



Civic Centre, Riverside, Stafford

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Dear Members

Planning Committee

A meeting of the Planning Committee will be held on **Wednesday 8 July 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.

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

Head of Law and Governance

PLANNING COMMITTEE - 8 JULY 2026

Chairman - Councillor B McKeown

Vice-Chairman - Councillor S N Spencer

AGENDA

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

Details of Delegated applications will be circulated separately to Members.

	Page Nos
5 Planning Applications	3 - 84
6 Planning Appeals	85 - 116
7 Enforcement Matters	-

MEMBERSHIP

Chairman - Councillor B McKeown

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

PLANNING COMMITTEE - 8 JULY 2026

Ward Interest - Nil

Planning Applications

Report of Head of Economic Development and Planning

Purpose of Report

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

		Page Nos
25/41031/PIP	Land off Milford Road, Walton on the Hill, Stafford	5 - 19
	The application was called in by Councillor P Edgeller	
	Officer Contact - Ed Handley, Development Lead Telephone 01785 619326	
25/41476/PIP	Land West of Old House Farm, Lodge Lane Woodseaves	20 - 44
	The application was called in by Councillor M Winnington and Councillor S Spencer	
	Officer Contact - Leon Carroll, Team Leader Telephone 01785 619184	
25/40465/HOU	Oulton House, Turners Lane, Oulton	45 - 59
	The application was called in by Councillor R James	
	Officer Contact - Richard Wood, Development Lead Telephone 01785 619324	

25/40929/FUL Annex at 33 North Castle Street, Castletown Stafford 60 - 75

The application was called in because the applicant is a ward member

Officer Contact - Sian Wright, Deputy Development Management Manager
Telephone 01785 619528

26/42031/PDEM Wilkinson, Broad Street, Stafford 76 - 84

The application was called in because the Council is the applicant

Officer Contact - Richard Wood, Development Lead
Telephone 01785 619324

Previous Consideration

Nil

Background Papers

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

Application:	25/41031/PIP
Case Officer:	Steven Owen
Target Decision Date:	24 September 2025
Extended To:	-
Address:	Land off Milford Road, Walton on the Hill, Stafford, Staffordshire
Proposal:	Permission in Principle - Erection of nine dwellings
Recommendation:	Approve

Councillor Call-In

The application has been called-in by Councillor P Edgeller (Milford Ward) for the following reasons:

1. Access to site off Milford Rd near junior school, dangerous access point.
2. No local facilities, school. Doctor, food shops 1.4km away
3. If passed gives way for the total field to be requested
4. Near/ close by Cannock Chase

Context

1.0 Site and surroundings

- 1.1 The application site comprises an agricultural field within the parish of Berkswich. The site is bound by hedgerow and trees on three sides. Overhead electricity lines and supporting poles cross the site.
- 1.2 The 0.96 hectare site is surrounded by agricultural fields to the south and a row of dwellinghouses to the north.
- 1.3 The Stafford Settlement Boundary ends across the street from the site. The sites position 12m from the boundary places it, in policy terms, within 'open countryside'.
- 1.4 The Cannock Chase National Landscape designated area begins 60m to the east of the site. The Walton on the Hill Conservation Areas begins 115m to the south west. The site falls within the Green Newt Protection Area.

1.5 The site falls within the 15km of the Cannock Chase Special Area of Conservation and within 5km of the Pasturefields Salt Marsh.

2.0 Proposed development

2.1 The proposal seeks Permission in Principle permission for:

- Nine dwellings.

2.2 An indicative proposed site plan has been provided which shows a new access onto Milford Road, ecological 'Buffer Zone', vehicle access routes and parking.

2.3 The application is supported by a planning statement.

3.0 Legislative framework

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

3.2 The development plan for the purposes of this application comprises The Plan for Stafford Borough 2011-2031 Parts 1 and 2.

Officer Assessment - Key Considerations

4.0 Permission in Principle Context

What is the permission in principle consent route?

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

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

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

Exemptions of Certain Development

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

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

a) Major development;

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

This application seeks development of up to 9 dwellings and has a site area of approx. 0.96 hectares. The development is therefore not a major development.

b) Habitats development;

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

The site falls within 15km of Cannock Chase SAC, however the development, subject to mitigation in the form of a financial contribution towards this SAC (which has been secured as part of this application), would not have a significant effect on a European site and as such is not habitats development.

c) *Householder development;*

The proposal seeks to erect 9 dwellings. The development is therefore not householder development.

d) *Schedule 1 development*

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

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

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

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

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

5.0 Assessment of Application

5.1 As established above, the scope of permission in principle is limited to location, land use and amount of development. Each element will be discussed below

Location

- 5.2 Spatial Principle 3 (SP3) of TPSB sets out the settlement hierarchy for the borough. The policy seeks to provide the majority of future development through the sustainable settlement hierarchy which directs development towards the towns of Stafford as priority 1, Stone as priority 2 and the defined Key Service Villages as priority 3.
- 5.3 The application site falls 12m outside the settlement boundary of Stafford which sits at the top of the sustainable settlement hierarchy identified in the adopted Plan for Stafford Borough 2011 - 2031. Stafford is located on the national road and rail network and has the highest level of services and facilities in the Borough area which means it has the greatest potential to provide for new development.
- 5.4 SP6 (achieving rural sustainability) supports appropriate rural housing schemes to achieve sustainable communities. SP7 (supporting the location of new development) establishes the settlement boundaries for the Sustainable Settlement Hierarchy defined in SP3. It also sets out four criteria which development in the countryside must adhere to. Criterion i) requires Green Belt development to adhere with national policy. Criterion ii) requires development to be compliant with SP6, E2 and C5 in supporting rural sustainability; criterion iii) requires development not to conflict with environmental protection and nature conservation policies and criterion iv) requires any necessary mitigation or compensation to be provided.
- 5.5 Policy E2 (sustainable rural development) of TPSB advises that residential development in the open countryside will be decided, in part, in accordance with Policy C5.
- 5.6 C5 (Residential proposals outside the settlement hierarchy) requires residential development outside of the settlement boundaries to adhere to SP7 and the following 3 criteria:
1. it is demonstrated that provision cannot be accommodated within the Settlement Hierarchy (SP3)
 2. a Parish based local housing need assessment, and an appraisal of the scheme shall accompany any planning application, proving that it will meet the defined needs
 3. the development is of a high quality design that reflects the setting, form and character of the locality and the surrounding landscape

This policy also states that affordable housing will be permitted on rural exception sites.

- 5.7 The application site is located outside of any defined settlement boundary identified within Policy SP3 and is therefore located within open countryside for the purposes of planning assessment. As outlined above policies SP6 and C5 of TPSB support, under certain criteria, the principle of rural housing.
- 5.8 With regards to C5, the submission fails to provide any justification as to why the proposed dwellings could not be accommodated within the settlement hierarchy. The third criterion of policy C5 would be assessed at technical details consent stage. The proposed dwellings would not be affordable housing and therefore wouldn't qualify as a rural exception site. The proposal would therefore fail to comply with the requirements of Policies SP3, SP6 and C5 of TPSB.
- 5.9 On 12 December 2024 the National Planning Policy Framework (NPPF) was updated and a new standard methodology is now being used 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 suspended. This increase has resulted in a reduction of the 5 year land supply to 3.37 years, based on year end data at 31 March 2025.
- 5.10 Due to the loss of 5 year land supply, paragraph 11 of the NPPF now applies alongside the adopted TPSB, that being the presumption in favour of sustainable development for decision taking. Therefore, within the context of TPSB, Spatial Principle 7 criteria a) to e), delivery of the spatial strategy continues to be applied through Spatial Principle 3 as this sets out the sustainable settlement hierarchy of Stafford, Stone and the Key Service Villages. Spatial Principle 4 then apportions a sustainable spatial distribution at Stafford (70%), Stone (10%), Key Service Villages (12%), and the rest of the Borough (8%).
- 5.11 However, as the Council can no longer demonstrate a 5 year housing land supply, paragraph 11 of the NPPF now applies, that being the presumption in favour of sustainable development for decision taking. Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development for decision taking, with the following national planning policy context to be considered:

'Plans and decisions should apply a presumption in favour of sustainable development.

For decision taking this means:

- c) approving development proposals that accord with an up to date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date⁸, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the proposed development; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land. Securing well designed places and providing affordable homes, individually or in combination.*

Footnote 7 The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.

Footnote 8 This includes, for applications involving the provision of housing, situations where; the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. See also paragraph 232.

Footnote 9 The policies referred to are those in paragraphs 66 and 84 of chapter 5; 91 of chapter 7; 110 and 115 of chapter 9; 129 of chapter 11; and 135 and 139 of chapter 12.

- 5.12 In the absence of a five year housing land supply and with housing policies out of date, the 'tilted balance' outlined with Paragraph 11(d) of the NPPF is engaged. As a result, reduced weight is afforded to Local Plan (TPSB) housing policies, and this proposal should be assessed against paragraph 11 of the NPPF, with the presumption in favour of sustainable development applied.
- 5.13 As outlined above, paragraph 11 d) requires authorities to grant permission in sustainable locations unless the application of policies that protect areas or assets of particular importance, provides a strong reason for refusing development proposed or the adverse impacts of the development would significantly and demonstrably outweigh the benefits. These matters will be assessed throughout the body of this report and a conclusion and planning balance drawn in the final paragraphs.

- 5.14 Regarding its location, as mentioned previously the site is located within open countryside but just 12m from the Stafford Settlement Boundary. The site is situated within undesignated open countryside and comprises undeveloped agricultural land. The site is located 60m from the Cannock Chase National Landscape boundary. The site therefore forms part of the National Landscape setting but does not fall within the designation. The proposals impact upon the National Landscape would also depend upon the character and appearance of the development. These details are not required at this stage. The design of the dwellings and impact upon the National Landscape would be fully considered at the second technical stage. The proposals harm to the National Landscape designation has been afforded limited weight in considering the principle of the development. The Forward Planning response recommends refusal on the basis that the development is habitat development however, the site sits outside the Cannock Chase National Landscape boundary and mitigation is sought in respect of Cannock Chase Special Area of Conservation (see para 6.6)
- 5.15 On planning balance, and having regard to the Borough's lack of a five-year housing land supply and the resulting 'tilted balance' in favour of approval, it is considered that the proposal is sufficiently compliant with the NPPF when taken as a whole. This conclusion is informed by the site's location just 12m from the settlement boundary and its position on a main arterial road in close proximity to neighbouring dwellinghouses. Overall, the provision of 9 dwellings would make a modest but meaningful contribution to the Borough's housing need, and this benefit is considered to outweigh the harm arising from the site's location just outside the settlement boundary. The site's location is therefore acceptable in principle, subject to the remaining Permission in Principle considerations of land use and amount of development. At this stage, the assessment of location is limited to whether the site represents a sustainable location in principle. Technical matters, including the suitability of highways access, are reserved for stage 2: Technical Details Consent.

Land Use

- 5.16 The existing site is greenfield and is in agricultural use. The proposal would result in a loss of this agricultural land.
- 5.17 The Natural England Provisional Agricultural Land Classification (ALC) dataset identifies the site as Grade 3 which is known as good to moderate quality. Without the benefit of a bespoke ALC survey it is not possible to determine if the land is Grade 3a (good quality agricultural land) or Grade 3b (moderate quality agricultural land).

- 5.18 National policy seeks to protect the “Best and Most Versatile” land (Grades 1, 2, and 3a), and while Grade 3b is not afforded the same level of protection, the principle of safeguarding agricultural resources remains important. Regardless of the omission of an ALC survey, the relative loss of available agricultural land weighs marginally against the proposed development given its comparative size.
- 5.19 In terms of compatible land uses, the application site lies directly opposite an established cluster of residential dwellings. In this context, Class C3 residential development is considered to represent an appropriate land use in principle.
- 5.20 Although agricultural fields and ongoing arable operations are present adjacent to the site, it is not considered that these activities would prejudice residential development in this location. Equally, the proposed residential use would not unduly constrain the continued operation of surrounding agricultural land.
- 5.21 Overall, the proposed land use would sit comfortably within the prevailing pattern of development and would not undermine the existing mix of residential and agricultural character in the area. The proposal would not introduce a form of development that would be inappropriate in principle or detrimental to the amenity of neighbouring occupiers.

Amount of Development

- 5.22 TPSB Policy N1 sets out design criteria including the requirement for design and layout to take account of residential amenity and local context and have high design standards. Policy N8 states that new development should respect the character of the landscape setting through layout. Policy N5 requires development to retain and integrate healthy, mature trees. Policy C1 advises that new development should provide an appropriate mix of dwelling types, tenures and sizes.
- 5.23 The application seeks Permission in Principle for up to 9 dwellings on a site area measuring 9.6ha. The proposal would therefore result in a density of 10 dwellings per hectare which is considered to be relatively low density and appropriate for this rural area.
- 5.24 The details of design, scale, layout and access would be considered at the Technical Details Consent stage (TDC).
- 5.25 Whilst it is not possible for conditions to be attached to a grant of Permission in Principle the Planning Practice Guidance (PPG) states that local planning authorities can inform applicants about what they expect to see at the technical details consent stage (TDC). The PPG further states that local planning authorities should take a proportionate approach to any information requested in support of applications for TDC, which should be relevant, necessary and material to the application in question.

- 5.26 To ensure the development is appropriate in the context of the site, the TDC would need to include an analysis of the existing character and appearance of the area and the design and scale of the proposed development would need to be sensitive to the relationship of the site to neighbouring properties to ensure existing levels of privacy and amenity are not adversely impacted. Any new or retained access would need to comply with the requirements of the highways authority who will provide clarity at the TDC stage. In addition, it would be necessary for the applicant to demonstrate how surface water will be managed for the lifetime of the development without increasing flood risk elsewhere. These expectations can reasonably form part of an informative.
- 5.27 In light of the above, and for the purposes of the Permission in Principle, it is considered that the quantum of development proposed would be appropriate for its location.

6.0 Other matters

Highways

- 6.1 Limited details have been submitted at this stage in regard to highways however the submitted site plan does indicate that a new access is proposed for the site.
- 6.2 Further information will need to be submitted at TDC stage. Suitable visibility splays would be required as well as parking provisions which align with Stafford Borough Council's parking standards.
- 6.3 It is noted that there is no pedestrian footpath on the application side of Milford Road. It would be necessary to include a footpath and a safe crossing for pedestrians to gain access to the full public footpath on the northern side of Northwood Lane. Pre application discussions should be undertaken with the Highways authority prior to the submission of the TDC application in regard to these matters.
- 6.4 Highways matters will be fully addressed at the TDC stage.

Neighbouring representations received

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

Ecology

- 6.6 The developer has made a financial conservation contribution via a Section 111 Agreement as mitigation for the impact of the development on the Cannock Chase Special Area of Conservation. The developments impact on the Pasturefields Salt Marsh has been screened out within the Habitat Regulations Assessment. The application therefore does not constitute Habitats Development.
- 6.7 Natural England has been consulted on the Habitat Regulations Assessment undertaken to consider the development's impact on the Cannock Chase Special Area of Conservation. At the time of writing, no response has been received, although Natural England's consultation deadline is the 26th of June. Nevertheless, mitigation of the development's impact through a Section 111 Agreement is the agreed procedure within the department. It is therefore considered acceptable to determine the application on the basis of the paid conservation contribution and completed Section 111 Agreement, subject to Natural England raising no objection.
- 6.8 At this stage, there is no reason to consider that ecological matters would be detrimentally impacted by the proposal. Applications for Permission in Principle are not subject to the statutory Biodiversity Net Gain condition, which applies only to the Technical Details stage.
- 6.9 At TDC stage an Arboricultural impact assessment (AIA) and method statement is required to inform the council of any impacts and protection measures for trees.
- 6.10 Matters relating to trees will be fully addressed at the TDC stage.

Flood Risk / Drainage

- 6.11 The site is located within Flood Zone 1 (i.e. lowest risk of flooding), which is compatible with this type of development/use.
- 6.12 Flood risk and drainage will be fully assessed at the TDC stage

7.0 Conclusion and planning balance

- 7.1 For the reasons set out above, it is acknowledged that the proposal conflicts with elements of the development plan by reason of its location outside the defined settlement boundary. However, this conflict must be considered in the context of the Council's current inability to demonstrate a five-year housing land supply, which means the tilted balance in paragraph 11(d) of the NPPF is engaged. In those circumstances, the proposal must be assessed against the policies of the NPPF taken as a whole.

7.2 Having regard to the site's position immediately adjacent to the settlement boundary, its relationship to existing residential development, and the modest contribution that 9 dwellings would make towards identified housing need, the proposal is considered acceptable in principle in terms of location, land use and amount of development. The identified harms, including the site's countryside location and the limited conflict with local policy, do not significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole. As subsequent consideration of all detailed technical matters will be undertaken during the Technical Details Consent stage, it is recommended that Permission in Principle be granted, subject to Natural England raising no objection to the completed Habitat Regulations Assessment.

Consultations (Latest and relevant previous comments)

Forward Planning:

'After assessing this application against paragraph 11 of NPPF and the PPG which states that Permission in Principle must not be granted for development within the context of the Habitat Regulations it is considered that planning consent should be refused based on national policy and the adopted Plan for Stafford Borough.'

Berkswich Parish Council:

1. 'The site is outside the existing RDB for Walton on the Hill and its development and proposed form would not be in conformity with Policy C5 of the Plan for Stafford Borough.
2. The application site lies close to the boundary of the Cannock Chase National Landscape. Its development would be visually intrusive and harmful to the setting of the NL. It would not be compliant with policy N7 (a), (b), and (c) of the PFSB.
3. Notwithstanding the assertions in the applicants' Planning Statement this is not a sustainable location such as to warrant granting planning permission on unallocated sites to address a claimed shortfall in housing land delivery in the Borough. As the crow flies it is 1.4km to the nearest shops; there is no pedestrian footway adjacent to the application site nor a segregated cycle path; public transport is very limited and existing public facilities (doctors, schools etc) are all at or above capacity.
4. The site access presents a highway safety risk because of its close proximity to the junction with School Lane.
5. The suggested geometric housing layout, limited landscaping provision and, by inference from the drawings, the house types and massing proposed are unimaginative and unsympathetic failing to integrate with or respond to the sensitivity of their location adjacent to Cannock Chase National Landscape. This is contrary to PFSB Policy C5 A

6. The application site occupies part of SHELAA site BER05. Although not an adopted site for local plan purposes the Parish Council is concerned that this proposal may represent the first phase of an unannounced and unwelcome scheme for the further development of the SHLAA land.

Neighbours:

139 Objections received (comments summarised):

- The development would have a negative visual impact upon the area, including the National Landscape and Conservation Area.
- Public services such as schools and GPs are unable to meet the demand.
- The development would have an unsafe access onto Milford Road and would result in an adverse increase in traffic.
- The development would establish a precedent for future large development.
- The development would result in adverse noise and light pollution.
- Habitat loss detrimental to wildlife.
- Brownfield land should be prioritised first.
- Site lies within the 15km Special Area of Conservation buffer zone
- No drainage strategy or risk assessment has been provided.
- The development conflicts with planning policy.
- The development infringes on the green space surrounding Walton.
- No landscape and visual impact assessment has been provided.
- No ecological appraisal or BNG metric has been submitted.
- No traffic survey, visibility splay or swept path analysis has been provided.
- The development is located outside of Stafford's defined settlement boundary.
- The submission lacks a Agricultural land classification.
- There is a lack of employment opportunities.
- Adverse impacts on amenity arising from construction phase activity.

1 in Supportive comment received:

- A new build welcomed in a semi-rural location.

1 Neutral comment received:

- An alternative access point should be considered.

Site Notice expiry date:

24 October 2025

Relevant Planning History

None.

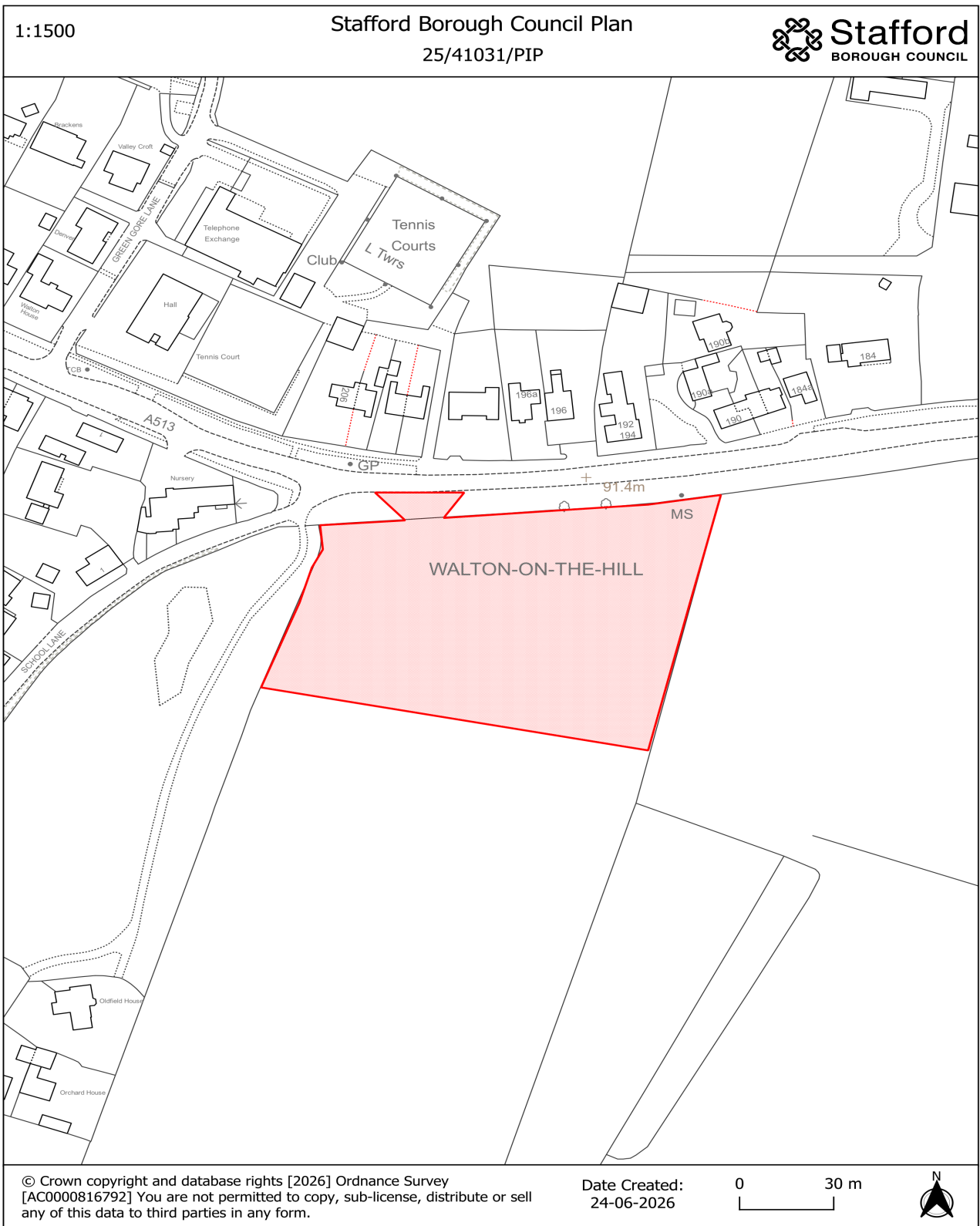
Recommendation

Approve subject to informatives

Informatives

- 1 This permission in principle (PIP) shall cease to have effect three years after the date of this Decision Notice. The technical details consent (TDC) relating to the proposed development must be granted prior to the expiration of the PIP.
- 2 The technical details consent should include the following:
 - i) an analysis of the existing character and appearance of the area:
 - ii) an analysis of the relationship of the site to neighbouring properties.
 - iii) a tree survey of all existing trees to be removed or retained.
 - iv) access and parking in compliance with the standards of the highway authority.
 - v) details of how surface water will be managed for the lifetime of the development without increasing flood risk on or off site.
 - vi) A Biodiversity Net Gain Assessment and Statutory Metric.

25/41031/PIP
Land Off Milford Road
Walton On The Hill



Application:	25/41476/PIP
Case Officer:	Emma Bailey
Date Registered:	20 November 2025
Target Decision Date:	5 January 2026
Extended To:	10 July 2026
Address:	Land West of Old House Farm, Lodge Lane, Woodseaves, Stafford, ST20 0NZ
Ward:	Gnosall and Woodseaves
Parish:	High Offley
Proposal:	Permission in Principle – Not more than two dwellings and access point
Applicant:	Nigel Talbot
Recommendation:	Approve subject to informative

Reason for Referral to Committee

This application has been called in by Councillor Mark Winnington Ward Member for Seighford and Church Eaton for the following reason

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

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

“Highway safety and sustainability

Cumulative Impact to Woodseaves and surroundings”

1.0 Site and Surroundings

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

- 1.2 The site benefits from a field access at the southern part of the site giving access onto Lodge Lane. Post and rail fencing makes up the boundaries within the site, with the road boundary and north boundary with the dwelling of 'The New Grange' being hedge.
- 1.3 The site is located outside of the defined settlement boundary of Woodseaves but is located directly adjacent to it on the northern aspect. The site is located within 5km buffer zone of Aqualate Mere, Cop Mere, Doley Common and Loynton Moss SSSI. It is located within the Green Impact Zone for Great Crested Newts and entirely within Flood Zone 1.

2.0 Proposed Development

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

3.0 Supporting Information

- 3.1 To support the application the following documents have been submitted:
- Design and access statement. Prepared by Croft Architecture
 - Site location plan

4.0 Relevant Planning Policy

- 4.1 Section 38(6) of the 2004 Planning and Compulsory Purchase Act and section 70 of the Town and Country Planning Act 1990, as amended, require decisions to be made in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 The National Planning Policy Framework (NPPF) and The Plan for Stafford Borough (TPSB) Parts 1 and 2 2011-2031 provide the policy framework against which the development proposal will be assessed.

4.3 National Policies

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

National Planning Policy Framework (NPPF)

Section 2 - Achieving sustainable development

Section 5 - Delivering a sufficient supply of homes

Section 8 - Promoting healthy and safe communities

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well designed places

Section 15 - Conserving and enhancing the natural environment

4.4 Local Policies

The Plan for Stafford Borough (TPSB) 2011-2031

SP1 - Presumption in Favour of Sustainable Development

SP2 - Stafford Borough Housing and Employment Requirements

SP3 - Stafford Borough Sustainable Settlement Hierarchy

SP4 - Stafford Borough Housing Growth Distribution

SP6 - Achieving rural sustainability

SP7 - Supporting the Location of New Development

T1 - Transport

T2 - Parking and Manoeuvring Facilities

C1 - Dwelling Types and Sizes

C5 - Residential proposals outside the settlement hierarchy

C7 - Open space, sport and recreation

N1 - Design

N2 - Climate change

N3 - Low carbon sources and renewable energy

N4 - The natural environment and green infrastructure

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

N8 - Landscape character

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

SP3 - Stafford Borough Sustainable Settlement Hierarchy

SP4 - Stafford Borough Housing Growth Distribution

SP7 - Supporting the Local of New Development

SB1 - Settlement Boundaries

Supplementary Planning Document (SPD) - Design

5.0 Permission in Principle Context

What is the permission in principle consent route?

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

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

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

Exemption of certain developments

- 5.4 The Town and Country Planning (Permission in Principle) (Amendment) Order 2017, along with the Planning Practice Guidance confirms that applications for permission in principle cannot be made for the following types of development:
- a) Major development
 - b) Habitats development
 - c) Householder development
 - d) EIA Schedule 1 development
- 5.5 The 2017 Order provides the following definition of major development when assessing applications for permission in principle:

“major development” means development involving any one or more of the following:

- a) *The provision of dwellings where the number of houses to be provided is 10 or more;*
- b) *The provision of a building or buildings where the floor space to be created is 1,000 square meters or more; or*
- c) *Development carried out on a site having an area of 1 hectare or more;*

Habitats development is defined as

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

- 5.6 This application seeks development of up to 2 dwellings and has a site area of approx. 0.165 hectares. The development is therefore not a major development as defined by the Town and Country Planning Order nor is it a householder application. The development would not have a significant effect on a European site and as such is not habitats development. Due to the size, scale, location and the characteristics of the site, the proposal would not comprise EIA development.
- 5.7 Therefore, and taking account of the above considerations against the legislation and PPG, the principle of the development can be considered under the permission in principle route.

Consultation before applying for permission in principle

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

6.0 Officer Assessment

- 6.1 The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these ‘in principle’ matters will be considered at the permission in principle stage. Other matters will be considered at the Technical Details Consent Stage (TDC).

Location of Development

- 6.2 The National Planning Policy Framework 2024 (“the NPPF”) sets out the Government’s planning policies 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.

- 6.3 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.
- 6.4 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 comprises:
- The Plan for Stafford Borough Part 1 (2011-2031) - adopted June 2014
 - The Plan for Stafford Borough Part 2 (2011-2031) - adopted January 2017.
- 6.5 It should be noted that the adopted (TPSB) has 6 years remaining through to 2031. The court of appeal in Peel Investments v Secretary of State for Housing, Communities and Local Government [2020] EWCA Civ 1175 confirmed that the expiry of a local plan period does not automatically render the policies of a plan out-of-date. Therefore, Stafford Borough's adopted Plan policies, including the Borough's development strategy, must continue to be used for decision-taking.
- 6.6 The application site is located on land outside of a settlement boundary identified in the adopted TPSB. Therefore, based on the TPSB and Spatial Principle 7, the principle of new development in this location is not appropriate, as it is outside, albeit adjoining the settlement boundary of Woodseaves.
- 6.7 Notwithstanding the above, the updated NPPF (December 2024) 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 suspended. This increase has resulted in a reduction of the 5 year land supply to 3.37 years, based on year end data at 31 March 2025.

- 6.8 As the Council can no longer demonstrate a 5 year housing land supply and the aforementioned 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes, individually or in combination.
- 6.9 As a result of the above, the first paragraph of Spatial Principle 7 from the TPSB alongside Policy SB1 from Part 2 of the TPSB carry less weight in relation to new housing development, concerning settlement boundaries.
- 6.10 Nevertheless, when applying the NPPF's presumption in favour of sustainable development this means that the majority of policies in the adopted Plan continue to carry full weight for decision making purposes, in particular policies SP3, SP6 and elements of SP7 and C5 in order to deliver sustainable development.
- 6.11 Spatial Principle 7 (SP7) sets out criteria related to the location of new sustainable development including criteria a) to e):
- 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 demonstrates that infrastructure can be provided to address development issues;*
- 6.12 The application site lies directly adjacent to the designated settlement boundary for Woodseaves and therefore complies with (a) of SP7.
- 6.13 It is noted that the existing settlement of Woodseaves has around 300 houses within it. 8 new homes have a planning commitment and the Council is also in receipt of another application made in outline for a maximum of 100 houses which is currently pending determination. In regard to the outline application, this is located on a site that was previously identified in the Preferred Option draft allocation consultation. In registering that site, the Council considered that this was in a sustainable location for significant housing development.

- 6.14 The proposal would accommodate up to 2 dwellings on the site, which in its own right is considered an appropriate scale for the existing settlement. When taken in the context of other development commitments within Woodseaves, it would result in a 36.4% increase in the size of the settlement. It is noted that this is beyond the parameters set out in SP4, however, the majority of this percentage uplift would be coming from the Preferred Option site. The small contribution that this development would have upon the overall increase to the settlement of Woodseaves would be marginal. It is therefore considered that the proposal would be of an appropriate scale to the existing settlement and therefore complies with (b) of SP7.
- 6.15 In terms of accessibility to existing facilities, the site is located immediately adjacent to the settlement of Woodseaves. Within Woodseaves, a range of local services and facilities are available, including a post office/ convenience store, public house, primary school and a village hall. Collectively, these provide a basic yet adequate level of provision for future occupiers. Woodseaves is designated as a third-tier settlement in the Council's settlement hierarchy, and the level of services present is consistent with this designation.
- 6.16 Lodge Lane is a narrow, single lane road with a speed limit of 60mph. Between the site and its junction with Newport Road (A519) there are no footpaths or street lighting. In certain sections, the route is constrained by adjacent buildings, walls and hedgerows located close to the carriageway edge, limiting opportunities for pedestrians to step clear of passing vehicles. Notwithstanding this, there are occasional opportunities to step aside, and the length of the route where such constraints are most pronounced is relatively short, extending to about 100m. Upon reaching Newport Road, pedestrian infrastructure improves with the provision of footways, street lighting and a reduced speed limit of 30mph, all of which contribute to safer walking and cycling conditions.
- 6.17 Taking the above into account, the site is considered to be within reasonable and acceptable walking distance of the facilities available in Woodseaves and is well related to the existing settlement. This offers a genuine choice of transport modes for future occupiers of the site. Accordingly, the proposal is considered to comply with criterion c) of SP7.
- 6.18 Turning to accessibility to public transport, the village is served by the 432 bus service which provides a frequent service stopping in Woodseaves between Stafford and Eccleshall on weekdays and a reduced, but still regular service on Saturdays. Paragraph 110 of the NPPF identifies that 'opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan making and decision making.' The Council is satisfied that the public transport on offer within Woodseaves provides a viable alternative to private car use for future occupants. The proposal therefore complies with d) of SP7.

- 6.19 For the above reasons, the development is considered acceptable within the context of Spatial Principle 7 criteria a) to e) and would amount to sustainable development providing a modest benefit to the provision of housing within the Borough.
- 6.20 An assessment of whether any adverse impacts of the proposed development would significantly outweigh its benefits, when considered against the policies of the NPPF as a whole, will be undertaken within this report. A planning balance and overall conclusion will be provided at the end.

Land Use

- 6.21 The existing site is greenfield and appears to be in either agricultural or equestrian use. The proposal would result in a loss of this agricultural / equestrian land use.
- 6.22 The Natural England Provisional Agricultural Land Classification (ALC) dataset identifies the site as Grade 3 which is known as good to moderate quality. Without the benefit of a bespoke ALC survey it is not possible to determine if the land is Grade 3a (good quality agricultural land) or Grade 3b (moderate quality agricultural land).
- 6.23 National policy seeks to protect the “Best and Most Versatile” land (Grades 1, 2, and 3a), and while Grade 3b is not afforded the same level of protection, the principle of safeguarding agricultural resources remains important. Regardless of the omission of an ALC survey, the loss of the agricultural land weighs against the proposed development.
- 6.24 In terms of compatible land uses, the site lies directly adjacent to the settlement boundary and a number of residential dwellings. Whilst agricultural fields and ongoing arable agricultural operations exist adjacent to the site, it is not considered that the surrounding agricultural operations would prejudice residential development in this location.
- 6.25 Overall, the proposed land use would sit comfortably within the prevailing pattern of development and would not undermine the existing mix of residential, equestrian and agricultural character in the area. The proposal would not introduce a form of development that would be inappropriate in principle or detrimental to the amenity of neighbouring occupiers.

Amount of Development

- 6.26 TPSB Policy N1 sets out design criteria including the requirement for design and layout to take account of residential amenity and local context and have high design standards. Policy N8 states that new development should respect the character of the landscape setting through layout. Policy C1 advises that new development should provide an appropriate mix of dwelling types, tenures and sizes.
- 6.27 The proposal is seeking a maximum of 2 dwellings on a site area of about 0.165ha. This would equate to about 12 dwellings per hectare. Given the broadly rectangular shape of the site, it is considered that there would be adequate space to provide up to 2 dwellings, including the necessary supporting development such as vehicular access to the proposed dwellings, front and rear gardens and off street parking.
- 6.28 The details of design, scale, layout and access would be considered at the Technical Details Consent stage (TDC).
- 6.29 It is noted that the site slopes upwards towards the south east and as such the proposed dwellings are likely to be on slightly higher ground than the adjacent neighbouring properties. Any scale, design and window orientation should be sensitively designed to neighbouring properties particularly 'The New Grange' which is located directly adjacent to the site. These matters however will be fully assessed at TDC stage.
- 6.30 For the purposes of the Permission in Principle application, up to 2 dwellings appear to be an acceptable quantum of development. The details of design, scale, layout and access would be considered at the Technical Details Consent stage (TDC).

Other Matters

Flood Risk / Drainage

- 6.31 The site is located within Flood Zone 1 (i.e. lowest risk of flooding), which is compatible with this type of development/ use.
- 6.32 At Technical Details Consent Stage the applicant should provide details of how foul and surface water drainage will be managed on the site. Any surface water drainage strategy should follow the hierarchy as outlined in the NPPF, prioritising infiltration, then discharge to watercourse, and only where demonstrated to be unfeasible, connection to a sewer. The strategy should be informed by site specific ground conditions and where infiltration is proposed, include the results of a percolation test.

- 6.33 The submitted details should demonstrate that surface water will be managed sustainably, will not increase flood risk on or off site, and will be capable of being maintained for the lifetime of the development.
- 6.34 It is noted that neighbouring representations have raised concerns that the site is known for being on impermeable clay soil generating fast run off. As such details of percolation tests and details of surface water drainage are imperative to be submitted at the TDC stage. Neighbours have also raised concerns that the Waste Water Treatment Works are currently at capacity and cannot take any additional loads from new housing. This matter is not required to be concluded at the Permission In Principle stage and can instead form part of the informed submission of the TDC application.
- 6.35 Flood risk and drainage will be fully assessed at the TDC stage.

Highways

- 6.36 Limited details have been submitted at this stage regarding highways however noting the application route (permission in Principle) this is to be expected.
- 6.37 The submitted site location plan has indicated that a new access would be created centrally within the site giving direct access onto Lodge Lane. It is unknown at this time if the existing field access to the southern side of the site is to remain in operation.
- 6.38 The highways authority have recommended refusal. They note that visibility splays have not been demonstrated. Owing to the speed limit being 60mph, visibility splays of 215m x 2.4m are required in each direction from any new access. Visibility splays need to be within land under the control of the applicant or within highway land. Parking needs to be in accordance with Stafford Borough Councils parking standards (Appendix B). These matters would need to be fully demonstrated at TDC stage and are not required under the PIP application.
- 6.39 The highways authority comments also raise issue with the sustainability of the site and potential conflicts with vehicles and pedestrians as there are no dedicated footpaths on Lodge Lane. These matters have already been addressed above in the body of this report. The case officer disagrees with the highway authority's assessment in terms of sustainability and is satisfied that the site, being adjacent to the settlement boundary of Woodseaves, a tier three settlement is sustainable. It is acknowledged that footpaths are not present on Lodge Lane however noting the short distance (100m) to footpaths on Newport Road, this should not be prohibitive for future occupants to walk or cycle this short distance. In coming to this conclusion, the case officer has had mind to a recent appeal (APP/C3430/W/24/3355879) whereby the planning inspectorate found a site was sustainable in similar circumstances to this.

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

Ecology

- 6.41 No ecology information has been submitted at this stage. There are mature hedges on some site boundaries which may house species of ecological importance.
- 6.42 The site is in the Green Impact Risk Zone for Great Crested Newts. The Newt Officer has confirmed no objection to the application stating that the site does not have any connectivity to ponds or sustainable habitats therefore it is unlikely that any impacts to great crested newts will arise from the proposed development.
- 6.43 To inform the TDC application it is expected that a Preliminary Ecological Assessment (PEA) be submitted to assess the surrounding land and hedgerows for protected and other species. The results of this survey and any necessary mitigation should be presented at the TDC stage.
- 6.44 Ecology matters will be fully addressed at the TDC stage.

Biodiversity Net Gain (BNG)

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

Designated Ramsar Sites

Hydrological links

- 6.47 The application site lies around 5km from Cop Mere (CM) and approximately 4.7km from Aqualate Mere (AM) SSSIs, designated as a Ramsar sites under the Convention on Wetlands of International Importance (especially as Waterfowl Habitat). Under the Conservation of Habitats and Species Regulations 2017 as amended (known as the Habitats Regulations), an assessment is necessary for any plan or project that might have a significant effect on a European site such as CM or AM.

- 6.48 Both CM and AM are features of the Midland Meres and Mosses Phase II Ramsar site and they were designated on 02/02/1997. The Midlands Meres and Mosses Phase II is a group of 18 nutrient-rich open water bodies (meres) with habitats comprising fringing reed swamp, fen, carr and damp pasture, and peatlands. These waterbodies formed due to glacial drift of receding ice sheets creating depressions in the landscape that then became charged with groundwater. The broad range of habitats supports nationally important flora and fauna. As neither site is a designated special area of conservation (SAC) there are no formal conservation objectives. As the qualifying features for both sites are largely dependent on a favourable hydrological regime and pollutant control, they can be considered vulnerable to declines in water quality and in regard to Aqualate Mere water availability.
- 6.49 As the CM and AM Ramsar Sites are designated for their wetland habitats and the application site falls within 5km of both Ramsar sites, this triggers the requirement for a Habitat Regulation Assessment.
- 6.50 Noting the application is submitted as a Permission In Principle, limited details are known as to the final details of the application. Therefore matters of foul and surface water drainage have not been finalised and as such a Habitats Regulation Assessment (HRA) cannot be made at this stage. As part of the TDC application, potential impacts on the CM and AM from foul water and surface water drainage from the proposed development will need to be considered. At this point a HRA will be undertaken.

Air Quality Impacts

- 6.51 Given the scale of the proposed development and distance from the CM and AM Ramsar sites, road traffic increases are unlikely to be significant to cause issues with air quality on these designated sites. Again the applicant will be expected at TDC stage to demonstrate what if any impacts to air quality would result as part of the development.

Other designations – Loynton Moss and Doley Common SSSI

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

Neighbouring representations received

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

What is expected at TDC stage

- 6.54 It is not possible for the council to attach conditions to Permission in Principle applications however informatives can be added which direct the applicant to the level of detail that is required to be provided at TDC stage. Below is a list of information and supporting documentation that should be submitted as part of any application made at the TDC stage.

6.55 Design, Layout and Access:

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

6.56 Landscape and Visual Matters:

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

6.57 Ecology and Biodiversity:

- Preliminary Ecological Assessment (PEA)
- Any required protected species surveys
- Habitat Management and Monitoring Plan (HMMP)

- Biodiversity Net Gain Assessment and BNG metric
- Surveys into impacts on RAMSAR and SSSIs within 5km of the site

6.58 Drainage and Flood Risk:

- Foul and surface water drainage strategy
- Evidence of compliance with the NPPF drainage hierarchy
- Percolation testing where infiltration is proposed
- Long term maintenance arrangements for drainage infrastructure

7.0 Conclusion and Planning Balance

- 7.1 The application seeks Permission in Principle for the erection of up to two dwellings on land adjacent to the settlement boundary of Woodseaves. In this instance, the Council is required to consider only the matters of location, land use and amount of development, with all detailed considerations to be addressed at the Technical Details Consent (TDC) stage.
- 7.2 In terms of location, whilst the site lies outside of the defined settlement boundary and therefore conflicts with the first paragraph of Spatial Principle 7 and Policy SB1, these policies are afforded reduced weight in the current context due to the Council's inability to demonstrate a five-year housing land supply. As such, the presumption in favour of sustainable development as set out in paragraph 11(d) of the NPPF is engaged. In these 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 of the NPPF taken as a whole.
- 7.3 The site is directly adjacent to the settlement boundary of Woodseaves, a recognised Tier 3 settlement, and has been assessed against the criteria of Spatial Principle 7 a) to e). It is considered to be well-related to the existing settlement, of an appropriate scale, and within reasonable walking distance of local services and public transport provision. Overall, the site is considered to represent a sustainable location for residential development. The provision of up to two additional dwellings in a sustainable location would contribute, albeit in a limited way, to addressing the Borough's identified shortfall in housing land supply. This weighs significantly in the balance.

- 7.4 With regard to land use, the proposal would result in the loss of a small area of greenfield agricultural land, which weighs modestly against the scheme. However, the site is not confirmed to be Best and Most Versatile (BMV) agricultural land, and the scale of loss is limited. The proposed residential use would be compatible with surrounding land uses and reflects the adjacent pattern of development. This factor therefore attracts limited weight in the planning balance.
- 7.5 In respect of the amount of development, the proposal for up to two dwellings on a site of approximately 0.165 hectares is considered to represent an appropriate and low-density form of development. This level of development would be capable of being accommodated on the site without resulting in overdevelopment, subject to detailed design considerations at the TDC stage. This element is therefore considered acceptable.
- 7.6 Other matters including highways safety, drainage, flood risk, ecology, biodiversity net gain, and impacts on designated sites have been identified but are not determinative at the Permission in Principle stage. These matters can be appropriately assessed and addressed through the submission of detailed technical information at the subsequent TDC stage. Whilst the Highway Authority has raised concerns in principle, it is considered that these relate to detailed matters such as visibility splays and access design which are capable of resolution at the next stage and do not, in themselves, justify refusal at the PIP stage.
- 7.7 The proposed development would provide some economic benefits both during the construction phase and once the development is complete. In the construction phase there would be the creation of jobs and also the potential for the workforce to support local shops and facilities. It is noted however that these benefits are time limited. Future occupants of the site however would support local facilities and services both in Woodseaves and in the wider Stafford Borough area. These impacts would be of a longer term and have a greater reach. These economic benefits weigh marginally in favour of the planning balance.
- 7.8 Overall, whilst limited harm has been identified, these impacts are not considered significant. The proposal would provide modest social and economic benefits and contribute towards the Borough's housing supply in a sustainable location. There are no adverse impacts that would significantly and demonstrably outweigh the benefits, and the proposal is therefore considered to represent sustainable development for which permission in principle should be granted.

Consultations (comments summarised)

High Offley Parish Council (12 December 2025)

Objection

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

Gnosall Parish Council (12 December 2025)

Objection

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

Planning Policy (9 December 2025)

No objection

- Site is on a greenfield site in close proximity to the Woodseaves settlement boundary, which is one of eleven Key Service Villages in the sustainable settlement hierarchy of TPSB.
- Development considered acceptable within the context of SP7 a) to c) but it is noted that alongside other sites the total amount would be over 36.4% increase in scale for Woodseaves.

- Stafford Borough Council does not have a 5 year housing land supply and TPSB is more than 5 years old meaning that the NPPF para 11, presumption in favour of sustainable development applies
- Taking into account NPPF para 11, 110 and 115 together with the full weight of SP7 the planning policy position is to support the proposal taking into consideration other material planning considerations

Highways Authority (9 December 2025)

Objection

- The application does not provide visibility splays from an individual access or any individual access onto Lodge Lane therefore safe and suitable access/es has not been demonstrated
- The proposed development would exacerbate the risk of conflict between vehicles, pedestrians and cyclists due to no segregated facilities and no street lighting on a relatively busy rural road subject to the national speed limit and are unsuitable to cater for this proposed development leading to an increase in the likelihood of danger to highways users particularly those considered vulnerable.
- The proposed development does not constitute sustainable development in transport terms and is entirely reliant on the private car and does not enable future residents to reasonably choose a safe sustainable mode of transport to access the site as required by national and local planning policies

Biodiversity Officer (15 December 2025)

Further information required to make any assessment

Ecology

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

Biodiversity Net Gain

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

Newt Officer (3 December 2025)

No objection

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

Environmental Health

No comments received at the time of writing this report

Neighbours:

Neighbouring objections have been received and can be summarised as follows:

Combination of current applications:

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

Principle of development:

- Outside of development boundary

- Direct breach of the adopted Development Plan - Section 38(6) Planning and Compulsory Purchase Act 2004
- Policy SB1 caps growth at 12% (~36 homes)
- No amount of 'tilted balance' rhetoric can override Section 38(6). Approval of the application would be unlawful
- No demonstrated local need
- Emerging local plan identifies that Woodseaves has reached its housing capacity
- Provision of 2 market houses contributes negligibly to the annual housing requirement of 786 dwellings
- Proposal fails to comply with policy C5A, SP3, SP4 and SP7 of the Local Plan
- Unsustainable location - reliant on private car, poor public transport, limited local services, away from education and health facilities

Highways:

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

Impact upon infrastructure:

- Sewerage - Woodseaves STW is already at capacity / breaking point
- Surface water flooding - increased housing will increase surface water flooding
- Healthcare - primary care facilities are already challenged and insufficient

- Education - Woodseaves CE Primary Academy is at 70% capacity with no room to expand

Impact to neighbouring properties:

- New dwellings in direct line of sight of neighbouring dwellings
- Result in overlooking, loss of privacy and overbearing impact contrary to Policy H6 of the Local Plan and NPPF para 135(f)
- Application site is 1.7m higher than the neighbour at The New Grange and as such houses in this location would be 1 storey higher - overbearing, overlooking and oppressive

Impact to the character of the village:

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

Ecology / Biodiversity:

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

Water quality/ nitrates:

- Natural England have confirmed on application 25/40683/OUT that the foul water pathways lead to Aqualate Mere SSSI/Ramsar
- Natural England has confirmed that the competent authority must undertake a Habitats Regulation Assessment (HRA) where foul flow from a development may affect protected species
- No HRA has been undertaken
- No evidence of nutrient budget, mitigation for phosphorous, ammonia, or storm spill increase has been submitted

- Any new dwelling will add foul sewage into the same failing wastewater catchment
- As a PIP application cannot secure mitigation the LPA has no lawful way to control the downstream harm to the SSSI/ Ramsar site

Drainage:

- No drainage strategy submitted
- Site is known to contain impermeable clay soil generating fast run off
- Drains towards Lonco Brook which received frequent STW storm overflow discharges
- Site is hydrologically linked to nationally imported wetlands
- New houses will increase hydraulic load worsening ecological harm downstream

Future development:

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

Publicity

Site Notice:

Expiry date: 6 January 2026

Relevant Planning History

None for the application site

Other applications of note in Woodseaves:

25/40683/OUT

Outline planning application for up to 100 dwellings, open space and associated infrastructure (all matters reserved except for means of access)

Pending consideration

25/41473/PIP

Permission in Principle - not more than 9 dwellings and access point

Withdrawn by applicant

Recommendation

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

Informatives

- 1 This permission in principle (PIP) shall cease to have effect three years after the date of this Decision Notice. The technical details consent (TDC) relating to the proposed development must be granted prior to the expiration of the PIP.
- 2 The plans relevant to this Permission in Principle decision are indicative only and are limited to the following:

2881-001 Rev D - Site Location plan

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

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

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

Design, Layout and Access

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

Landscape and Visual Matters:

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

Ecology and Biodiversity:

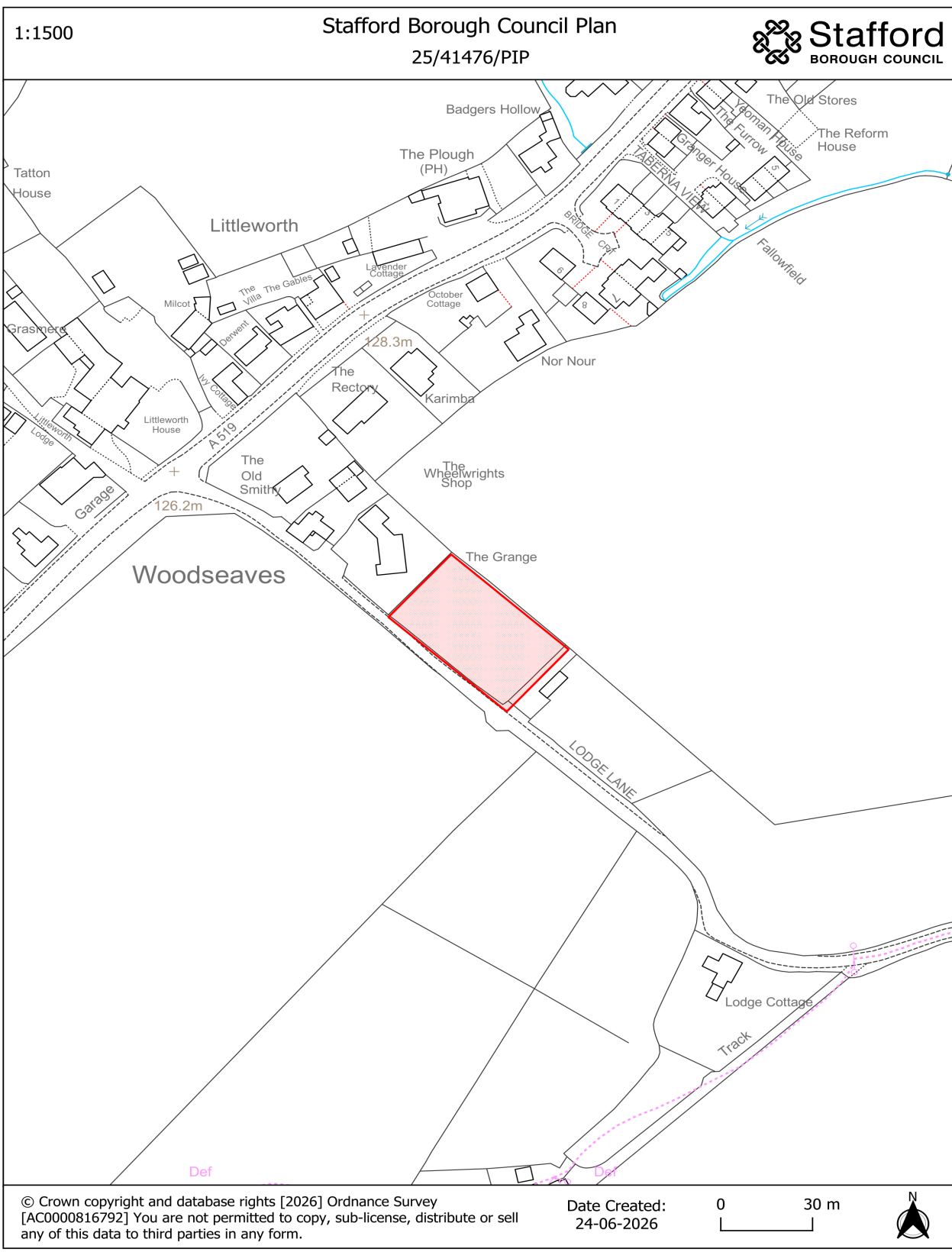
- Preliminary Ecological Assessment (PEA)
- Any required protected species surveys
- Habitat Management and Monitoring Plan (HMMP)
- Biodiversity Net Gain Assessment and BNG metric
- Surveys into impacts on RAMSAR and SSSIs within 5km of the site

Drainage and Flood Risk

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

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

25/41476/PIP
Land West of Old House Farm
Lodge Lane
Woodseaves



Application:	25/40465/HOU
Case Officer:	Emily Timmins
Date Registered:	17 April 2025
Target Decision Date:	12 June 2025
Extended To:	-
Address:	Oulton House, Turners Lane, Oulton, Stone, Staffordshire, ST15 8UR
Ward:	Swynnerton and Oulton
Parish:	Stone Rural
Proposal:	Erection of part two storey / part single storey side and rear extensions, erection of triple garage extension and erection of ancillary outbuilding
Applicant:	Mr and Mrs Halford
Recommendation:	Approve

REASON FOR CALL-IN TO PLANNING COMMITTEE

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

“On the grounds of harm to a Monument, NDHA (Non Designated Heritage Asset) and the HJER (Historic Environment Record)”

1.0 CONTEXT

Application site

- 1.1 The site comprises a detached dwelling set within extensive grounds, accessed via a winding driveway which adjoins Turners Lane around 170m to the southwest. The land rises southwest to northeast across the site. The site also contains a large number of mature trees.
- 1.2 The property is situated in a rural location on the outskirts of Oulton village and is washed over by the North Staffordshire Green Belt. The site also falls within a low-risk area as designated by the Mining Remediation Authority.

- 1.3 The dwelling itself dates back to the 1850s and is a good example of a Victorian residence with a 'landscape park' garden. The dwelling is considered to be a non-designated heritage asset due to its historic significance and the landscape park surrounding the dwelling is recorded on the Staffordshire HER.

Proposed Development

- 1.4 The proposal is for extensions to the house and the erection of an outbuilding, comprising the following:

- Part two-storey, part single-storey side and rear extension, providing open plan lounge / kitchen dining area, tv room, pool room, bar area, boot room and utility at ground floor, with two ensuite bedrooms and dressing room at first floor.
- Triple garage extension to replace existing detached double garage
- Erection of domestic outbuilding containing home office, gymnasium, table tennis area and shower room
- Demolition of conservatory
- Removal of lean-to toilet on internal northern elevation

- 1.5 During the consideration of the application the following amendments have been made to the scheme:

- Two-storey triple garage now proposed to be single storey (first floor annex accommodation removed) and set back further to the northwest
- Link bridge between dwelling and outbuilding removed
- Wall and gates enclosing courtyard removed
- Boot room / utility has been set back

Officer Assessment - Key Considerations

2.0 Principle of Development

- 2.1 Section 38(6) of the 2004 Planning and Compulsory Purchase Act and Section 70 of the Town and Country Planning Act 1990, as amended, require decisions to be made in accordance with the development plan unless material considerations indicate otherwise. Furthermore, Paragraph 11 of the National Planning Policy Framework (NPPF) states that plans and decisions should apply a presumption in favour of sustainable development. The Development Plan for the purposes of this application comprises The Plan for Stafford Borough 2011-2031 Parts 1 and 2 (TPSB).

- 2.2 The site falls within the Green Belt, outside of any of the settlement boundaries listed within Spatial Principle 3 (SP3). Spatial Principle 6 (SP6) seeks to support the rural sustainability of the Borough by protecting and enhancing its environmental assets and character whilst sustaining the social and economic fabric of its communities. Spatial Principle 7 (SP7) is only supportive of development outside of settlement boundaries where it is consistent with the objectives of Spatial Principles SP6 and Policy E2.
- 2.3 Policy E2 states that development in the Green Belt will be controlled in accordance with national guidance. Paragraph 153 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 2.4 Paragraph 154 of the NPPF states that development within the Green Belt is inappropriate but provides a closed list of exceptions to this rule. 154(c) allows for the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the original building.
- 2.5 It is established within case law (*Warwick District Council v Secretary of State for Levelling Up, Housing and Communities and Mr Jules Storer and Mrs Ann Lowe*) that a physically detached building can be considered to be an extension of an existing building. Other considerations in the judgement show that this is a matter of fact and degree and a judgment to be made by the decision-maker.
- 2.6 Whilst the proposed outbuilding will not be physically attached to the dwelling, there will be a distance of only 3.9m between the two. Thus, taking into account the above judgment, the proposed outbuilding can be considered an extension to the dwelling in this case.
- 2.7 Within Stafford Borough, a maximum of 70% increase upon the floorspace of the original building is considered to be proportionate. In this case, the proposed extensions as shown on the revised drawings will add 464m² of floorspace, resulting in a cumulative increase to the original dwelling of 53.21%, which is considered to be acceptable.
- 2.8 The principle of development is therefore acceptable within the Green Belt, as the proposed extensions and outbuilding would not result in disproportionate additions over and above the size of the original building.

Policies and Guidance:-

National Planning Policy Framework 2024 (NPPF):

Paragraphs 11, 153 and 154

The Plan for Stafford Borough 2011-2031 (TPSB) Part 1:

Spatial Principle 1 (Presumption in Favour of Sustainable Development, Spatial Principle 3 (Sustainable Settlement Hierarchy), Spatial Principle 6 (Achieving Rural Sustainability), Spatial Principle 7 (Supporting the Location of New Development), Policy E2 (Sustainable Rural Development)

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

3.0 Character and Appearance / Heritage

3.1 Policy N1 of the TPSB sets out design criteria including the requirement for design and layout to take account of local context and to have high design standards which preserve and enhance the character of the area. Meanwhile, Policy N9 seeks to ensure that proposals sustain and, where appropriate, enhance the significance of heritage assets, avoiding unnecessary loss of historic fabric and detail of significance.

3.2 Paragraph 216 of the NPPF states that

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

3.3 The application is accompanied by an in-depth heritage statement produced by a heritage consultant, which assesses the significance of the non-designated asset and the impact of the proposed works. The statement concludes that the proposed works will predominantly impact upon the secondary side and rear elevations of the building (northwest and northeast elevations) which are less prominent than the other elevations due to being partially sunken into the rising ground. In relation to the proposed works, it is stated

“The new and rebuilt structures take their design cues from the original Victorian design spirit, with broad eaves soffits and hipped roofs, but they are less broad or high than the main house, which will still mark them out as subservient elements.”

3.4 Initial concerns were raised by the Conservation Team in relation to several elements of the scheme and an objection response was also received from Swynnerton and Oulton Parish Council concerning the impact upon the character of the building. The applicants were given the opportunity to amend the scheme and revised drawings have been submitted. The Conservation Team’s comments are shown in italics with responses below:

General comments

- 3.5 *“The existing drawings should show the garage in its true position with the main house as it makes it easier to understand and compare the existing and proposed floor plans.”*

The amended drawings now show the existing garage in situ, so that a contextual comparison can be made between the existing and proposed garage.

- 3.6 *“...both the proposed ancillary accommodation to the western elevation and the additional storey over the garage are difficult to appreciate in the proposed elevation plans and should be separated out for clarity to allow all their elevations to be assessed along with that of the main dwellinghouse.”*

The amended drawings no longer show an additional storey over the garage. Officers are satisfied that the submitted elevation drawings, which includes section elevations, are sufficient to be able to fully assess the proposal.

- 3.7 *“No information has been provided as to what materials it is proposed to use in building the extensions, or scale drawings for details such as fenestration, doors, tiles, downpipes etc.”*

Officers are satisfied that details of materials and detailed fenestration drawings can be secured via conditions on any consent, to ensure that the specifications are appropriate in relation to the non-designated heritage asset.

Rear extension

- 3.8 The proposed single-storey rear extension comprises a flat roof and roof lanterns, spanning the width of the property. The Conservation team state that the rear elevation would be entirely lost and that the proposed patio doors and roof lanterns would be uncharacteristic of the house.
- 3.9 Officers note that the property benefits from permitted development rights and that a single storey rear extension of up to 8m in depth could potentially be erected across part of the rear elevation which would have a similar visual impact. Furthermore, it is not considered that the rear elevation would be “entirely lost”, given that the extension is single storey and sympathetic to the main dwelling, being visually distinguishable as a subservient addition.
- 3.10 *“Additionally, the elevation is now extended at two storeys on its eastern end with two storey infilling development in the existing recessed space between the main house and the former ancillary service area of the property, both of which were previously set back substantially from the main dwelling northern rear building line.”*

Whilst the built form will be extended to the northeast side, the amended proposal no longer includes the previously proposed, uncharacteristic glazed link between the first floor of the dwelling and the proposed outbuilding, thus resulting in a significant design improvement and the retention of a gap to this side, coherent with the historic layout.

First floor and two-storey side extension

- 3.11 A two-storey and first-floor side extension is proposed to the northeast elevation which will be set at a lower level than the existing house and has been designed to be sympathetic to the host property, with a hipped roof to be in keeping with the existing architectural features.
- 3.12 The scope of concern identified by the Conservation Team with regards to the proposed side extension is limited to its impact upon the rear elevation and the partial infilling of the historic gap between the main house and the former ancillary service area of the property. However, as above, the removal of the previously proposed glazed link now means that a gap is retained between the proposed side extension and the proposed outbuilding.

Demolition of conservatory

- 3.13 Whilst it is noted that the curved conservatory is of some significance, being a modern replacement of an historic feature, its loss would not be detrimental to the significance of the non-designated heritage asset.
- 3.14 The Conservation Team identify harm regarding the removal of the conservatory, as well as the previously proposed enclosure of the courtyard and forwards projection of the existing garage elevation and the overall impact that this would have had upon the character of the southeast elevation. However, the amended drawings no longer show an enclosing wall and gates, thereby the characteristically open courtyard will now be retained. Furthermore, it is no longer proposed to bring the front elevation of the existing southeast-facing garage further forward, again preserving more of the historic layout of the building.

Erection of outbuilding to the northeast of the dwelling

- 3.15 A single-storey outbuilding is proposed to the northeast of the dwelling, again with a hipped roof to be in keeping with the main dwelling. Due to the raised land level, the single-storey outbuilding will be set at a similar level as the proposed two storey side extension, though it will be subservient in height to the main dwelling.

- 3.16 Whilst it is acknowledged that the built form will be extended further to the northeast, it should be noted that the existing building is significant in size and comprises different design features, which give an overall articulation in its architectural form. Whilst the main element of the Victorian villa is symmetrical in appearance, the existing additions to the northeast have already established an overall dissymmetry to this side. Thus, the proposed outbuilding would not be disproportionate to the main dwelling and would not disrupt the existing character.

Single-storey triple garage extension to replace existing single storey garage to the front

- 3.17 Whilst the original plans showed a two-storey triple garage with annex above, this has been reduced down to a single-storey garage which significantly reduces the massing when viewed from the southwest and southeast elevations.
- 3.18 The Conservation Team raise concern over the proposed orientation of the garage, being squared off with the dwelling. However, given that there is already a garage in a similar location to the southeast corner of the dwelling, it is not considered that the re-orientation would have a detrimental visual impact. The amended garage is therefore considered to be acceptable.

Landscaping

- 3.19 The Conservation Team also raise concern regarding the loss of the historic remains of the fruit cage and potting shed, located within the garden area to the northeast of the dwelling. The proposed plans appear to show a 'kitchen garden' retained to the northeast of the dwelling, though it has not been indicated what is proposed regarding the fruit cage and potting shed. It is noted, however, that these are not listed structures, nor are they explicitly identified within the HER entry, MST6422. It is also acknowledged within the Conservation response that they are "remains", thus, some of their significance has already been eroded.
- 3.20 Concern is also raised over the extent of proposed paving and patio around the house, however, again, it is noted that this not a listed building, and the property benefits from permitted development rights, including those for hard surfacing. Nonetheless, having assessed the proposed landscaping works as shown on the amended drawings, officers are satisfied that the proposed hard surfacing will not diminish the character of the building.

Summary

- 3.21 Whilst the original scheme was considered to be harmful in terms of the height and massing of the previously proposed two-storey garage, the enclosure of the historically open courtyard and the addition of an uncharacteristic glazed link, the amended scheme has removed these elements and is now considered to be acceptable.
- 3.22 In accordance with Paragraph 216 of the NPPF, a balanced judgement has been made, having regard to the scale of any harm or loss and the significance of the heritage asset. This judgement takes account of the fact that the existing building was originally of a significant size and is composed of different design features which provide an overall articulation in its architectural form. Whilst the Conservation Team have identified that there would be some loss to the significance of the building, the harm identified is “less than substantial”, thus in this case the “scale” of loss would not be significant enough to warrant refusal.
- 3.23 In terms of the wider landscape impact, the proposal will not necessitate the removal of any trees (see section 7 of this report) and will not be harmful to the non-designated landscape park. It is also noted that views of the site are restricted by its remote positioning and the proposed works will not have a harmful impact upon any public view of the site.
- 3.24 For the above reasons, the amended scheme is therefore considered to be acceptable in design terms.

Policies and Guidance:-

National Planning Policy Framework 2024 (NPPF): Paragraphs 216

Section 12 - Achieving well-designed places

Section 16 - Conserving and enhancing the historic environment

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

Policies N1 (Design) and N9 (Historic Environment)

Supplementary Planning Document - Design (SPD)

4.0 Residential Amenity

- 4.1 Criteria (e) of Policy N1 of the TPSB and the Design SPD require design and layout to take account of adjacent residential areas and existing activities. In this case, the site is remote and the proposed development will not impact upon the amenity of any nearby residential property. Whilst Environmental Health have recommended conditions to restrict construction hours and timings of deliveries, it is not standard practice for such conditions to be attached to a householder permission.

Policies and Guidance:-

National Planning Policy Framework 2024 (NPPF):

Paragraph 135

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

N1 (Design)

Supplementary Planning Document - Design (SPD)

5.0 Access, Parking and Highway Safety

- 5.1 The proposed scheme will provide an additional bedroom, however this does not result in an intensification of the parking requirement on site, in accordance with the parking standards set out within Appendix B of TPSB. Thus, there are no highways implications to the proposal.

Policies and Guidance:-

National Planning Policy Framework 2024 (NPPF)

Paragraphs 115 and 116

The Plan for Stafford Borough 2011-2031 (TPSB)

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

6.0 Ecology and Biodiversity

- 6.1 The Ecology and Biodiversity Officer was consulted due to the site location and the age of the building, however their response was that it is unlikely that any significant ecological constraints are present. Recommendations were made in relation to nesting birds and external lighting.
- 6.2 The application site also falls within a SSSI Impact Risk Zone, however the nature of the development does not require consultation with Natural England.

- 6.3 For the purposes of Schedule 14 of the Environment Act 2021 and Schedule 7A of the Town and Country Planning Act 1990, the proposed development is exempt from the Biodiversity Net Gain condition, as it relates to householder development.

Policies and Guidance:

National Planning Policy Framework, December 2024 (NPPF)

Paragraphs 187 and 193

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

Policy N4 (The Natural Environment and Green Infrastructure)

7.0 Trees

- 7.1 There are several mature trees within the application site which the Council's mapping indicates are covered by Tree Preservation Order, TPO No. 5 NSR 1961. Further investigation, however, has indicated that the status of the TPO is being examined.
- 7.2 Notwithstanding this, due consideration has been given to the impact of the development upon the trees on site, due to their amenity value and contribution to the historic parkland setting. The application is accompanied by an Arboricultural Report produced by Tree Heritage Ltd, dated March 2025, with an updated version produced in September 2025, following initial comments from the Council's Tree Officer.
- 7.3 The updated report concludes that no trees will need to be removed in order to facilitate the development, however, in order to protect the trees on site, no-dig construction techniques will be required for works within RPAs and tree protection measures will be required for all other trees.
- 7.4 Within their initial response, the Tree Officer stated that they had no objections in principle, subject to additional information being provided up front, including details on temporary ground protection for exposed RPAs, heads of terms for the Arboricultural Method Statement (AMS), details of access facilitation pruning and an engineering solution for the retention of tree, T36, which was initially marked for removal.

- 7.5 The additional information requested by the Tree Officer has been provided within the updated Arboricultural Report. The amended scheme no longer requires the removal of T36, due to the reduced projection of the proposed garage. However, due to the difference in land levels, it will be necessary to excavate within the RPA of T36 to construct the proposed garage, therefore the works will need to be carried out in accordance with an AMS, which can be secured via a condition. The Arboricultural Report also recommends that the condition of T36 is monitored post development for decline and it is recommended that a replacement tree is planted in a more suitable location away from the garage as mitigation.
- 7.6 The measures outlined within the updated Arboricultural Report are considered to be acceptable and the report addresses the outstanding information requested by the Tree Officer. Thus, subject to suitable conditions, the proposed development will protect the existing trees on site.

Policies and Guidance:

National Planning Policy Framework, December 2024 (NPPF)

Paragraphs 187 and 193

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

Policy N4 (The Natural Environment Green Infrastructure)

8.0 Conclusion and Planning Balance

- 8.1 The revised scheme for the proposed extensions and outbuilding is considered to be acceptable and will not be harmful to the openness of the green belt, nor the significance of the non-designated heritage asset. The proposal has been found to comply with the provisions of TPSB and the NPPF and approval is recommended.

Consultations (comments summarised)

Cadent Gas: No objections, informative note required.

Conservation Team: Object. Less than substantial harm identified due to impact upon character of non-designated heritage asset (see full response).

Conservation Team (re-consultation): Maintain objection. Whilst some of the elevational amendments could be considered improvements to the scheme, they do not sufficiently alleviate harm identified in original response.

Environmental Health Conditions recommended to restrict hours of construction and timings of deliveries due to nearby sensitive receptors.

Tree Officer: No objection in principle subject to additional details being provided up front, as well as conditions for AMS and details of retention of T36 to be submitted.

Tree Officer (re-consultation): No response received.

Ecology and Biodiversity Officer: Unlikely that any significant ecological constraints present. External lighting should be downward-facing and avoid light spill on site boundary. Works should be undertaken outside of bird nesting season unless method statement demonstrates that breeding birds will not be affected.

Swynnerton And Oulton Parish Council: Object. Request that property and grounds be considered non-designated heritage asset. Proposal is not in keeping with style or character of property, particularly garage and extensions at differing heights, detracts from original appearance and forms large and damaging intrusion into gardens. Extensions are disproportionate.

Re-consultation: Maintain objection. Amendments do not adequately address concerns raised in Parish Council's initial response or concerns raised by Conservation Officer.

Neighbours and public representations: No representations received.

PUBLICITY

Site Notice Expiry: 15 May 2025

Relevant Planning History

12/17952/TWT - TPO 5 of 1961 - fell Scots Pine (A17), fell Horse Chestnut (A17), fell Sycamore (A16) and fell Beech (T113) - Granted 18 January 2013

Recommendation

Approve subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. The development shall be carried out in accordance with the following drawings and documents, except as required by another condition on this consent in which case the condition takes precedence:

Drawing No 00840-005B

Drawing No 00840-006B

Drawing No 00840-007C

Drawing No 00840-008C

Drawing No 00840-009C

Drawing No 00840-010C

Drawing No THL-1273-5

3. Notwithstanding any description, details and specifications submitted, detailed specifications and/or samples of the facing brickwork and the roof tiles to be used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works. The development shall thereafter be carried out in accordance with the approved details and retained as such for the life of the development.
4. Notwithstanding any description, details and specifications submitted, full details and specifications of all new windows and doors shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Such details shall include section drawings at 1:1 or 1:2 scale and elevation drawings at 1:10 scale, material, colour, finish, recesses, cill and header details, transoms, mullions, opening type, glazing and any glazing bars. The development shall thereafter be carried out in accordance with the approved details and retained as such for the life of the development.
5. The development hereby approved shall be carried out in strict accordance with the recommendations and methods of working detailed within the submitted Arboricultural Report, produced by Tree Heritage Limited, dated 3rd September 2025, and the submitted tree protection plan, Drawing No THL-1273-5.
6. No development shall be commenced, including demolition works, ground works, construction activities and deliveries to the site of any materials or equipment, unless and until an Arboricultural Method Statement covering all aspects of development that are within the root protection areas of retained trees, or that have the potential to result in damage to retained trees has been submitted to and approved in writing by the Local Planning Authority. The measures within the approved Arboricultural Method Statement shall thereafter be implemented and maintained until the completion of all construction related activity.
7. Any external lighting to be installed shall be downward facing and shall avoid light spill beyond the site boundary.

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

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.
3. To ensure the satisfactory appearance of the development and to protect the significance of an undesignated heritage asset (Policies E2 and N9 of The Plan for Stafford Borough).

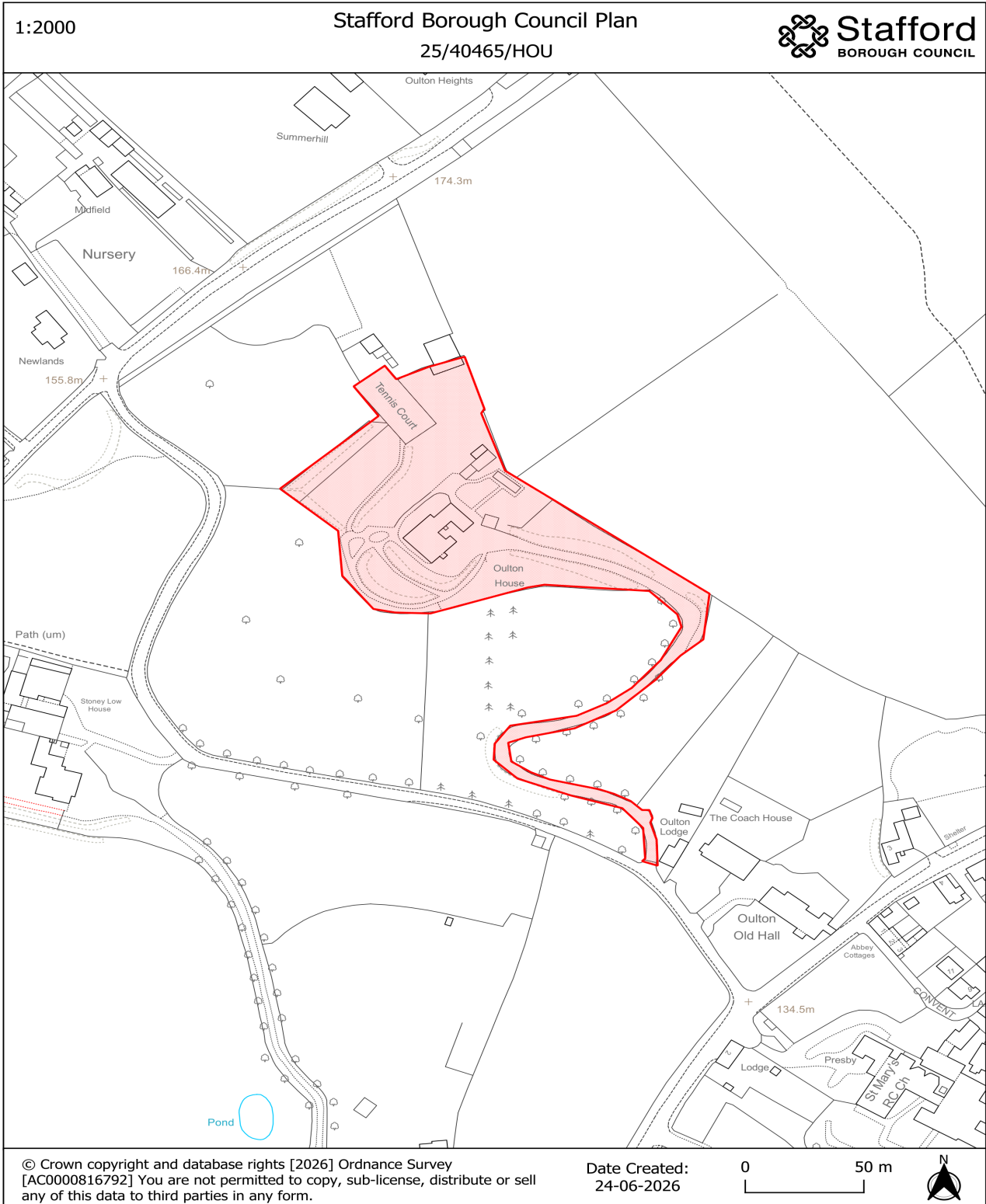
4. To ensure the satisfactory appearance of the development and to protect the significance of an undesignated heritage asset (Policies E2 and N9 of The Plan for Stafford Borough).
5. To safeguard trees of amenity value (Policy N4 of the Plan for Stafford Borough).
6. To safeguard trees of amenity value (Policy N4 of the Plan for Stafford Borough).
7. In order to ensure that the development does not result in disturbance of legally protected species (Policy N4 of the Plan for Stafford Borough).

Informatives

- 1 In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015, as amended, and the National Planning Policy Framework 2024, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 The 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 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: www.gov.uk/government/organisations/mining-remediation-authority

**25/40465/HOU
Oulton House
Turners Lane
Oulton**



Application:	25/40929/FUL
Case Officer:	Teresa Dwight
Date Registered:	10 September 2025
Target Decision Date:	5 November 2025
Extended To:	-
Address:	Annex at 33 North Castle Street, Castletown, Stafford, Staffordshire, ST16 2EH
Ward:	Doxey and Castletown
Parish:	-
Proposal:	Retrospective application for change of use from an annex into a separate dwelling
Applicant:	Mr Tony Pearce
Recommendation:	Refuse

Reason for Referral to Committee

The applicant is a member of the Council.

Context

1.0 Site, surroundings and background

- 1.1 The site comprises an existing attached annexe to a traditional terraced dwelling, 33 North Castle Street, in a sustainable location in Stafford.
- 1.2 No. 33 North Caste Street is shown to be within the same ownership, as identified by the blue edge on the location plan.
- 1.3 The site is towards the edge of the residential area of Castletown in the near vicinity of Sainsburys supermarket and main road connections. The site borders an area of vacant land to the immediate northeast.

- 1.4 Planning permission was granted in 1991 (91/26370/FUL) for a 2-storey garage and bedroom extension to the existing dwelling, with a ground floor passage/corridor between the proposed garage and main dwelling providing rear access. A subsequent application (04/02267/FUL) granted consent for '*Side and rear extensions to form new ancillary living accommodation*' at 33 North castle Street. The existing plans in 2004 showed no.33 comprising of:
1. Lounge, kitchen, dining room, wc and single garage on the ground floor;
 2. 3 bedrooms, study, bathroom and shower room on the first floor.
- 1.5 In essence, permission 04/02267/FUL approved a wrap-around single storey side/rear extension adjoined to the attached garage at no. 33 with the following ground floor annexe layout:
1. Kitchen, dining room, 1 bedroom, lounge, bathroom and store. An internal door gave access from the annexe into the existing garage.
 2. The annexe appeared to share the frontage, the rear garden amenity areas of the host dwelling. The layout of the main dwelling remained unchanged.
- 1.6 A householder application was also submitted prior to the submission of the current application, referring to the annexe as no.34 North Caste Street and appeared to seek extensions to the annexe as if it were a single dwelling. As such, the application was returned, and the current scheme submitted.
- 1.7 The works which are part of this application are retrospective and have been subject to an enforcement investigation by the Council.

2.0 The proposed development

- 2.1 The proposal seeks retrospective planning permission for the 'change of use from an annex into a separate dwelling.'
- 2.2 The current application shows the annexe as a single dwelling, annotated (incorrectly) as no. 34 North Castle Street and provides the following accommodation:

Ground floor:

- Lounge, master bedroom, bathroom, kitchen, cupboard, plus a store and utility with stairs to first floor (previously the garage);

First floor:

- Bedroom 2 and study.

- 2.3 A link passage between the two buildings provides rear access (the Block Plan shows a shared pedestrian side access in hatched in green to remain as existing, that appears to be included in the red in the red edge).
- 2.4 No. 33 North Castle Street provides 2 x lounges, hall, wc, kitchen on the ground floor and a master bedroom, dressing room, store, bathroom at first floor level.
- 2.5 It is noted that the building subject to this application (the former annexe which would provide a single dwelling) would now appear to be the larger property, as a result of its subdivision from the host dwelling, no 33. The proposed garden area to serve the annexe as a separate dwelling is significantly larger than, and extends to the rear, of the host dwelling. The existing frontage which previously provided access to the garage to the host dwelling is now included in the red edge of the proposal and the garage has been converted into a store and a utility with stairs to the first floor.
- 2.6 The proposal does not show any off-street parking for either the host dwelling or the proposed dwelling.
- 2.7 It is not clear from Council Tax records how the main dwelling and the annexe have been occupied over the years.

Officer Assessment - Key Considerations

Planning policy framework

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

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

3.0 Principle of Development

- 3.1 The site is considered to be in a sustainable location for additional housing. Policy C4 of The Plan for Stafford Borough supports proposals for housing conversions and subdivisions where all of the following criteria are met:
- a) The proposal does not lead to a concentration of such uses damaging to the character and amenity of a street or residential area;
 - b) Does not necessitate associated extensions or external alterations inconsistent with the character and appearance of the property or its setting within the locality;

- c) Provides satisfactory living accommodation in terms of size, amenity, facilities, private open space provision, appearance and general outlook;
- d) Provides appropriate levels of on-site parking;
- e) Satisfactory sound proofing arrangements are incorporated within and between properties;
- f) It would not involve the self-containment of basement areas or other parts of any property having inadequate light or low ceilings or which would result in a poor outlook from main windows;
- g) It would make adequate provision for refuse storage; and -
- h) For the subdivision or conversion of existing dwellings, where the property is large enough a mix of unit sizes should be provided.

3.2 It is considered that the principle of the development is acceptable in context of the above criteria being met (and as discussed further in the relevant parts of the report below), subject to all other material considerations being met.

Policies and Guidance:-

National Planning Policy Framework - Paragraphs 8 and 11

The Plan for Stafford Borough - Policies SP3 Sustainable Settlement Hierarchy, C4 Housing Conversions and Subdivisions

4.0 Character and appearance

- 4.1 Policy N1 of the Plan for Stafford Borough (TPSB) supports development that does not harm the character and appearance of area. Policy C4 b) regarding proposals for housing conversions and subdivisions requires, amongst other things, that external alterations inconsistent with the character and appearance of the property or its setting within the locality will not be supported.
- 4.2 North Castle Street and its immediate surroundings consist primarily of terraced housing with long, narrow, rectangular shaped rear gardens. This application would involve the subdivision of the existing garden to the rear of the host dwelling, providing a short and confined amenity space for No 33 which would conflict with the established layout and form of rear gardens in the area when viewed in plan form. The substantial, irregular shaped rear garden serving the converted building would exacerbate this impact. However, given that the site lies on the periphery of this area of terraced housing and backs onto existing landscaping, the subdivision of the rear garden area would not have a detrimental visual impact on the character and appearance of the locality. As such, it would accord with Policies N1 and C4 b) of TPSB.

- 4.3 In respect of the other parts of Policy C4, it is accepted that the proposed use of the annexe as a single dwelling does not lead to a concentration of such uses damaging to the character and amenity of a street or residential area and the host property (main dwelling and annexe) is large enough for a mix of unit sizes to be provided. Consequently, there is no conflict with Policy C4 a) and h).

Policies and Guidance:-

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

The Plan for Stafford Borough Policies - C4 Housing Conversions and Subdivisions
N1 Design

Supplementary Planning Document (SPD) - Design

5.0 Residential amenity

- 5.1 It is noted that the applicant has only submitted 'existing' plans which show the 'proposed' retrospective layout being applied for. Existing plans showing the annexe as it was originally approved have not been submitted.
- 5.2 Notwithstanding the above, an amenity assessment has been made to assess any harm to residential amenity allowing for the scale, mass, location and the proposed residential use.
- 5.3 Policy C4 c) of TPSB requires that satisfactory living accommodation is provided for the proposed occupiers in terms of size, amenity, facilities, private open space provision, appearance and general outlook. Further guidance on the potential impact on residential amenity is also provided the Council's Design Supplementary Planning Document (SPD) 2018.
- 5.4 It is considered that proposal would afford sufficient private amenity (garden) space for the proposed new dwelling.
- 5.5 In context of privacy and light and outlook, it is noted that the use of the annexe as a dwelling will result in the re-assessment of some breaches to privacy and light and outlook that may have previously been considered acceptable for a main dwelling/annexe relationship. However, on balance, the scheme is considered to be acceptable in respect of the recommended privacy and amenity standards guidance set out within the adopted Design SPD. It is also considered to meet the requirements of Policy C4 c), as it provides satisfactory living accommodation in terms of size, amenity, facilities, private open space provision, appearance and general outlook.

5.6 In particular, it is considered that each principal room at the property will benefit from at least one source of outlook which is considered acceptable in terms of occupier amenity.

5.7 With regard to privacy and light and outlook, the following assessment has been made:

Ground floors:

5.8 There appears to be a minor breach of the 45 degree rule between the existing rear kitchen window to the host dwelling and proposed rear lounge principal window along a horizontal plane of outlook. However, this is an existing arrangement and there are other windows serving the kitchen to provide light and outlook. Privacy along the side boundary (the lounge includes side facing windows) will be provided by the proposed side boundary fence.

5.9 The proposed kitchen has side facing windows on the boundary to the northeast overlooking open land. These appear to be as approved under the original consent for the annexe, albeit it is noted that they were not shown immediately on the boundary under that consent, according to the red edge at that time. Notwithstanding, this is a preset arrangement and therefore not sufficient to warrant a refusal on privacy grounds.

First floors:

5.10 Rear facing proposed window to bedroom 2 and existing bathroom to the host dwelling: There appears to be a minor breach of the 45 degree rule between the rear facing proposed window to bedroom 2 and existing bathroom to the host dwelling along a horizontal plane of outlook. However, this is also an existing arrangement, and there is another window serving the bedroom to provide light and outlook.

5.11 The proposal would also not involve the self-containment of basement areas or other parts of any property having inadequate light or low ceilings or which would result in a poor outlook from main windows, as required by criteria f) of Policy C4 of TPSB.

5.12 Turning to Policy C4 e) of TPSB, this requires that satisfactory sound proofing arrangements are incorporated within and between properties. Such matters are controlled through building regulations legislation.

- 5.13 Policy C4 g) of TPSB requires that adequate provision is made for refuse storage. The HA have commented that no details have been provided of the location of the bin storage area, and they would not wish to see bins being left on the footway fronting either dwelling, which could create an obstruction to vulnerable users. As such, the HA have confirmed that there needs to be a clear designated area to store/collect bins. Whilst the concerns of the HA are noted, there is scope to provide such facilities within the rear gardens of both properties. Therefore, if permission is recommended, details of bin storage/collection facilities could be secured via condition.

Policies and Guidance:-

National Planning Policy Framework (NPPF) - Paragraph 135

The Plan for Stafford Borough- Policies C4 Housing Conversions and Subdivisions, N1 Design

Supplementary Planning Document (SPD) - Design

6.0 Highways and Access

- 6.1 The proposal will result in the following:

- Proposed annexe as a single dwelling - 2 bedrooms. It is noted that this has the potential to be 3 bedrooms (study at first floor).
- No 33 North Castle Street - 1 bedroom. It is noted that this has the potential to be 2 bedrooms (separate dressing room at first floor).

- 6.2 Generally, under Point 4., Local Plan Parking Standards for residential conversions including flats require 1 space per dwelling within the curtilage of the original dwelling. Where conversions provide more than 2 bedrooms per unit parking requirements will be based on merits of the proposed development. This would indicate a minimum parking requirement of around 3 spaces.

- 6.3 The HA have assessed the parking requirement under Local Plan Parking Standards Point 2. Forms other than Detached / Semi-Detached. Point 2 requires properties up to 2 bedrooms in size to provide 1 car parking space per unit and properties with 3 or more bedrooms to secure 2 parking spaces. Applying these guidelines, the HA contend that 3 car parking spaces would be required in total to accommodate number 33 and 34 North Castle Street (it could be argued that this could be increased to 4 if both the dressing room for No 33 and study for No 34 were used as bedrooms).

- 6.4 Although the original permission for the annexe (04/02267/FUL) provided only 1 parking space in the integral garage, as it provided ancillary accommodation and was located in an area where off-street parking was not routinely available, this level of provision was deemed to be acceptable in that case.
- 6.5 The current scheme does not provide any on-site parking provision for either dwelling, as the former integral garage has been converted into living accommodation. Therefore, insufficient parking provision would be secured contrary to the Council's parking guidelines and the requirements of Policy C4 d). Given that on-street parking is at a premium in this location, the proposal which would provide a new separate dwelling would further intensify the demand on on-street parking and increase the risk of highway danger to all users. As such, it would conflict with Policy T2 of TPSB which, amongst other things, requires that development makes adequate provision for parking and does not impair highway safety.
- 6.6 The applicant has suggested that the operation of a residents parking scheme in the area, the layout of the properties and their proximity to the town centre/provision of cycle parking facilities on the site would reduce the demand/pressure on-street parking in the locality. However, the HA have confirmed that SCC cannot guarantee that a parking space will be available at all times as part of the parking permit scheme, and the proposal by providing an additional dwelling and removing the former integral garage would clearly increase the demand for on-street parking in the locality. The Council also consider that the provision of cycle parking cannot compensate for the lack of vehicular parking. Whilst the cycle parking could be conditioned, there would be nothing to prevent car use by future occupiers.

Policies and Guidance:-

National Planning Policy Framework - 112, 113

The Plan for Stafford Borough - Policies C4 Housing Conversions and Subdivisions, T1 Transport, T2 Parking and Manoeuvring Facilities, Appendix B - Car Parking Standards

7.0 Ecology/habitats

- 7.1 The development falls within the amber impact risk zone for great crested newts, however, given the retrospective nature of the works, a consultation with the Newt Officer is not required.

Conservation of Habitats:SSSI:

- 7.2 The proposal falls within an SSSI Impact Risk Zone but is not of a development type that requires a consultation with Natural England in this location.

Cannock Chase SAC:

- 7.3 The proposal falls within 8km of the SAC and therefore requires a financial contribution as mitigation for any adverse impacts on the SAC. This would be secured by means of either:
- Unilateral Undertaking to prior to the grant of consent to undertake to make the payment prior to the commencement of development.
- or:
- s111 agreement to make the payment prior to the grant of planning permission.
- 7.4 The applicant submitted a statement of willingness in respect of the financial contribution. A payment would need to be secured via a S111 agreement and paid before any grant of consent. This would satisfy the requirements of Natural England who consider that without appropriate mitigation the application would have an adverse effect on the integrity of Cannock Chase Special Area of Conservation and that in order to mitigate these adverse effects and make the development acceptable, mitigation options should be secured as follows: delivering mitigation, for recreational impacts on Cannock Chase SAC, by means of the Strategic Access Management and Monitoring (SAMM) measures.

Biodiversity Net Gain (BNG):

- 7.5 The application has stated on the application forms that the mandatory 10% biodiversity net gain requirement does not apply in this case as the works are retrospective. The Council accept that the proposal is exempt and it is unlikely that any removal of habitat has recently taken place that would trigger a BNG assessment, due to the nature of the application.

Policies and Guidance:-

National Planning Policy Framework: Section 15. Conserving and enhancing the natural environment: Habitats and Biodiversity (Paragraphs 192- 195).

The Plan for Stafford Borough: Policy N4 The Natural Environment and Green Infrastructure; N5 Sites of European, National and Local Nature Conservation Importance, N6 Cannock Chase special area of conservation

The Conservation of Habitats and Species Regulations 2017

The Biodiversity Gain Requirements(Irreplaceable Habitats) Regulations 2024

The Biodiversity Gain Requirements (Exemptions) Regulations 2024

8.0 Other matters

- 8.1 Cadent Gas Plant Protection raise no objection subject to an informative being attached to any grant of consent.

Policies and Guidance:-

National Planning Policy Framework

The Plan for Stafford Borough

9.0 Concluding comments and the planning balance

- 9.1 The proposed subdivision to create two dwellings fails to provide sufficient on-site parking provision and would further intensify the demand for on-street parking and thus increase the risk of highway danger to all users, contrary to Policies C4 d) and T2 of TPSB. As such, officers recommend that the application should be refused.

Consultations

Highway Authority (Summarised):

Additional response to supporting information:

The site does not have any existing vehicle/cycle parking spaces and the applicant has suggested that the proposal will not add/remove any parking spaces? This has been answered as NO. However, the historic Google Street View images show a vehicle parked to the front of the dwelling and a garage was present, this would have potentially been the reason for the access protection marking to identify a vehicle access and make motorists aware that the access is required at all times of day for the garage.

Looking at historic google images it would appear that a vehicle has parked within the property boundary lateral to the road. This type of parking is generally not acceptable by the highway authority. Therefore, given the above observations it appears neither property has a legal parking space available. Given the removal of the garage the applicant needs to advise highways Traffic and Network Team so the access protection marking can be removed and potentially additional on street permit parking bays can be provided. Therefore, if the Planning Officer were minded in approving the planning application highways would require a condition to remove the APM and replace with parking bays, this may require the current traffic regulation order for this street to be amended at the applicant's cost.

On the entrance to North Castle Street and opposite the dwellings on the eastern side there are double yellow lines parking restriction. North Castle Street also has a parking restriction for permit holders only Monday - Saturday 8am-6pm. As stated previously whilst conducting my site visit it was noted as a result of the parked vehicles on the western side of the carriageway between 28-33 North Castle Street the carriageway width is narrow and restricted to manoeuvre around the bend to avoid parked vehicles. Vehicles were parked on the DYLS and it is also noted vehicles are parking on the access protection marking fronting the dwelling. This highlights that parking is at a premium within this area, therefore if this application were to be approved to create two separate dwellings which would then in turn be required to provide the relevant parking to meet the SBC parking standards of which it is clear the applicant is unable to do so, this division of the dwelling would further intensify the demand on on-street parking and increase the risk of highway danger to all users. It should be noted in respect of the parking permit scheme SCC cannot guarantee that a parking space will be available at all times.

Original response:

An access protection marking fronts number 34, also known as an 'H bar' which is an advisory road marking. APMs are marked out with white lines and are used to identify a vehicle access and make motorists aware that the access is required at all times of day.

On the entrance to the newly realigned Doxey Road which gives access to Jerningham Street and North Castle Street it is signed unsuitable for HGVs, this is due to the narrowness of the roads.

On the entrance to North Castle Street and opposite the dwellings on the eastern side there are double yellow lines parking restriction. North Castle Street also has a parking restriction for permit holders only Monday - Saturday 8am-6pm.

Whilst conducting my site visit it was noted as a result of the parked vehicles on the western side of the carriageway between 28-33 and 25-26 North Castle Street the carriageway width is restricted, to make the manoeuvre around the corner by number 36 difficult, as a result the footway adjacent to number 36 North Castle Street is being overridden.

Drawing No TDP-003 (Existing planning drawing) identifies the existing ground/first floor plan to 33 North Castle Street which identifies a master bedroom, dressing room, bedroom 2 and a study which can be classed as an additional bedroom. It also identifies the existing ground floor/first floor plan to 34 North Castle Street which identifies a master bedroom, kitchen, lounge and bathroom.

To the front of number 34 North Castle Street there is a garage door. Drawing No TDP 003 (Floor Plans - Existing planning drawings) illustrates this area to be a storeroom with stairs to the first floor. Therefore, this has not been used as a garage. The planning permission gained for the annex (04/02267/FUL) clearly showed 1 offsite parking space e.g. garage and no internal staircase within this space to gain access to the first floor.

According to Stafford Borough Council car parking standards up to 2 bedrooms requires 1 car parking spaces and 3 or more bedrooms requires 2 car parking spaces. Therefore, if this application were to be approved for the change of use from an annex into a separate dwelling, 3 car parking spaces would be required in total to accommodate number 33 and 34 North Castle Street.

Within the application form under section Vehicle Parking, it states does the site have any existing vehicle/cycle parking spaces or will the proposed development add/remove any parking spaces? This has been answered as NO, however I note on historic Google Street View images show a vehicle parked to the front of the dwelling and given historically a garage was present, this would have potentially been the reason for the access protection marking to identify a vehicle access and make motorists aware that the access is required at all times of day.

Therefore, given the above observations it appears neither property has a legal parking space available.

Given the removal of the garage the applicant needs to advise highways Traffic and Network Team so the access protection marking can be removed and potentially additional on street permit parking bays can be provided. Therefore, if the Planning Officer were minded in approving the planning application highways would require a condition to remove the APM and replace with parking bays, this may require the current traffic regulation order for this street to be amended at the applicants cost.

As stated above within the background information whilst conducting my site visit it was noted as a result of the parked vehicles on the western side of the carriageway between 28-33 North Castle Street the carriageway width is narrow and restricted to manoeuvre around the bend to avoid parked vehicles. I did notice a parking area to the northeast of number 34 North Castle Street however this is not within the red edge boundary and there is no clear reference as to who owns this parcel of land or who is using this area to park their vehicles. It appears that this parcel of land currently provides some level of parking.

Looking at historic google images it would appear that a vehicle has parked within the property boundary lateral to the road. This type of parking is generally not acceptable by the highway authority.

Given the loss of the garage, it would likely result in additional vehicles being displaced onto the highway, thereby increasing pressure on on-street parking and raising further highway safety concerns. Given the above if this application were approved to divide the dwelling into two it will potentially create additional parking demand on the highway network which is already restricted.

If the Planning Officer were minded in approving the planning application highways would require a secure (and weatherproof) cycle parking to be provided to mitigate the lack of parking, this can be in the form of a shed, one for each dwelling. This would need to be shown on any revised drawings so they can be conditioned.

Drawing no TDP-003 (proposed site plan) identifies a shared pedestrian access within the red edge boundary to remain as existing with number 33/34 North Castle Street. It was noted however there appears to be another pedestrian access to the north of 34 North Castle Street however this has not been included within this application, there is no clear explanation as to why this has not been included.

No details have been provided on the submitted drawings as to where the bin storage area will be located. Given the above pedestrian access has been removed from the existing layout, Highways would not wish to see bins being left on the footway fronting either dwelling creating an obstruction to vulnerable users, there needs to be a clear designated area to store/collect bins other than the day of collection being located at the front of the properties.

Recommendations:

This application should be refused for the following reason:-

- The submitted application fails to provide a plan showing off-highway parking / cycle parking to serve the development proposal to separate the annex into a separate dwelling and retain any parking for the existing dwelling.

Reasons:

- Contrary to the objectives and policies contained within the NPPF
- Contrary to the interests of highway safety.

Natural England (summarised):

Designated Sites [European] - no objection subject to securing appropriate mitigation.

Cadent:

No objection. Informative note required.

To prevent damage to our assets or interference with our rights, please add the following Informative:

Note into the Decision Notice:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/our-services/gas-diversions Prior to carrying out works, including the construction of access points, please register on lsbud.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Parish Council:

N/a (Stafford MB)

Neighbours (7 consulted):

1 representation received, comments summarised as:

Fully support the application

Site Notice:

Expiry dates: 16 October 2025

Relevant Planning History

04/02267/FUL Side and rear extensions to form new ancillary living accommodation. Approved.

91/26370/FUL Garage and bedroom extension. Approved.

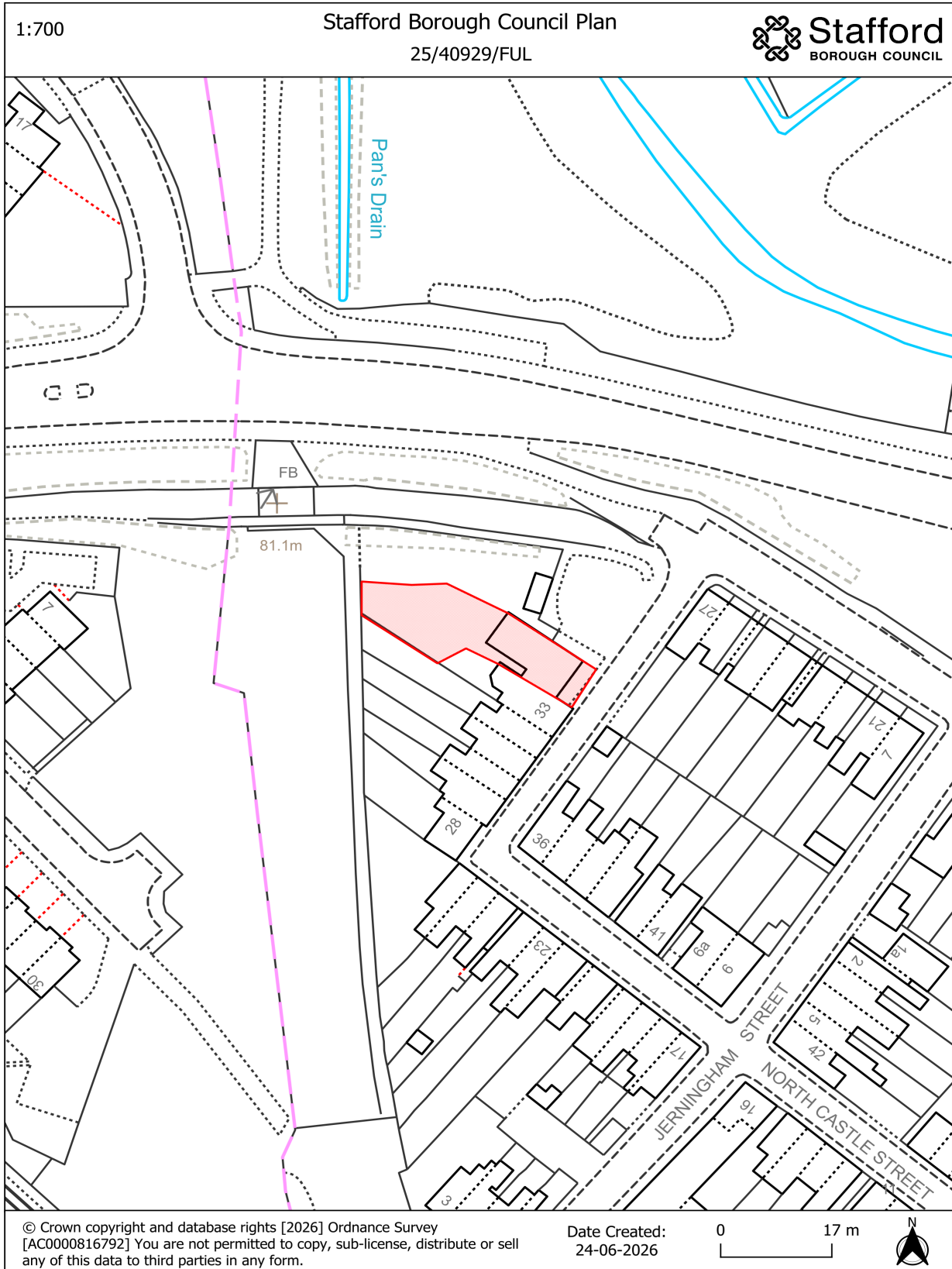
Recommendation

Refuse for the following reasons:

1. The proposed subdivision of the plot is not considered acceptable in terms of the established morphology of the area, resulting in an alien and contrived plot layout that is considered to have an adverse impact on the character or appearance of the surrounding area, contrary to Policy N1 g. of the Plan for Stafford Borough.

2. The proposed subdivision of the plot to create two dwellings fails to provide sufficient on-site parking provision and would further intensify the demand for on-street parking and thus increase the risk of highway danger to all users, contrary to Policies C4 d. and T2 of the Plan for Stafford Borough.

25/40929/FUL
Annex At 33 North Castle Street
Castletown
Stafford



Application:	26/42031/PDEM
Case Officer:	Emily Timmins
Date Registered:	5 March 2026 (previous reference: 26/41837/NDEM)
Target Decision Date:	30 April 2026
Extended To:	9 July 2026
Address:	Wilkinson, Broad Street, Stafford, Staffordshire, ST16 2DB
Ward:	Forebridge
Parish:	-
Proposal:	Prior Approval - Demolition of the structures known as the former Wilkinson's and Shop Mobility
Applicant:	Stafford Borough Council
Recommendation:	That prior approval be granted

Reason for Referral to Committee

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

Site and Surroundings

The application site comprises the former 'Wilko', a two-storey building, the 'Shop Mobility' single-storey building and the Broad Street car park. The site is located to the northwest of Stafford town centre and is bounded by Chell Road to the northwest, Balk Passage to the northeast, Broad Street to the southeast and the Lamb Inn to the southwest.

The Proposal

Schedule 2, Part 11, Class B The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) permits "any building operation consisting of the demolition of a building," subject to conditions and limitations.

B.2 (i) requires that the developer must, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the method of demolition and any proposed restoration of the site.

In this case, the applicant is applying for a determination as to whether the prior approval of the authority will be required as to the method of demolition of the two buildings on site and any proposed restoration of the site. The LPA issued a letter on 31st March 2026 stating that prior approval is required.

Officer Assessment - Key Considerations

1. Consideration in Relation to Regulations

B.1 Development is not permitted by Class B if -

- (a) the building has been rendered unsafe or otherwise uninhabitable by the action or inaction of any person having an interest in the land on which the building stands and it is practicable to secure safety or health by works of repair or works for affording temporary support; - The LPA do not have evidence that the buildings have been rendered unsafe or is otherwise uninhabitable by the action or inaction of any person having an interest in the land on which the building stands.
- (b) the demolition is “relevant demolition” for the purposes of section 196D of the Act (demolition of an unlisted etc building in a conservation area) - NO
- (c) the building is used, or was last used, for a purpose falling within -
 - (i) article 3(6)(p) (drinking establishments etc.) of the Use Classes Order; or - NO
 - (ii) article 3(6)(q) (drinking establishments with expanded food provision) of that Order; - NO
- (d) the building is used, or was last used, for the purpose of -
 - (i) a concert hall; - NO
 - (ii) a venue for live music performance; - NO or
 - (iii) a theatre; - NO or
- (e) the demolition relates to a statue, memorial or monument (“a commemorative structure”) in place for a period of at least 10 years on the date of any proposed demolition, other than a commemorative structure -
 - (i) that is a listed building; - NO
 - (ii) that is a scheduled monument; - NO

- (iii) within a cemetery, on consecrated land, or within the curtilage of a place of public worship; - NO
- (iv) within the grounds of a museum or art gallery; - NO or
- (v) within the curtilage of a dwellinghouse. - NO

2. **Prior Approval Considerations**

Method of Demolition

The application is accompanied by a Demolition Method Survey issued by C&D Engineering Consultants, an Asbestos Demolition Survey issued by RDM Surveys Ltd and a Structural Assessment issued by Sigma Tau Ltd. The method survey covers the scope of the work, sequencing, methodology, asbestos, disposal of materials, mud and debris, health and safety and other environmental matters. Environmental Health have reviewed the submitted documents and raise no objection, subject to a condition to restrict hours of demolition, due to the site's proximity to nearby sensitive receptors.

The Highways Authority raise no objection, having reviewed the submitted method survey. A few representations have been received from the public which raise concern over the loss of car parking during demolition works, including a representation letter from Trinity Church, which raises concern over the impact upon those who visit the church for various activities, including those with disabilities. However, these concerns would fall outside of the remit of the prior approval application, as they do not relate to the method of demolition, and a highway safety issue has not been identified. The Highways Authority state that "the closure of the adjacent public car park is acceptable during this process of demolition with plenty of alternatives in and around Stafford Town Centre."

In terms of ecology, under Regulation 9 of the Conservation of Habitats and Species Regulations 2010, the LPA as the competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive, so far as they may be affected by the exercise of those functions. The application is accompanied by a Preliminary Ecological Appraisal, issued by Tetra Tech Limited, dated 3rd November 2025 which concluded that the site has limited ecological potential, but that a bat emergence survey should be carried out of the former Wilko building, due to it being of low bat roost suitability.

Furthermore, due to the suitability of the building for nesting gulls, it is recommended that any site clearance and demolition should be undertaken outside of the bird nesting season (March to August inclusive). If clearance is to be undertaken during this period, the building should first be checked for nests by a suitably experienced Ecological Clerk of Work (ECoW) in the 24 hours prior to commencement of site clearance.

Subsequently, a Bat and Bird Presence/Absence Survey Report has been submitted, issued by Evolution Ecology Ltd, dated May 2026. No bats were recorded emerging from either building and no evidence of an active bat roost was identified. A Natural England bat license is therefore not required and works should be undertaken in accordance with the ecology survey. No active bird nests were recorded, however it is still recommended that a precautionary pre-demolition nesting bird check be carried out if demolition is to be undertaken during the breeding season. An informative note will be attached to any grant of prior approval to draw the developer's attention to this requirement.

The application site is also located within a SSSI Impact Risk Zone (IRZ), where consultation with Natural England is required for certain forms of development, including Air Pollution: Any development that could cause air pollution or dust either in its construction or operation (including: industrial/commercial processes, livestock and poultry units, slurry lagoons/manure stores). In this case, the proposal is for demolition, rather than construction, therefore it is not considered necessary to consult Natural England on this basis, and the development would not fall within any of the other criteria.

The LPA is therefore satisfied with the proposed method of demolition.

Proposed Restoration of the Site

In terms of the proposed restoration of the site, the method survey states that the site is to be left clean of voids or holes. It is noted that the submitted representations raise concern over the future use of the site, however any future development of the site will be subject to a planning application. Concern raised regarding the loss of public toilets are outside the remit of the prior approval application.

For the purposes of this prior approval application, the details contained within the submitted survey regarding the proposed restoration of the site are considered to be acceptable.

3. Conclusion

To conclude, the details submitted covering the method of demolition and site restoration are acceptable. It is recommended prior approval be granted subject to conditions.

Consultee Responses (summarised)

SBC Environmental Health

The development is located near sensitive receptors. To protect the amenity for these receptors, this unit recommends that:

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.

XCD07 Informative:

Works audible at the site boundary outside these hours may result in the service of Section 60 Notice in accordance with the Control of Pollution Act 1974 restricting the hours as above. Breach of the notice may result in prosecution and an unlimited fine and/or six months imprisonment.

Highways Authority

Comments on information submitted:

During the demolition process, the applicant should adhere to measures outlined within the method statement in order to protect the adjacent adopted highway, footway and cycleways.

The applicant will require licenses from Staffordshire County Council to temporarily close any adopted highway/ footway and cycleways and/or to erect any scaffolding/fencing etc. on or adjacent to any SCC maintained land.

The closure of the adjacent public car park is acceptable during this process of demolition with plenty of alternatives in and around Stafford Town Centre.

Recommendations:

I have no objection (on Highway grounds) to the proposed development.

SBC Ecology and Biodiversity Officer

One bat emergence survey of the former Wilko building is recommended as the building was graded as low bat roost suitability. The survey should be completed between during the bat activity season which runs from May and August. Should a bat roost be identified a full suite of surveys would be required to establish the status of the roost. Demolition works must not occur until the bat survey results are established along with any recommended mitigation measures...

... 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,

If the two urban trees were to be retained within the proposals the site would be considered exempt from a BNG assessment. Should the two urban trees be lost a BNG would need to be completed and a 10% net gain in habitats met. It is recommended that soft landscaping is included within the final layout design to contribute towards BNG. The inclusion of a green and/or brown roof, as well as green walls, should also be explored. The inclusion of bat boxes, bird nest boxes and insect bricks should also be explored within the final design.

It is noted that the comments raised by the Biodiversity Officer in relation to BNG are not applicable to an application made under Schedule 2, Part 11, Class B of the GPDO as this form of application is exempt.

Cadent (picked up application via weekly list)

No objection but informative recommended drawing attention to potential presence of Cadent assets.

Public Consultation

In accordance with The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 11, B.2(b)(iv), a site notice was displayed by the applicant near the land on which the buildings are to be demolished is sited. Three representations were received, raising the following concerns:

- Proposed future development of site
- Consultation with public
- Loss of parking
- Loss of public toilet provision

Relevant Planning History

26/41837/NDEM - Prior Notification - Demolition of the structures known as the former Wilkinson's and Shop Mobility - Prior Approval Required 31 May 2026

Recommendation

Approve subject to the following conditions:

1. The development to which this prior approval relates shall be carried out in accordance with the approved details and documentation within a period of five years from the date on which this approval was given.
2. The development shall be carried out in accordance with the following listed documents / drawings:

B047195 TTE 00 ZZ DR H 0002 P01 (Location Plan)

B047195 TTE 00 ZZ DR H 0004 P01 (Demolition Plan)

Asbestos Demolition Survey (RDM Surveys Ltd) dated 29 October 2025

Demolition Method Survey (202510101/STAFF/METHODOLOGY) (C&D Engineering Consultants) dated 10 October 2025

Preliminary Ecological Appraisal (Tetra Tech) dated November 2025

Bat and Bird Presence/Absence Survey Report (Evolution Ecology Ltd) dated May 2026

Wilko Building and Shop Mobility Structural Assessment (C&D Consultants) dated 10 November 2025

3. 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.
4. The development hereby approved shall be carried out in strict accordance with the recommendations and methods of working detailed within the submitted Preliminary Ecological Appraisal (Tetra Tech) dated Nov 2025 Bat and Bird Presence/Absence Survey Report (Evolution Ecology Ltd) dated May 2026.

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

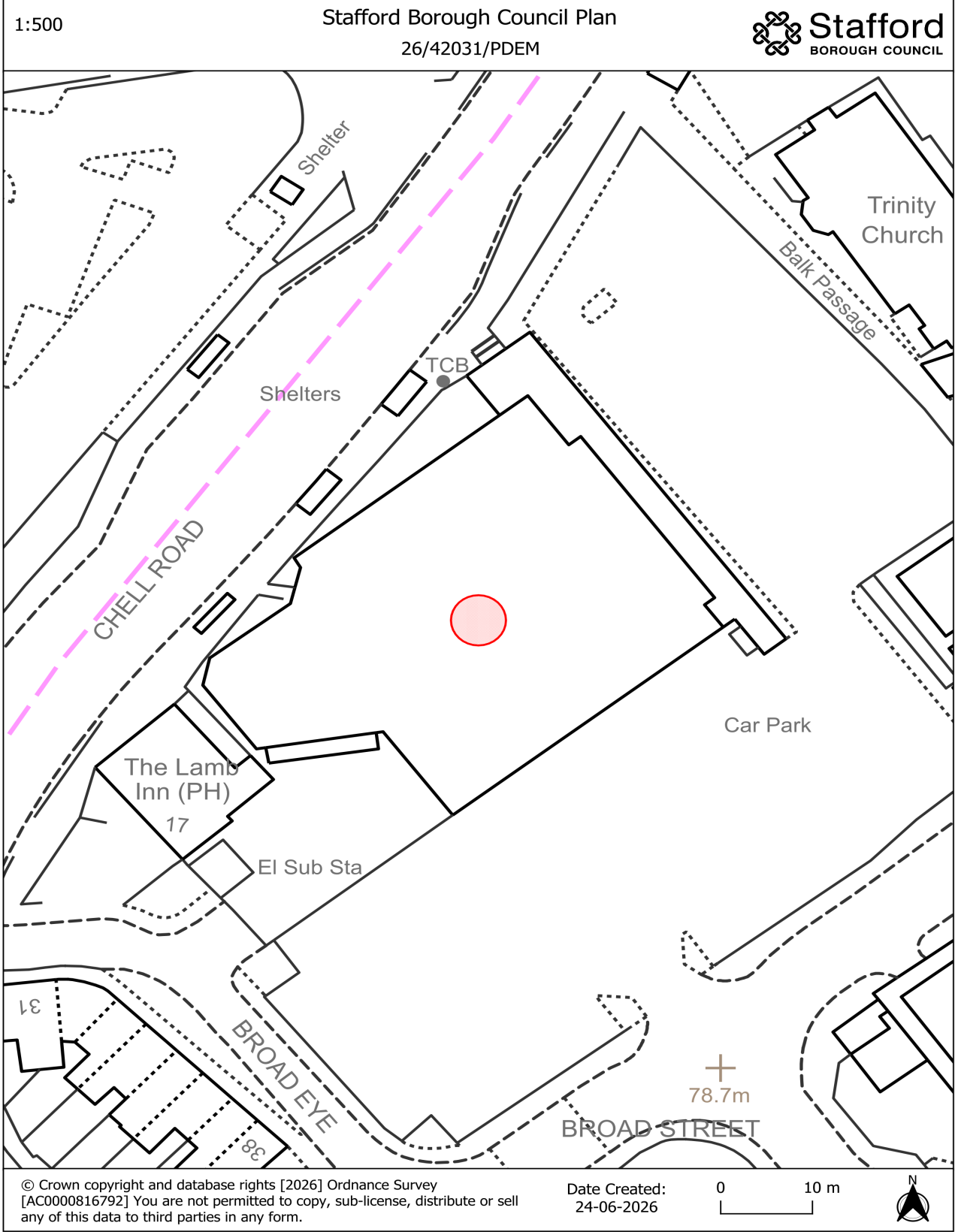
1. To comply with Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.
2. To comply with Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.
3. In the interests of residential amenity. (Policy N1 of the Plan for Stafford Borough).
4. In the interests of safeguarding protected species. (Policy N4 of the Plan for Stafford Borough).

Informatives

- 1 The applicant will require licenses from Staffordshire County Council to temporarily close any adopted highway/ footway and cycleways and/or to erect any scaffolding/fencing etc. on or adjacent to any SCC maintained land.

- 2 Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.
- 3 If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/our-services/gas-diversions
- 4 Prior to carrying out works, including the construction of access points, please register on lsbud.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.
- 5 Works audible at the site boundary outside of the hours stipulated within Condition 3 may result in the service of Section 60 Notice in accordance with the Control of Pollution Act 1974 restricting the hours as above. Breach of the notice may result in prosecution and an unlimited fine and/or six months imprisonment.
- 6 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). If demolition is proposed during the active nesting bird season, a pre-demolition nesting bird check should be undertaken by a suitably experienced ecologist immediately prior to works.

**26/42031/PDEM
Wilkinson
Broad Street
Stafford**



 PLANNING COMMITTEE - 8 JULY 2026

Ward Interest - Nil

Planning Appeals

Report of Head of Economic Development and Planning

Purpose of Report

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

Notified Appeals

Application Reference	Location	Proposal
26/41654/ANX Delegated refusal	Fernbank Cottages 69 Longton Road Barlaston	Replacement of previous garage with new Annex above
25/41603/FUL Delegated refusal	Land East of Lichfield Road Little Haywood	Change of use to dog walking field and associated works

Decided Appeals

Application Reference	Location	Proposal
24/40076/FUL Costs appeal and costs dismissed	Rear of the Surgery Wharf Road Gnosall	Hybrid application seeking outline planning permission for the erection of 19 dwellings with all matters reserved except for means of access and detailed permission for the conversion of a barn into a dwelling
25/40949/FUL Appeal dismissed	Footpath Outside 4 Newport Road Stafford	Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit. Linked with 25/40950/ADV

Application Reference	Location	Proposal
25/40950/ADV Appeal dismissed	Footpath Outside 4 Newport Road Stafford	Two digital 75 inch LCD display screen, one on each side of the Street Hub unit.
25/41392/HOU Appeal dismissed	Moss Fennen Dickys Lane Woodseaves	Construction of new detached double garage
25/41078/PAGR Appeal dismissed	Land South of Whitesytch Cottage Whitesytch Lane Hilderstone	Prior Approval - General purpose agricultural building to be used for the storage of fodder and implements and housing for livestock and lambing in spring
25/40600/FUL Appeal allowed	Land Adjacent Higher Gorsty Birch Farm Stallington Road Blythe Bridge	Retention of two agricultural buildings and access track
4x Multiple Enforcement Appeals at the same site Appeals dismissed	Wolfdale Blurton Road Barlaston Stoke on Trent	Without planning permission on the Land, the material change of use from residential and domestic uses to a mixed use of residential, domestic and the storage of materials for commercial purposes.
25/40936/FUL Appeal Dismissed	The Wood Stallington Road Meir Heath	Retrospective application for change of use of land to private equestrian use, construction of stables, menage and erection of fencing

Previous Consideration

Nil

Background Papers

File available in the Development Management Section

Officer Contact

Sushil Birdi, Development and Policy Manager, 01543 464326



Appeal Decision

Site visit made on 27 May 2026

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 June 2026

Appeal Ref: 6005198

Land off Newport Road, Gnosall, Staffordshire ST20 0BL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) (the Act) against a refusal to grant planning permission for a hybrid application for full and outline planning permission.
 - The appeal is made by Ms Carole Pickin against the decision of Stafford Borough Council.
 - The application Ref is 24/40076/FUL.
 - The development proposed is hybrid application seeking outline planning permission for the erection of 19 dwellings with all matters reserved except for means of access and detailed permission for the conversion of a barn into a dwelling.
-

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mrs Carole Pickin against Stafford Borough Council. This application is the subject of a separate decision.

Preliminary Matters

3. During the Council's determination of the application the appellant submitted, amongst other things, a revised illustrative layout plan, which reduced the number of dwellings being sought under the outline element of the application from 19 to 17. It also included a pedestrian link to Wharf Road and a Biodiversity Net Gain (BNG) mitigation/planning area as well as a footpath along the internal access road. I understand that the Council did not accept this amendment and the application was determined as originally submitted.
4. It has been requested that I consider the revised scheme as part of my determination of this appeal. However, it includes a substantial and fundamental change to the application that was considered by the Council. Considering the revised scheme would cause procedural unfairness to interested parties and deprive those entitled to be consulted on an application the opportunity to make representation. As such, my decision is based on the proposed development considered by the Council when the application was determined. This includes the illustrative layout plan showing 19 dwellings covered by the outline element of the application, and I have taken this plan into account for indicative purposes only.

Main Issues

5. The main issues are the effect of the proposed development on:
 - the character and appearance of the area, including upon green infrastructure;
 - highway safety, with particular regard to footway provision along the south side of Newport Road and the access arrangement on Wharf Road; and
 - whether the proposal would make adequate provision for BNG.

Reasons

Character and appearance

6. There is no dispute between the parties that the site is designated as green infrastructure in The Plan for Stafford Borough 2011-2031 (PSB) and within the settlement boundary of Gnosall. The site is located between Newport Road and Wharf Road, to the rear of traditional cottages, a modern residential development, a community fire station and a hot food takeaway that are positioned towards the junction of these roads. Ground levels rise along its southwestern and northwestern boundaries as well as its northern boundary, where it backs onto existing housing and shares a boundary with Newport Road respectively.
7. The application form states that the site's existing use is grazing land and whilst there was no livestock present at the time of my visit, the condition of the grass with the greater variety of vegetation to much of the site's boundaries gave it a very pleasant rural agricultural landscape. This is also complemented by the low traditional stone wall along Wharf Road. Moreover, due to the open nature of the site's boundary to Wharf Road and at the existing access off Newport Road, it is seen as an open field within a sunken bowl, adding to its landscape quality. Whilst not accessible to the public, the site meets the National Planning Policy Framework's (the Framework) definition of green infrastructure.
8. Except for an area containing an attenuation pond adjacent to the site's boundary with The Rank and a narrow strip of land, containing a seating and play area, next to the existing barn on the site, the illustrative layout plan shows the vast majority of all other undeveloped land within the curtilage of the proposed dwellings. This would result in the loss of the site's existing open countryside character and appearance, which I found to be a rural oasis surrounded by built development and a positive contribution to the locality's sense of place. The urbanising impact of the proposed development would be highly visible from public vantage points as well as surrounding properties. Moreover, due to the site's positioning within the built-up area of Gnosall, its contribution on the character and appearance of the area is unique to this setting.
9. Although matters including landscaping and layout are reserved, on the basis of the evidence before me and from my observations, I am not satisfied that the quantum of development being sought could be delivered on the site in a manner that would be landscape led, which would respect the site's natural features and the wide range of benefits it currently delivers.
10. For the above, reasons, the proposed development would cause significant harm to the character and appearance of the area, including upon green infrastructure.

This would conflict with PSB Policy N1, which includes the need for high design standards that take into account the local character, context, density and landscape. Moreover, it would be contrary to PSB Policy N4, which seeks to protect, enhance and expand the Borough's defined green infrastructure by requiring, amongst other things, new developments to be set within a well-designed and maintained green setting and provide a variety of spaces to meet the needs of people and nature.

Highway safety

11. The Highways Report accompanying the proposals identifies that the frontage accesses to serve the 2 new dwellings off Wharf Road would not be able to achieve the required visibility splays looking to the left out of each access. Research carried out for 'Manual for Streets 2', which found no evidence that a failure to provide visibility in accordance with values recommended in Manual for Streets or the Design Manual for Roads and Bridges actually resulted in an increased risk of injury collisions, is not before me. Moreover, assertions that there are a number of accesses on Wharf Road with restricted visibility splays have not been substantiated. In light of this and the absence of data to demonstrate that the speed of vehicles on Wharf Road is below the 30mph speed limit, I cannot conclude with reasonable certainty that the visibility splays to the new accesses off Wharf Road would not lead to unacceptable harm to highway safety.
12. To the west of the site's existing access off Newport Road, which would be utilised by the proposed development, is a narrow footway. Although it is not suitable to all users, there is an alternative wider footway to the opposite side of Newport Road. Moreover, the footway is wider to the east of the access that leads towards a range of services and facilities as well as bus stops.
13. The provision of footways of suitable width on both sides of Newport Road is clearly desirable, and the appellant has also suggested a pedestrian crossing could be secured via a condition. Due to the alternative footway provision within the immediate vicinity of the Newport Road access, I am satisfied that in this case it would not result in an increase in potential conflicts between pedestrians and vehicles to the detriment of highway safety.
14. In conclusion I have found that the existing narrow footpath to the west of the Newport Road access would not unduly restrict safe and suitable access to the site for all users. This accords with PSB Policy T1 that includes the need to encourage walking and cycling through links to existing routes. However, I have identified harm to highway safety as a result of inadequate visibility splays from the new accesses off Wharf Road. Accordingly, I conclude that the proposed development would have an unacceptable effect on highway safety, with particular regard to the access arrangement on Wharf Road. This conflicts with PSB Policy T2, which requires, amongst other things, all new developments to have safe and adequate means of access and not materially impair highway safety.

BNG

15. Schedule 7A of the Act introduced a statutory framework for BNG and, with some exceptions, every grant of planning permission is deemed to have been granted subject to the Biodiversity Gain Condition (BGC). This requires that at least a 10% increase in biodiversity value is met. It follows that the proposal is subject to the general BGC, as set out in the Act.

16. The submitted Biodiversity Statement and Biodiversity Metric state that the proposal would result in the loss of 3.79 habitat units, which represents a 70.03% negative change. Concluding that it would not be possible to compensate for the loss of habitat within the application site, the statement highlights that at least 4.34 habitat units and 0.01 hedgerow units would be required. In this case it is indicated that this would be achieved off-site and it would also need to meet the metric trading rules. This would be secured by the BGC.
17. I am mindful that the Planning Practice Guidance (PPG) states that it would generally be inappropriate for decision makers, when determining a planning application for a development subject to BNG, to refuse an application on the grounds that the BNG objective will not be met. However, the PPG continues that decision makers may need to consider more broadly whether the BNG condition is capable of being successfully discharged, with matters for consideration including the appropriate balance expected between on-site gains, off-site gains and the use of statutory biodiversity credits for the development, taking account of the Biodiversity Gain Hierarchy.
18. I appreciate the Council's concerns that there is limited information on how the BNG requirement would be achieved. Nevertheless, there is no compelling evidence before me that the 10% increase in biodiversity value could not be delivered off-site. This would be a statutory requirement for later consideration should permission be granted.
19. To conclude, sufficient information has been provided at this stage that the proposal would make adequate provision for BNG.

Other Matters

20. The appeal site falls within the Zone of Influence for the Cannock Chase Special Area of Conservation (SAC), which is a European Site as defined in the Conservation of Habitats and Species Regulations 2017 (as amended). A 'Statement of Willingness' has been submitted in relation to the provision of a final contribution to mitigate the likely negative impacts to the SAC, though there is no mechanism to secure the contribution before me.
21. Whilst details have not been provided by the Council on the European Site, based on my knowledge of the SAC, this approach accords with the mitigation developed for the SAC, and Natural England has raised no objection. Nevertheless, as I have found the appeal scheme would be unacceptable for other reasons, it is not necessary for me to consider whether there would be any likely significant effects on the integrity of the SAC or undertake an Appropriate Assessment.
22. A lack of harm or policy compliance in respect of protected species, flood risk, heritage assets and private amenity space would have a neutral effect, which weigh neither for nor against the proposal.

Planning Balance

23. The Framework states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework. I give significant weight to the conflicts with PSB Policies N1, N4 and T2, which are consistent with the Framework in ensuring that development is sympathetic to local character, incorporates green infrastructure, and has an acceptable impact

on highway safety. As a result, I find that there is conflict with the development plan as a whole.

24. There is no dispute that the Council currently does not have a 5-year supply of deliverable housing sites, and a figure of 3.37 years has been given by both parties. Consequently, paragraph 11 d) of the Framework is applicable. Paragraph 11 d) ii) identifies that planning permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to certain key policies including well-designed places and providing affordable homes.
25. The proposed development would make a positive contribution in the delivery of 19 new build dwellings and a further dwelling in the form of a conversion, that would represent the efficient use of land within Gnosall with access to services and facilities. On this basis, the provision of housing attracts considerable weight in favour of the appeal scheme.
26. There would also be associated social and economic benefits during the period of construction and once the dwellings are occupied, as well as the delivery of BNG. Given the scale of the proposed development, these benefits carry modest weight in support of the scheme
27. In the absence of a legal agreement to secure the delivery of affordable housing, as well as financial contributions towards education and open space provision, I afford this limited weight.
28. I have considered paragraph 73 of the Framework. Nevertheless, not all proposals within existing settlements will be acceptable.
29. On the other side of the balance, there would be significant harm to the character and appearance of the area, including upon green infrastructure, and an unacceptable effect on highway safety, which would be contrary to paragraphs 116 and 135 of the Framework. Given the long-lasting effects on the character and appearance of the area and highway safety, I attribute significant weight to this conflict.
30. Accordingly, having carefully considered the balance of factors, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As such the presumption in favour of sustainable development set out in paragraph 11 d) of the Framework does not apply.

Conclusion

31. The proposal conflicts with the development plan as a whole and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

P Barton

INSPECTOR

Costs Decision

Site visit made on 27 May 2026

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 June 2026

Costs application in relation to Appeal Ref: 6005198

Land off Newport Road, Gnosall, ST20 0BL

- 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 Ms Carole Pickin for a full award of costs against Stafford Borough Council.
 - The appeal was against the refusal of planning permission for hybrid application seeking outline planning permission for the erection of 19 dwellings with all matters reserved except for means of access and detailed permission for the conversion of a barn into a dwelling.
-

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 to incur unnecessary or wasted expense in the appeal process.
3. As evident from the Council's officer report and its response to the appellant's appeal statement, the Council had regard to its housing land supply position, the site's location within the settlement of Gnosall and its proximity to services and facilities, and the built-up nature of the site's immediate surroundings. Moreover, the Council recognised that the site is not publicly accessible and appraised it against the definition of green infrastructure in the National Planning Policy Framework (the Framework) and The Plan for Stafford Borough 2011-2031 (PSB).
4. The Council has exercised a planning balance and articulated its reasoning, having regard to the PSB and other material considerations, including paragraphs 11 d) and 73 of the Framework. The Council has exercised its duty, and it has not prevented or delayed development that should clearly be permitted.
5. The PPG¹ is clear that accepting any amendments on an application after it has been submitted is at the discretion of the local planning authority. The time taken to determine the application was such that it resulted in the application fee being returned, which would have a financial implication for the Council. However, this does not automatically equate to unreasonable behaviour. In this case the Council did communicate with the applicant prior to the submission of the amended information, including its intended recommendation. Whilst I appreciate the

¹ Planning Practice Guidance Paragraph:061 Reference ID: 14-061-20140306

applicant's frustration in this regard, the Council acted reasonably in refusing the application based on the originally submitted details.

6. Whilst I do not share the Council's conclusions on the provision for Biodiversity Net Gain, it is evident from the applicant's submission on the appeal that there has been minimal input into this matter from that originally submitted to the Council with the application. Consequently, I am not persuaded that this has resulted in unnecessary or wasted expense in having to address this matter in the appeal process.

Conclusion

7. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted.

P Barton

INSPECTOR



Appeal Decision

Site visit made on 12 May 2026

by **D Harris-Watkins BA(Hons) PgD MRICS**

an Inspector appointed by the Secretary of State

Decision date: 3 June 2026.

Appeal A Ref: 6005581

Footpath outside 4 Newport Road, Stafford ST16 2HH

- 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 Verity Cheyne of BT Group PLC against the decision of Stafford Borough Council.
 - The application Ref is 25/40949/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: 6005582

Footpath outside 4 Newport Road, Stafford ST16 2HH

- 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 Verity Cheyne of BT Group PLC against the decision of Stafford Borough Council.
 - The application Ref is 25/40950/ADV.
 - The advertisement proposed is installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit.
-

Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. Appeal A concerns the refusal of planning permission to erect a BT Street Hub Unit (Hub). Appeal B concerns the refusal of express consent to display advertisements on the Hub. I have considered each on its individual merits, however, as they raise similar issues I have combined both decisions into a single decision letter.
4. Amended plans have been submitted by the appellant at appeal stage for both Appeal A and Appeal B. The amendment includes relocating the Hub and advertisements further away from the edge of the highway. The appeal process is not intended to be an opportunity to evolve a scheme, and I am mindful of the Procedural Guide: Planning Appeals – England: For appeals relating to applications dated on or before 31 March 2026 (the Procedural Guide). Though this amendment would not require changes to the description and would be located within the red line application site. This change would cause procedural unfairness resulting in prejudice to interested parties by depriving those who should have been consulted on the change the opportunity to comment. As such I

do not accept the amended plans submitted as part of either appeal, and therefore I have determined the appeals on the basis of the plans submitted at the application stage of both appeals.

5. With respect to Appeal B, Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) specify that decisions must be based solely on considerations of amenity and public safety. Therefore, while I have taken the development plan policies referred to by the Council into account, they have not been determinative in respect of Appeal B.

Main Issues

6. The main issues in relation to Appeal A are the effect of the proposed development on:
 - the character and appearance of the street scene, including the Stafford Town Conservation Area (CA) and the setting of the Grade II listed Chetwynd Centre¹ and its individually listed features the Grade II listed war memorial² and the Grade II listed gateways³; and,
 - highway safety.
7. The main issues in relation to Appeal B are the effect of the proposed advertisement on:
 - amenity; and,
 - public safety.

Reasons

Character and Appearance/Amenity

8. The proposals' are located within the pavement of Newport Road, which is situated within the CA towards the periphery of Stafford's town centre. The appellant has contested the location of the appeal site being within the CA, however the revised CA boundary dated 8th December 2011 within the Stafford Conservation Area Character Appraisal 2011 (the Character Appraisal) shows the amended boundary running between the highway edge and the pavement. I have not been provided with any substantive evidence to indicate otherwise, therefore I find the site is located within the CA.
9. The Character Appraisal indicates the CA's significance derives from its urban market town character and range of listed buildings within it, comprising of tightly packed terraced buildings of two or three storeys dating from the 17th century, as well as churches, civic buildings and a range of public houses. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
10. The appeal site sits in close proximity to the Chetwynd Centre, noted as a focal point of the CA within the Character Appraisal. Originally built as a grammar

¹ List Entry Name: The Chetwynd Centre Formerly King Edwards VI School

² List Entry Name: War Memorial at the Chetwynd Centre

³ List Entry Name: Gateways at the Chetwynd Centre

school, with elements of the building dating back to the 1860's, the building features a range of ornate architectural features. Structures within the grounds of the site are also individually listed, these include the Grade II listed gateways with brick pillars and ornate wrought iron gates, as well as the Grade II listed war memorial, which is capped with an obelisk with the former school crest on. The significance of the heritage assets derives from their architectural, archaeological and historic value.

11. The Hub is proposed to be situated within the pavement of Newport Road. When travelling towards the site along Newport Road from the junction with Bridge Street, the Hub would sit in the foreground of the octagonal assembly hall of the Chetwynd Centre and one of the listed gateways. As such the Hub and advertisements would be located in a prominent position both in terms of views appreciating the Chetwynd Centre, and also from an array of vistas within the public realm both within and looking into the CA.
12. In support of the appeal the appellant has stated that the proposed development includes the removal of a telephone kiosk opposite 133a Newport Road and has referenced a range of appeals in conservations areas that include the replacement of existing kiosks⁴. However, I have not been provided with the full details of these to know how directly comparable they are to the current proposal. I also note the kiosk proposed to be removed is not within the appeal site and is a considerable distance from it, and the kiosk does not have illuminated advertisements on. Therefore I am not satisfied this would mitigate the harm arising from the appeal proposals', and I am also not satisfied the proposed condition to secure its removal would meet the six tests outlined within paragraph 57 of the National Planning Policy Framework (the Framework) and advice contained in the Planning Practice Guidance (PPG). This in turn limits the relevance of the highlighted appeals. In any event I have determined the appeal on its own merits.

Appeal A - Character and Appearance

13. With regard to Appeal A, as set out in Section 66(1) of the Act, I must have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest that it possesses. The proposal would be located in the foreground of the Chetwynd Centre and one of the individually listed gateways. Due to its size and positioning it would adversely impact how the Chetwynd Centre and gateway are appreciated, resulting in harm to their setting. It follows the proposal would in turn harm the way the CA is experienced considering the listed buildings form part of its wider significance, and the Chetwynd Centre is a focal point within the CA. The Hub is located some distance from the war memorial, with limited intervisibility between the two, consequently I do not find harm in relation to this aspect.
14. Regarding the Framework's wording, the proposal would have less than substantial harm and would be at the lower end of that category of harm. In accordance with Paragraph 215 of the Framework, when less than substantial harm is found to the significance of a designated heritage asset it must be weighed against the public benefits of the scheme.

⁴ APP/J2373/H/22/3304942 & APP/J2373/H/22/3304943, APP/K5030/H/18/3211267, APP/K5030/W/22/3301224 & APP/K5030/W/22/3301225, APP/L5240/W/21/3285398 & APP/L5240/W/21/3285399, APP/C3105/W/25/3366449 & APP/C3105/W/25/3366450, APP/P4605/W/18/3202341 & APP/P4605/H/18/3201305, APP/L5240/W/21/3287208 & APP/L5240/H/21/3287209.

15. Appeal A would result in a number of public benefits including the upgrading of communications infrastructure through increased Wi-Fi connectivity, the ability to call 999 from the Hub, and to charge devices, as well as the Hub being powered by renewable energy. The area is sufficiently lit however such that I would not consider the overspill lighting to represent a benefit. The proposal would comprise economic, social and environmental benefits, however due to the limited scale of one Hub these benefits would be relatively modest, and there is no indication that they could not be achieved in a less harmful manner than proposed.
16. I note there are a number of other benefits raised by the appellant, how these relate to the displaying of the advertisement rather than the development of the Hub, as such these do not form part of the consideration for Appeal A.
17. Paragraph 212 of the Framework states that great weight should be attributed to the conservation of designated heritage assets. Consequently, the benefits of Appeal A would not outweigh the harm and therefore the proposal conflicts with the Framework.
18. I conclude in relation to Appeal A, the character and appearance of the street scene, the CA and the setting of the Chetwynd Centre and its listed gateway would be harmfully reduced by the proposal. Accordingly, the CA's character or appearance would be neither preserved or enhanced in conflict with Section 72(1) of the Act. It follows as the setting of the listed buildings would not be preserved there would also be conflict with Section 66(1) of the Act. The proposal would also conflict with Policy N1 and Policy N9 both of The Plan for Stafford Borough 2014 (the LP), which seeks among other things to protect the historic environment.

Appeal B - Amenity

19. In relation to Appeal B, PPG and the Regulations state amenity includes the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.
20. The advertisement would be located in the middle of the pedestrian footway isolated from other built form and street furniture other than road signs, and is identified within an area of historic, architectural and cultural interest. Paragraph 141 of the Framework outlines that the quality and character of places can suffer when advertisements are poorly sited and designed. Though I appreciate the appellant's comments that the Hub has been installed in many locations and has won awards for its design, nevertheless that does not mean it is acceptable in all locations. Due to the positioning of the proposed advertisement, it would appear incongruous, resulting in harm to the visual amenity of the area.
21. I acknowledge the advertisements in the locality highlighted by the appellant however I have not been provided with the full details of these. As such I do not know whether they would be directly comparable to the appeal before me now. In any event I have determined the appeal on its own merits.
22. With regard to Appeal B, I conclude the proposed advertisement would have an unacceptable harmful effect on amenity. Though not determinative, I have taken account of Policy N1 and Policy N9 of the LP, which seeks to ensure proposals do not cause harm to visual amenity, as such the proposed advertisement would conflict with these policies.

Appeal A and B - Highway Safety/Public Safety

23. The proposal would be prominently visible when exiting Friars Road looking along Newport Road towards the junction with Bridge Street. The images displayed on the advertisement would change every 10 seconds. It was apparent from my site visit that the junction is relatively busy. Although this was just a snapshot in time, there is no substantive evidence before me to suggest it is different at any particular time.
24. The local highways authority has objected to both proposals' on the basis of the Hub and advertisement being located within the visibility splay of vehicles when exiting Friars Road onto Newport Road, and also that the advertisement would be a distraction to drivers.
25. Though there is signage on the ground floor retail units on Newport Road, the proposals' would stand in isolation within the pavement in the immediate view of highway users when exiting Friars Road onto Newport Road. As such due its positioning, I find with respect to Appeal B the advertisement would likely result in a distraction for users of the highway and would lead to the potential for increased conflict between road users to the detriment of highway safety. In respect of Appeal A and Appeal B the positioning of the Hub and advertisements would also partially obscure visibility in the direction outlined above and would therefore result in harm to highway safety.
26. I am not satisfied the standard and proposed conditions by the appellant in relation to highway safety, would mitigate the harm identified due to the proposal's relationship with its surroundings.
27. In relation to Appeal A, I conclude that the proposed development would cause unacceptable harm to highway safety and would therefore conflict with Policy T2 of the LP, which states that all development must not materially impair highway safety or traffic movement.
28. In relation to Appeal B, I conclude the proposed advertisement would cause unacceptable harm to public safety. Though not determinative, I have taken into account Policy T2 of the LP, of which those aims highlighted above the proposal would be in conflict with.

Other Matters

29. The appellant has highlighted the potential for advertising for local businesses, free services to the council, including the ability to obtain data from the Hub. However, I have not been provided the details of how these would be secured as benefits of the proposals', and I am also not persuaded they would meet the six tests as required by paragraph 57 of the Framework and advice contained in the PPG to be conditioned. The matter the Hub would be inspected and cleaned regularly is a minimum expectation and would not represent a benefit.
30. The appellant has also raised their requirement to meet their Universal Service Obligation (USO) to deliver a public service to provide and maintain publicly accessible call boxes. This does not however override the requirement for proposals to be appropriate for their location, and it has not been demonstrated that the same benefits from the proposal could not be provided in a manner less harmful than proposed.

Planning Balance and Conclusion

Appeal A

31. With regard to Appeal A, the proposed development would contribute towards improving communications infrastructure through the provision of improved Wi-Fi connectivity, a principle of the Framework and the Code of Best Practice on Mobile Network Development in England 2022. It would also provide economic, social and environmental benefits including the provision of emergency messaging, and the ability to call 999 from the Hub. However, these factors would not be sufficient to outweigh the conflict with the development plan.
32. The proposal for Appeal A would conflict with the development plan when read as a whole and no material considerations raised, including the Framework, indicate that the appeal should be decided other than in accordance with it. As such Appeal A should be dismissed.

Appeal B

33. With regard to Appeal B, the proposed advertisements would cause unacceptable harm to public safety and amenity. I am required to consider advertisements only in the interests of amenity and public safety as defined in the Regulations. Consequently, the potential benefits outlined do not provide justification for allowing a proposal which would be harmful to amenity and public safety for the reasons set out above. Accordingly, Appeal B should be dismissed.

D Harris-Watkins

INSPECTOR



Appeal Decision

Site visit made on 12 May 2026

by **D Harris-Watkins BA(Hons) PgD MRICS**

an Inspector appointed by the Secretary of State

Decision date: 02 June 2026

Appeal Ref: 6006530

Moss Fennen, Dickys Lane, Woodseaves, Stafford, Staffordshire ST20 0LB

- 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 A Swierk against the decision of Stafford Borough Council.
 - The application Ref is 25/41392/HOU.
 - The development proposed is construction of new detached double garage.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the proposed developments effect on the character and appearance of the street scene.

Reasons

3. The proposal is for detached double garage located in front of the existing dwelling. Dickys Lane and the surrounding area comprise a range of architectural styles. The proposed garage would be located further back from the highway than the front of the neighbouring Chapel House. This would align with advice within paragraph 8.12 of the Design Supplementary Planning Document 2018 (the SPD) with respect to development not being located forward of the established building line.
4. Paragraph 6.26 and 6.27 of the SPD advises garages should be designed to ensure they do not dominate the property or street scene, and that for garages located in front of the principal elevation, the buildings frontage needs to be sufficiently wide and deep to not impact the setting of the dwelling and the character and appearance of the street scene. The majority of the proposed garage would be located directly in front of the principal elevation of the existing dwelling. Considering the width and depth of the building frontage, and the size and scale of the proposed garage, it would obscure a considerable section of the front of the house and consequently dominate its front elevation. Due to its siting this would cause harm to the street scene and be in conflict with the SPD. I appreciate the footprint of the garage is a relatively standard size for a double garage, however this does not mean it would be appropriate for all locations.
5. The garage would use architectural styles found in the locality, its entrance would be located 90 degrees to the host dwellings front elevation, there would be no gable elevation facing the highway, and matching materials would be utilised in accordance with the SPD. Nevertheless, these factors would not sufficiently

mitigate the harm identified, due to the size and positioning of the proposal in relation to the scale of the building's frontage.

6. I appreciate there is an existing hedgerow which is proposed to be retained; nonetheless the garage would still be visible from the public domain on a range of angles. Considering the proximity of the proposed garage it has also not been demonstrated it could be retained following the construction of the proposal. As such I am not satisfied this would help screen the proposed development moving forward.
7. I acknowledge the appellant has provided a range of examples of development where garages have been located forward of the principal elevation, and they have argued this sets a precedent. The Design SPD nevertheless clearly gives circumstances to which garages can be found acceptable forward of the principal elevation of a dwelling; however, the proposed design does not meet that criteria and consequently I find the proposal would be harmful to the street scene. Of the examples raised where the decision notice and plans have been provided, I note all but one predate the publication of the Design SPD. Though the Design SPD does not form part of the development plan, it is a material consideration and does provide advice on what is considered good design for development on which to base assessment of such sites.
8. Though the garage examples provided with additional details all sit at least partially in front of the principal elevation of their host dwelling, they are all of more sympathetic design to the layout of their respective plots, which is not the case with the appeal proposal. As such they have a different relationship to their surroundings and are materially different to the current appeal proposal. The other garages highlighted by the appellant are indicated as being determined prior to the current development plan being adopted, therefore they were determined during a different planning regime. In any event I have determined the appeal on its own merits.
9. I conclude the proposed development would have an unacceptable harmful effect on the character and appearance of the street scene. As such the proposal would be in conflict with Policy N1 of The Plan for Stafford Borough 2014, which seeks high design standards including taking into account local character and context. The proposal would also conflict with the provisions of the National Planning Policy Framework, which advises development should add to the quality of the area, be visually attractive as a result of good architecture and layout and be sympathetic to the local built environment.

Other Matters

10. The appellant has raised concerns with the Council's behaviour during the course of the application process, however that is a dispute to be resolved between the parties outside of this appeal. The appellant has also stated they would be willing to accept amendments to the proposed design; nonetheless, I must determine the appeal on the basis of the plans before me.

Planning Balance and Conclusion

11. No unacceptable harm has been identified in relation to neighbouring amenity and highway safety; however, these matters are a neutral factor in the determination of the appeal. Though the principle of development is acceptable in this location, this

does not outweigh the conflict with the development plan, which includes the harm identified to the character and appearance of the street scene.

12. The proposed development conflicts with the development plan, and there are no material considerations raised, including the Framework, which would outweigh that harm. For these reasons, the appeal should be dismissed.

D Harris-Watkins

INSPECTOR



Appeal Decision

Site visit made on 27 May 2026

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8 June 2026.

Appeal Ref: 6006614

Land South of Whitesytc Lane, Hilderstone, Stafford ST15 8RD

- 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 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).
 - The appeal is made by Mr D Haynes against the decision of Stafford Borough Council.
 - The application Ref is 25/41078/PAGR.
 - The development proposed is steel framed portal building
-

Decision

1. The appeal is dismissed.

Introduction and Main Issue

2. Schedule 2, Part 6, Class A of the GPDO sets out that agricultural development, including the erection of a building, on units of 5 hectares or more is permitted development, subject to certain restrictions, limitations and conditions.
3. The Council considers the building, which would be used partly for the housing of livestock and lambing in spring, would be within 400m of the curtilage of protected buildings and thereby would not meet the requirement under paragraph A.1.(i) of Schedule 2, Part 6, Class A of the GPDO.
4. Therefore, the main issue is whether the proposal would be permitted development under Schedule 2, Part 6, Class A of the GPDO, with particular reference to its distance from protected buildings.

Reasons

5. Paragraph Class A.1.(i) states that development is not permitted by Class A if it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewerage sludge where the building, structure or excavation is, or would be, within 400m of the curtilage of a protected building.
6. A protected building is defined at paragraph D.1.(1) as any permanent building which is normally occupied by people or would be so occupied, if it were in use for purposes for which it is designed; but does not include- (a) a building within the agricultural unit; or (b) a dwelling or other building on another agricultural unit which is used for or in connection with agriculture.

7. The proposed building would be used for the storage of fodder and implements, such as a tractor, topper, and chain harrow, and housing for livestock and lambing in spring. I understand that the applicant currently has no building on the holding to house the livestock over the winter months due to circumstances that resulted in the need to reorganise the agricultural enterprise and ensure that adequate agricultural infrastructure is available on the holding.
8. There is no dispute between the parties that the dwellings known as Whitesytch Farm, which is also referred to as Whitesytch Cottage, and Little Hardwick Cottage are located within 400m of the proposed building. The Council's case centres on a conversation with the occupier of Whitesytch Farm, where it was claimed that neither they nor their spouse, nor anyone living in the house, are farm workers, and the dwelling is not occupied for the purpose of farming the land. It is also alleged, as a result of the same conversation, that the occupier of Little Hardwick Cottage is not a farmworker.
9. Evidence before me indicates, in the form of a holding number and photographs, that the land at Whitesytch Farm is actively farmed. Moreover, there is correspondence from the person who farms the land and buildings at Little Hardwick Cottage. This is under a fixed term tenancy agreement with an individual of Little Hardwick Cottage. It includes a description of how the buildings and land are used as well as a holding number. It also clarifies that they do not reside at Little Hardwick Cottage.
10. On the basis of the information before me and from my own observations, I am satisfied that that the land at Whitesytch Farm and Little Hardwick Cottage are actively farmed. However, the evidence does not substantiate whether the dwellings in question form part of these respective agricultural units, including whether they are occupied for the purpose of farming the land or by a farmworker. The evidence refers to farming activities on land and within buildings but not specifically the nature of the occupation of these dwellings. Therefore, there is the possibility that the dwellings are not functionally occupied as part of an agricultural unit or in connection with agriculture, meeting the relevant definition and comprising protected buildings.
11. I appreciate the oral nature of the evidence provided by the Council. However, on the basis of all the information before me, I am unable to conclude with reasonable certainty that the dwellings in question are on another agricultural unit which is used for or in connection with agriculture. As such the proposed building would be located within 400m of protected buildings.
12. For the reasons given, I conclude that the scheme does not meet the criteria of paragraph A.1.(i) of Schedule 2, Part 6, Class A of the GPDO. Therefore, the proposal would not constitute permitted development under the GPDO.

Conclusion

13. For the reasons set out above, the appeal is dismissed.

P Barton

INSPECTOR



Appeal Decision

Site visit made on 8 June 2026

by **Andrew Smith BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 June 2026

Appeal Ref: 6007019

Land adjacent to Higher Gorsty Birch Farm, Stallington Road, Blythe Bridge

- 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 A Price against the decision of Stafford Borough Council.
 - The application Ref is 25/40600/FUL.
 - The development is retention of two agricultural buildings and access track.
-

Decision

1. The appeal is allowed and planning permission is granted for the retention of two agricultural buildings and access track at Land adjacent to Higher Gorsty Birch Farm, Stallington Road, Blythe Bridge in accordance with the terms of the application, Ref 25/40600/FUL, subject to the following conditions:
 - 1) The development is hereby permitted in accordance with the following approved plans: 2025-224-001 P5; 2025-224-002.
 - 2) The buildings and any associated areas of hardstanding hereby permitted shall only be used for agricultural purposes.
 - 3) Within 3 months of the date of this decision, a management plan detailing how any possible odour, noise and light nuisance is to be controlled shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall only be occupied in full accordance with the approved management plan.
 - 4) Within 4 months of the date of this decision, the access, passing place and hardstanding as depicted upon the approved Block Plan Ref: 2025-224-001 P5 shall be implemented in full, in complete accordance with construction and surfacing details to have first been submitted to and approved in writing by the local planning authority. The approved details shall be retained at all times thereafter.

Preliminary Matters

2. The proposal is retrospective in nature, in so far as two buildings (the buildings), an associated yard (the yard), and an access track off a shared private drive (the track) are already in situ at the site. I shall consider the appeal on this basis, whilst also noting that additional areas of hardstanding not yet implemented (including works to formalise a passing place alongside the track) are shown on the submitted Block Plan for determination.
3. For the avoidance of doubt, I am satisfied that the site address is accurate and not misleading, notwithstanding the reference made to Higher Gorsty Birch Farm.

Main Issue

4. The main issue is:
 - Whether or not the development represents inappropriate development in the Green Belt.

Reasons

Relevant policy provisions

5. The National Planning Policy Framework (December 2024) (the Framework) states that development in the Green Belt shall be regarded as inappropriate unless it falls within certain specified exceptions. One such exception relates to buildings for agriculture and forestry. In addition, engineering operations, such as the formation of an access track or areas of hardstanding, may also constitute an exception provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Policy SP7 of The Plan for Stafford Borough (2011-2031) (June 2014) (The Plan) confirms that development within the Green Belt will only be supported where consistent with national policies for the control of development.

Buildings

6. With regard to buildings for agriculture, it is important to note that the Framework does not impose limitations relating to size or other factors. For clarity, the requirement within the permitted development regime that buildings must be reasonably necessary for the purposes of agriculture relates solely to considerations of whether a proposal would be permitted development and does not form part of the assessment under this main issue. The key consideration, therefore, is whether the buildings are genuinely for agricultural purposes, rather than whether their scale is proportionate to any livestock enterprise.
7. The buildings are timber-clad structures with sheeted mono-pitched roofs. Building 1 is linear in form and subdivided into three internal spaces. I observed hay bales stored within one area, while another space accommodated machinery including a small tractor with an attached hedge trimmer, alongside ancillary items such as a work bench and a limited number of logs. The modest central partition provides secure storage.
8. Building 2 is L-shaped and contains two enclosed areas housing livestock – I observed lambs in one and a sow with piglets in the other. I witnessed the remaining open-sided section to store additional hay bales, a mini-digger, and other ancillary items. The buildings are positioned at opposite edges of a modest yard, which itself accommodated some machinery and equipment clearly associated with agriculture, including a tractor, hay turners, a post knocker, and a mower.
9. The buildings form part of a grassland holding of approximately 3.54 hectares. The southern portion has been subdivided into paddocks, several of which I observed in active use for grazing sheep, including rams, ewes, and lambs. In view of the manner in which the holding and its buildings are utilised, there are a range of factors that indicate the buildings to serve an agricultural purpose.

10. I have nonetheless noted that the appellant operates a contracting business from a separate location. Whilst I am led to understand that some contracting equipment is, at times, used on the appeal site when required, the appellant has asserted that the site does not function as any form of operational base for that business. Even so, interested parties have raised concerns regarding frequent vehicle movements and the concurrent presence on site of multiple vehicle types. Moreover, it has been suggested that the level of activity resembles a commercial rather than an agricultural use.
11. However, my site inspection, albeit representative of a single snapshot in time, did not reveal any clear evidence of a commercial enterprise in a contracting sense or otherwise. The extent and nature of stored equipment appeared representative of a small-scale agricultural operation, and the buildings themselves offer limited storage capacity. This is especially when noting the manner in which I observed the buildings to accommodate and support livestock. Further, although the sale of items including logs, vehicles, and machinery from the site has been alleged, I observed no notable accumulation of goods indicative of a retail enterprise and regular activities of a sales-related type have not been clearly substantiated.
12. While photographic evidence of vehicle movements has been submitted by interested parties, such material is largely undated and does not, to my mind, provide a suitably comprehensive or reliable record over a precisely defined period. As such, this photographic evidence does not conclusively demonstrate regular commercial activity unrelated to agriculture.
13. Nevertheless, to assist in offering robust assurances in an agricultural use respect, a condition could be imposed should the appeal be successful so as to restrict the use of the buildings and associated areas of hardstanding to agricultural purposes only. This would provide a clear mechanism and point of reference for any possible future monitoring and/or enforcement proceedings.
14. Taking all related matters into account – including the role performed by the buildings in housing livestock, machinery, and feed/bedding, and their integration within an actively managed agricultural holding – I find it reasonable to find that the buildings are for agricultural purposes. The absence of utilities does not undermine their suitability for such use.
15. For the avoidance of doubt, I have found that the buildings meet an inappropriate development exception that does not expressly state a need to assess the effect on openness or whether the buildings conflict with the purposes of including land within the Green Belt. The buildings should not therefore be regarded as harmful in these respects.

Engineering operations

16. The engineering operations include the construction of the track and the yard. These features occupy discreet locations set back from Stallington Road. The track is relatively short and confined to the southern portion of the holding, whilst the yard is centred to the space between buildings. Both the track and the yard are of simple hardcore construction and do not appear overly engineered or visually intrusive. As such, notwithstanding their capacity to receive moving or parked vehicles, the track and the yard do not result in a material loss of Green Belt openness.

17. An extension to the yard is proposed to facilitate turning opportunities and a formal passing place is to be added to the side of the track. These additions would be modest in scale and physically related to existing hardstanding. Subject to a condition securing appropriate construction and surfacing details, I am satisfied that the existing and proposed engineering operations would preserve openness and would not conflict with the purposes of including land within the Green Belt.

Conclusion on main issue

18. For the above reasons, I find that the development does not constitute inappropriate development within the Green Belt. Consequently, for the avoidance of doubt, very special circumstances do not need to be demonstrated in order to justify the development. The scheme accords with Policy SP7 of The Plan and the Green Belt protection policies of the Framework in so far as these policies set out exceptions to development in the Green Belt being considered inappropriate.

Other Matters

19. In terms of the development's effect upon the character and appearance of the area, the buildings are modest in scale, of simple design, and discreetly sited adjacent to a field boundary and near an existing farm complex. They are not visually intrusive and integrate acceptably with the rural landscape. The yard and the track are similarly unobtrusive. Subject to a condition being imposed to control new hardstanding – which I suggest should seek to align with the specification and finishes of both the track and the yard – I am content that the development would not cause harm to the character and appearance of the area.
20. Concerns regarding the absence of any detailed farm business plan or livestock management strategy are noted. However, merely a pair of modestly sized agricultural buildings are the principal focus of this appeal. Further, I am unaware of any clear policy requirement for an essential need to be demonstrated for the form of development that is under consideration (which I note does not include a residential element) at this site in the Green Belt. In any event, based on the scale of the holding and the reported and observed current levels of livestock which could quite legitimately grow in the future, the buildings are reasonably justified.
21. With regard to residential amenity, concerns about noise and disturbance have been noted, particularly given the proximity of nearby dwellings. Thus, in the interests of ensuring the living conditions of neighbouring occupiers are protected, it would be reasonable and necessary to secure a management plan by way of condition in the event the appeal be successful. Such a plan would also secure details of how any potential odour and light nuisance would be controlled. I note that to place a control over lighting would also be in the interests of ensuring the character of the rural area is safeguarded. For the avoidance of doubt, it is anticipated that arrangements for the storage of feed and the disposal of waste bedding shall be covered by the management plan.
22. The implementation of the proposed passing place and extended yard would be securable via condition. Even in the absence of submitted swept path analysis, I am content that these features would facilitate safe vehicle manoeuvring, enabling access and egress in a forward gear. I note that, owing to the modest size and largely self-sufficient nature of the livestock rearing enterprise in question, there is no reasonable expectation of regular movements to and from the site by especially large vehicles such as heavy goods vehicles.

23. While available visibility at the junction with Stallington Road is less than ideal, the shared driveway is well-established and of wide specification adjacent to the highway. Further, there is no clear evidence of a significant intensification in use. In addition, the highway authority, in its latest correspondence (2 December 2026), has not raised an objection to the development. This is a matter of importance as it is they who are responsible for the safety of users of the local highway network.
24. Concerns have been raised that, for the purposes of accessing the site, vehicles encroach on to land that falls outside of the appellant's ownership or control. Further, it has been suggested that the appellant's access rights are more confined than those reflected upon the plans for determination. However, it is apparent that the relevant landowner has been served notice of this appeal and there is no obvious reason to consider that any potential dispute could not be properly dealt with under legislation dealing with private legal rights relating to land ownership and/or rights of access.
25. I have noted concerns related to drainage and the management of surface water at the site. However, as indicated in the Council's Officer Report, it is my understanding that surface water is disposed of to an adjacent ditch via perforated pipework that runs the length of the track and that also serves the yard. Both the track and the yard have permeable surfaces. When also factoring in the modest ground coverage of the buildings, I am satisfactorily content that adequate drainage provisions are and shall be in place.
26. As the land where the buildings, the yard, and the track have been constructed would previously have comprised paddock land with, realistically, a low biodiversity value, there is no reason to consider that the scheme has necessitated harm to biodiversity or protected species. Further, as the proposal is retrospective, there is no mandatory requirement to deliver a 10% biodiversity net gain.
27. It has been suggested that any successful outcome of this appeal could set a precedent for decision-making elsewhere. However, any development proposal must be considered upon its own individual merits based on the specific case and site circumstances to hand. Overall, the scheme accords with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conditions

28. A condition confirming the approved plans is necessary in the interests of certainty. For reasons that I have already identified above, conditions are reasonable and necessary to impose in relation to restricting the use to agriculture, the submission of a management plan, and the details and implementation of hardstanding. On the basis that the management plan and hardstanding conditions require details to be submitted and approved, I have imposed what I consider to be reasonable timeframes for compliance.

Conclusion

29. For the above reasons, the appeal is allowed such that planning permission is granted subject to conditions.

Andrew Smith

INSPECTOR



Appeal Decision

No site visit made

by **A Berry MTCP (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 June 2026

Appeal A Ref: APP/Y3425/C/25/3370794

Appeal B Ref: APP/Y3425/C/25/3370704

Appeal C Ref: APP/Y3425/C/25/3370677

Appeal D Ref: APP/Y3425/C/25/3370714

Land and buildings on the east side of Blurton Road, Barlaston (also known as Wolfdale, Blurton Road, Barlaston, Stoke on Trent, Staffordshire)

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended) (“the 1990 Act”).
 - Appeal A is made by Mr Richard Buxton, Appeal B is made by Mr Clifford Buxton, Appeal C is made by Mr Stephen Buxton and Appeal D is made by Mrs Fenella Critchlow against an enforcement notice (“EN”) issued by Stafford Borough Council.
 - The EN was issued on 11 July 2025.
 - The breach of planning control as alleged in the EN is: Without planning permission on the Land, the material change of use from residential and domestic uses to a mixed use of residential, domestic and the storage of materials for commercial purposes.
 - The requirements of the EN are to:
 1. Cease the use of the Land for commercial storage.
 2. Remove from the Land items stored for commercial purposes, including, though not limited to: red and white coloured ‘Safeway’ vehicle trailer; metal and plastic containers and storage bins; chairs; non-road worthy vehicles and vehicle parts; tent frames; tarpaulins; cardboard; engines and engine parts; ladders; trampoline; wheelbarrows; signboard; stove; car trailers and their contents where used in connection with commercial storage; fencing materials; window frames and glazing materials; drainage and pipework materials; timber and timber pallets; hydraulic lifting equipment; garage door; filing cabinet; heavy duty rope; mobile office/storage container; household goods stored externally from the dwelling with the exception of timber shed, two greenhouse structures marked on the attached plan ‘X’, ‘Y’, ‘Z’; contents of greenhouse type structures; bicycles and bicycle parts.
 - The period for compliance with the requirements is: Six (6) months after this notice takes effect.
 - Appeal A is proceeding on the ground set out in section 174(2)(f) of the 1990 Act.
 - Appeals B, C and D are proceeding on the ground set out in section 174(2)(g) of the 1990 Act.
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Decision

1. It is directed that the EN is corrected and varied by:
 - *the deletion of the words “domestic uses” and “domestic” from section 3 of the EN so that it reads “Without planning permission on the Land, the material change of use from residential to a mixed use of residential and the storage of items for commercial purposes”; and*
 - *the deletion of the whole of step (2) within section 5 of the EN and its substitution with the words “Remove from the Land all items stored for commercial purposes”.*
2. Subject to the correction and variation, the appeals are dismissed and the EN is upheld.

Preliminary Matter

3. The EN has been appealed under grounds (f) and (g) therefore, the planning merits of the development are not relevant to this appeal. As such, a site visit would not help me reach a decision. Consequently, I advised the main appeal parties of my intention to determine the appeals without a site visit.

Appeal A on Ground (f)

4. An appeal under ground (f) is that the steps required by the EN to be taken, or the activities required by the EN to cease, exceed what is necessary to remedy the breach of planning control or any injury to amenity.
5. The breach of planning control includes the terms “*residential*” and “*domestic*” which effectively mean the same thing. “*Domestic*” is therefore superfluous and as such, I have deleted it from section 3 of the EN. As this correction is for precision and does not alter the breach of planning control, I am satisfied that it would not cause injustice to the main appeal parties.
6. The breach of planning control (as corrected) is the material change of use of the land from residential to a mixed use of residential and the storage of items for commercial purposes. The EN seeks the cessation of the commercial storage use and the removal of all items associated with the commercial storage use from the land. Therefore, the purpose of the EN is to remedy the breach of planning control.
7. The appellant of Appeal A raises concern that the list of objects identified to be removed from the land within step (2) of the EN’s requirements includes items that are used to maintain the property and are required in association with the agricultural tie attached to the property. They also assert that step (2) would prevent them from retaining domestic items such as garden furniture, and some of the items listed were removed from the land prior to the EN being issued. Consequently, they consider step (2) of the EN’s requirements to be excessive.
8. The Council assert that the items stored on the land go beyond what might reasonably be expected to be found at a residential property, and there was no indication that any agricultural activity was taking place on the land when the EN was issued.
9. The appellant has not disputed the breach of planning control described within the EN which states that the previous use of the land was solely used for residential purposes. Therefore, I am unaware of any provision for the land to be used for the storage of items associated with an agricultural use. Furthermore, while the land is conditioned to be occupied as an agricultural dwelling, it does not follow that agricultural activity/storage can take place on the land. Consequently, items stored on the land that are not associated with the residential use should be removed to remedy the breach of planning control.
10. I acknowledge that some of the items listed could be used in conjunction with the residential use of the land rather than the breach of planning control. However, step (2) of the requirements is explicit in that it refers solely to items stored for commercial purposes. Nevertheless, it is not necessary for step (2) to list items to be removed, particularly as it is not an exhaustive list and the appellant has indicated that some of these items were not present at the time the EN was issued.

11. The appellant is best placed to know which of the items stored on the land are for commercial rather than residential purposes. Therefore, I have varied step (2) of the EN's requirements to delete the long list of items and substitute it with the words, "*Remove from the Land all items stored for commercial purposes*". As the variation is less prescriptive but seeks the same outcome, I am satisfied that it would not prejudice the main appeal parties.
12. Consequently, I do not find that the EN's requirements (as varied) are excessive to remedy the breach of planning control. Therefore, Appeal A on ground (f) fails.

Appeals B, C and D on Ground (g)

13. An appeal under ground (g) is that the period specified for compliance with the EN falls short of what should reasonably be allowed. The period for compliance specified in the EN is 6 months.
14. The appellants of Appeals B and C do not specify an alternative timeframe for compliance with the requirements of the EN, nor do they state why the 6 month timeframe imposed by the EN is insufficient.
15. The appellant of Appeal D requests additional time to seek legal advice as the land is owned by multiple people (including themselves), but only one landowner is responsible for the breach of planning control who is estranged from the three other landowners (including themselves). However, they do not specify an alternative timeframe.
16. The EN was issued on 11 July 2025. The appellant of Appeal D has therefore had 11 months to seek legal advice, which is already a significant period of time. To afford them a timeframe exceeding 6 months from the determination of this appeal would therefore be unjustified. Furthermore, a period in excess of 6 months is a lengthy period for the harm identified in the EN to persist.
17. Accordingly, I do not find that the compliance period afforded by the EN falls short of what is reasonable. Therefore, the appeals on ground (g) fail.

Conclusion

18. For the reasons given above, I conclude that the appeals should not succeed. Therefore, I shall uphold the EN with a correction and variation.

A Berry

INSPECTOR



Appeal Decision

Site visit made on 8 June 2026

by **Andrew Smith BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 June 2026.

Appeal Ref: 6007142

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

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr. J. Iqbal against the decision of Stafford Borough Council.
 - The application Ref is 25/40936/FUL.
 - The development proposed is change of use of land to private equestrian use, construction of stables, construction of 20 x 40 metre manège, and erection of fencing.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed development has already been implemented, in that stables and a manège have been constructed, perimeter fencing has been erected, and horses occupy the site. I shall therefore determine the appeal on this basis, noting that the scheme is not subject to any mandatory requirement to deliver a 10% biodiversity net gain. For the avoidance of doubt, I have removed the term “retrospective application” from the development description, as this does not constitute an act of development.
3. As part of the appeal, the appellant has submitted a revised site plan¹ annotated to show the intended provision of timber post-and-rail fencing along sections of the site’s southern, eastern, and northern boundaries for the purpose of confining horse movements. Given that these amendments are minor, and that the Council and interested parties have had the opportunity to comment on the revised plan at appeal stage, I am satisfied that no party has been prejudiced by its submission. I am therefore content to accept it for determination purposes. For clarity, the proposed fencing could be secured via planning condition in the event that the appeal was to succeed.
4. At the final comments stage, in response to matters raised in the Council’s Appeal Statement, the appellant sought to introduce further evidence, including revised documents and an updated biodiversity metric intended to demonstrate biodiversity net gain. However, accepting new or revised evidence at such a late stage – particularly evidence central to the determining issues – without affording other parties the opportunity to respond would create a clear risk of procedural unfairness. Accordingly, while the appellant has been able to respond in writing to the Council’s points, no new standalone supporting documents submitted at final

¹ Ref: 1826-AL04E, supersedes 1826-AL04D

comments stage have been accepted for determination purposes. The sole exception is an updated, signed Unilateral Undertaking (the UU).

5. The UU, dated 18 May 2026 and signed by relevant landowners, seeks to secure the delivery of biodiversity net gain measures alongside the payment of a monitoring fee. I return to the UU later in this decision.

Main Issue

6. The site lies within the Green Belt. However, the parties agree that the appeal proposal does not constitute inappropriate development in the Green Belt. I see no reason to disagree and, accordingly, Green Belt matters are not hereby dealt with under a main issue in this appeal.
7. The main issue is:
 - The effect upon biodiversity.

Reasons

8. The site is environmentally sensitive, being at least partially covered by a Woodland Tree Preservation Order² that extends across a wider, predominantly wooded area to the south. The habitats on and around the site are principally broadleaved woodland and modified grassland.
9. Policy N4 of The Plan for Stafford Borough 2011-2031 (June 2014) (The Plan) sets out that the Borough's natural environment will be protected, enhanced and improved via a variety of provisions. One such provision requires that, where damage to the natural environment is unavoidable, development must incorporate mitigation and/or compensatory measures, through the establishment of replacement habitats or features, including appropriate site management regimes. Similarly, the National Planning Policy Framework (December 2024) (the Framework) requires that planning decisions should contribute to and enhance the natural and local environment by, amongst other provisions, minimising impacts and securing net gains for biodiversity.
10. It is relevant that the development proposal follows a previous, dismissed appeal³ relating to development of the same description on the same site. In that case, the Inspector identified harm to biodiversity and conflict with the development plan taken as a whole.
11. The previous Inspector noted that, although aerial imagery suggested that the land on which the manège and stables now stand was not covered by a large number of trees prior to development, the introduction of the access track, manège, and stables would inevitably have resulted in habitat loss and harm. Further, without considering in detail the merits of the approach put before them at that time to deliver a biodiversity net gain, they concluded that off-site biodiversity improvements could not reasonably be secured via condition without firm assurances regarding landowner agreement. I see no reason to depart from these findings.
12. Both the Biodiversity Net Gain Feasibility Assessment (November 2025) (the BNGFA) and Habitat Management and Monitoring Plan (November 2025)

² Tree Preservation Order No 276-2003

³ Ref APP/Y3425/W/25/3361882, dismissed 2 July 2025

(the HMMP) refer to a range of woodland management measures, including grazing exclusions, restoration of functioning understorey, and removal of non-native conifers. Whilst these measures are positive, no biodiversity uplift has been attributed to woodland areas, which are instead treated as retained habitat. This reflects a sound precautionary approach, acknowledging that the baseline for calculating net gain must represent pre-development conditions.

13. The delivery of biodiversity net gain is therefore heavily dependent on a grassland enhancement strategy aimed at transforming modified grassland into species-rich neutral grassland over a 10-30 year period. Proposed measures include annual removal of hay cuttings, establishment of yellow rattle, targeted weed control, and species diversification. The Statutory Biodiversity Metric⁴ predicts an overall uplift of 16.91% in area habitat units.
14. However, the Post-Development Habitat Map⁵ – which defines the location and extents of habitats – is flawed. It identifies woodland and/or neutral grassland in areas located close to the stables and manège (including along the access track) that would be enclosed via a mixture of existing perimeter treatments and new post and rail fencing. These areas would inevitably be subject to grazing, trampling, and disturbance from operational activity. As a result, the full implementation of the woodland and grassland management measures identified in the BNGFA and the HMMP would not be achievable in practice within those mapped areas.
15. The appellant contends that even if these enclosed areas were excluded from the biodiversity calculations, a net gain could still be achieved. Reference has been made to material submitted in connection with a separate enforcement appeal⁶, suggesting that a modest net gain of 0.9% would remain achievable. However, comprehensive detailed supporting evidence is not before me. Moreover, the UU lacks precision, as it does not clearly identify which version of the BNGFA or HMMP is to be relied upon. The versions currently before me, I note, are based on a flawed habitat map.
16. It has been indicated that any deficiencies could potentially be addressed by imposing a planning condition requiring the submission of updated biodiversity documentation within a specified timeframe following any grant of permission. However, where proposed enhancements involve land falling outside of the appellant's control, it is imperative that all such measures – together with management and monitoring arrangements – are clearly secured through a legally binding agreement at the point of decision. This approach aligns with the conclusions of the previous Inspector.
17. For the above reasons, it has not been demonstrated that the development would acceptably mitigate harm to biodiversity or deliver a biodiversity net gain. The scheme conflicts with Policy N4 of The Plan and with the natural environment conservation and enhancement policies of the Framework in so far as these policies seek to minimise impacts on and provide net gains for biodiversity.

⁴ Completed 11 December 2025

⁵ Ref: 25_435 01, dated 9 January 2026

⁶ Ref: 6009968

Other Matters

18. I have noted concerns raised in respect to matters that include animal welfare, land ownership, tree losses, and manure management. However, as I have found the appeal proposal to be unacceptable for other reasons, it is not necessary for me to examine such matters in detail. Moreover, the proposal conflicts with the development plan when read as a whole and material considerations do not lead me to a decision otherwise.

Conclusion

19. For the above reasons, the appeal is dismissed.

Andrew Smith

INSPECTOR