefore, to avoid duplication I have dealt with the two appeals together but considered each on its own merits.

5. For advertisement applications, there is no need to have regard to the development plan. Nonetheless, whilst the policies referred to by the Council have not by themselves been decisive for Appeal B, I have taken them into account as a material consideration where relevant.

6. The Regulations[1] and the National Planning Policy Framework (the Framework) make it clear that control of advertisements may be exercised only in the interests of amenity and public safety, taking account of cumulative impacts. The Highway Authority has raised no objection on highway safety grounds, and the Council has not raised matters of public safety. Nothing I saw on my site visit leads me to take a different view. Therefore, for Appeal B I have confined my assessment to amenity issues.

7. The appeal site lies in the vicinity of a number of listed buildings. In the exercise of planning functions, section 66(1) of the Listed Buildings and Conservation Areas Act 1990 requires me to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

8. The Council have referred to the Shrewsbury Arms Public House as a Grade II* listed building in its officer report and refusal notices. However, the Council has since confirmed that the Shrewsbury Arms Public House is a Grade II listed building, and this is endorsed by the official listing[2].

9. The appeal site lies just outside the Stafford Town Centre Conservation Area. There is no statutory protection for the setting of a conservation area. However, as a conservation area is a designated heritage asset there is still a need to consider whether the significance of the heritage asset would be affected by development proposed outside it. Hence, the relevant policies in the Framework concerning designated assets and their settings are still applicable.

Main Issues

10. For Appeal A the main issue is whether the proposal would preserve the setting of the Grade II* William Salt Library[3], the Grade II listed buildings the Shrewsbury Arms Public House, 28 and 29 Eastgate Street[4] and 15 Tipping Street[5], and the setting of Stafford Town Centre Conservation Area (the CA).

11. For Appeal B the main issue is the effect of the proposal on visual amenity.

[1] Town and Country Planning (Control of Advertisements) (England) Regulations 2007
[2] National Heritage List for England: list entry number 1211299
[3] National Heritage List for England: list entry number 1298149
[4] National Heritage List for England: list entry numbers 1211272 and 1298147 respectively
[5] National Heritage List for England: list entry number 1195330

Reasons

Special interest and significance of the heritage assets

12. The appeal site occupies part of a wide pavement on Eastgate Street close to the corner with Tipping Street and directly outside the Police Station. The proposed Street Hub would replace the existing glass-sided phone box on the pavement.

13. There are a number of listed buildings in the vicinity of the appeal site, all of which are in the Georgian style. On the opposite side of Eastgate Street are three listed buildings. The grander one is the Grade II* William Salt Library. Built as a house dating from 1730-5, it became a library in 1918 to house a collection of books and manuscripts formed by local banker William Salt. Further along to the east are 28 and 29 Eastgate Street. Both are Grade II listed and were built as houses in about 1780 and 1800 respectively. The smaller of the two properties, No.29, is included for group value. They are forming part of a varied terrace of buildings along the back edge of the pavement.

14. The Shrewsbury Arms Public House is Grade II listed and dates from the late 18th century with a mid-19th century shopfront. It sits on the corner of Eastgate Street and Tipping Street, with a canted corner entrance. As the plot turns the corner into Tipping Street, there is a tall brick boundary wall along the pavement edge.

15. No.15 Tipping Street is another Grade II listed building, built as a house in about 1710. It has a late 18th century porch with Doric columns and Tuscan entablature, which is striking as this remaining historic building is now somewhat isolated and sits between an attached modern, single storey building on the corner to a car park, and a long modern glass and stone terraced building to the west. There is a tall modern office block as a backdrop behind.

16. Whilst each listed building has its own specific historic and architectural interest as part of Stafford's history and evolution, their significance is largely derived from their surviving architectural and historic interest in the development of the centre of Stafford and their part of the wider street scene. The wide pavement that contains the appeal site offers some intervisibility with the heritage assets, including through the trees that line the street, and allows an appreciation of the listed buildings and their significance, but as part of the overall streetscene. However, the listed buildings are some distance away. Furthermore, the context of the pavement has been altered over time such that the appeal sits in close proximity to the Police Station building and to a variety of street furniture that surrounds the appeal site, such that the appeal site makes little contribution to the setting and significance of these listed buildings.

17. Eastgate Street lies within the CA. However, the CA boundary runs along the southern kerb of Eastgate Street and excludes the Police Station and the wide pavement outside it, which contains the existing phone box and appeal site.

18. The CA largely comprises the historic core of Stafford town centre, with Eastgate Street being one of the oldest streets. The CA contains buildings of a mix of styles, designs and ages, including a number of historic buildings, some of which are listed. The CA also retains some of its historic street pattern and planned urban spaces. The variety of buildings in Eastgate Street are unified to some extent by their relatively low-lying, 2 storey, terraced form and their siting along the back edge of the pavement. The tree lined nature of the street, and its widening near

the appeal site, contributes to its quieter nature on the edge of the town's main commercial/retail centre.

19. From the evidence before me and what I saw during my site visit, I consider the character and appearance of the CA as a whole, and thus its special interest and significance, in so far as is relates to this appeal, are in part derived from the architectural richness and variety of its surviving historic buildings, street pattern and open spaces and squares reflecting the social and economic growth of Stafford through the ages. The listed buildings form an important component of the townscape within the CA, and their heritage merit and aesthetic charm mean they positively contribute to the character and appearance of the CA and its historic and architectural significance.

20. The appeal site and the wide pavement on which it sits forms part of Eastgate Street which forms part of the setting of the CA. However this has setting has evolved over time and this side of Eastgate Street is already much altered with the Police Station building dominating much of the pavement backdrop, and the range and amount of street furniture, such as metal hoop bicycle stands, a street lamp column, a road sign, an ornate finger-post sign, a number of litter bins on stands, benches and a bus shelter, as well as the phone box. As a result, the appeal site makes a very limited contribution to the setting of the CA and thus to its significance.

Appeal proposal and effects

21. The proposal would involve removing the glass-sided phone box and replacing it with a freestanding, double-sided, internally illuminated, LED digital advertising board with screens on each side that would display a sequence of changing, but static digital images. The Street Hub unit would stand at about 2.98m tall, 1.236m wide and 0.35m thick, in a simple rectangular shape. It would be a little taller and wider than the existing phone box, but more slimline. On each side of the unit there would be a digital screen, smaller than the overall side of the Hub Unit and surrounded by a sleek contemporary black coloured metal frame. The Hub Unit would be fitted with a direct 999-call button and advertising screens and would provide free electronic communications funded by the advertising.

22. The area where the Street Hub would be located is a wide footway that already hosts a substantial amount of street furniture and which sit between the appeal site and the various heritage assets. I also observed that Eastgate Street was busy with buses parking/waiting beside the appeal side of Eastgate Street.

23. Whilst the opposite side of Eastgate Street is more historic, the backdrop to the appeal side of the road is the modern Police Station building and north west is a tall modern office block. The Street Hub unit would be sited closer to the Police Station building than to the road edge, but about the same distance away from the nearby listed buildings as the existing phone box. The proposed Street Hub would be viewed against the modern office block backdrop, the Police Station building and existing street furniture, including the bulk and height of the nearby bus shelter, with non-digital advertising on its side panels.

24. The existing phone box is currently somewhat untidy in appearance, with adhesive adverts peeling off. The proposed Street Hub would be visually neater, and the appellant advises it would be monitored 24/7, with weekly inspections and a minimum of bi-weekly cleaning to keep the unit to a high standard of finish.

25. The method and intensity of illumination would be within industry guidance. During the day I saw sunlight hit the southern facing advert on the phone box, making it very bright. This would not be visually dissimilar to the proposed digital advertisement that would periodically change. The other side of the phone box is the blank metal panel, not glass, and this would see a digital sign on it that would be seen against the side of Eastgate Street that is outside the CA. I accept at night the digital advertisements would be more prominent than the existing non-illuminated advertisement panels on the side of the phone box. However, the Street Hub's simple form and scale, coupled with the site's location towards the Police Station building and away from the road edge and main line of sight along Eastgate Street, would mean the proposal would not be overly obtrusive and would integrate satisfactorily in this particular streetscene context.

26. To conclude, I am satisfised that the proposal, which would replace the existing phone box, would sit comfortably in the streetscene and would not be harmful to visual amenity. The settings of the various nearby heritage assets would also be preserved, and their significance would not be materially diminished.

27. For the reasons above, I conclude that the proposals would preserve the setting of the CA, the Grade II* William Salt Library, and the Grade II listed buildings 28 and 29 Eastgate Street, the Shrewsbury Arms Public House and 15 Tipping Street. Also, for the reasons above the advertisement would not be harmful to visual amenity.

28. Accordingly, it would be in accordance with Policies N1 and N9 of The Plan for Stafford Borough 2011-2031. Together these seek, amongst other things, to ensure proposals are of a high-quality design, appropriate for their local context and would not harm the significance of heritage assets, including their setting. It would also be in general conformity with the Council's Design Supplementary Planning Document (SPD) and the Shopfronts and Advertisements SPD.

29. The Council considers there are other more suitable locations within the town centre. That may well be the case, but only the proposal at the appeal site is before me and I am not required to select sites.

30. According to the Council's Conservation Officer, the CA is on Historic England's At Risk register. However, the CA covers a variety of the town centre, and the site lies outside the CA. As far as I am aware, Historic England has not responded to the statutory notifications about the application.

Conditions

31. The Council has suggested two conditions regarding the luminance of the signs and that the proposal is carried out in accordance with the plans.

32. For Appeal A, as well as the Standard Time limit, I have imposed a condition requiring the development to be constructed in accordance with the approved plans to provide certainty.

33. Regarding Appeal B, a series of standard conditions are applied as required by the Regulations, which I have not replicated. In the interest of visual amenity, I shall impose the suggested luminance condition. In the interest of visual amenity and highway safety, and to be within the terms of the application, I shall impose commonly used conditions to control the display time of advertisements and

transitions between them and that there are no moving or flashing images, or that any advertisement resembles a traffic sign.

Conclusion

34. For the reasons set out above appeals are allowed.

K Stephens
INSPECTOR

Schedule of Conditions

For Appeal A:

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with drawing nos. SAF-02 002 Proposed Site Plan and SAF-04 004 Proposed Site Elevation.

For Appeal B:

1) The display screens shall have a maximum luminance level of 600cd/m^2.

2) No part of the advertisement shall contain any moving images, animation, video or full motion images or any image that resembles road signs, traffic signals or traffic signs, and the minimum time between successive displayed images shall be 10 seconds.

3) The means of illumination shall not be intermittent, pulsating or flashing.