

Dear Members

**Special Planning Committee (Large Scale Major Application)**

A special meeting of the Planning Committee will be held in the **Craddock Room, Civic Suite, Civic Centre, Riverside, Stafford** on **Tuesday 10 December 2024** to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

The Committee will meet at the rear of the Civic Centre and depart at **10.00am** to visit the site(s) as set out in the agenda and re-convene at the Civic Centre at approximately **11.30am** to determine the application(s).

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



Head of Law and Governance

**SPECIAL PLANNING COMMITTEE  
(LARGE SCALE MAJOR APPLICATION)  
10 DECEMBER 2024**

**Chairman - Councillor B McKeown  
Vice-Chairman - Councillor A Nixon**

**AGENDA**

<b>1</b>	<b>Apologies</b>	
<b>2</b>	<b>Declaration of Member's Interests/Lobbying</b>	
<b>3</b>	<b>Planning Applications</b>	<b>Page Nos</b> 3 - 44

**MEMBERSHIP**

**Chairman - Councillor B McKeown**

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

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SPECIAL PLANNING COMMITTEE - 10 DECEMBER 2024

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**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**:-

		<b>Page Nos</b>
<b>23/38211/FUL</b>	<b>Aston Marina, Lichfield Road, Stone</b>	4 - 21
	This application has been referred to the Planning Committee because the development is a large scale major application.	
	<b>Officer Contact</b> - Richard Wood, Development Lead Telephone 01785 619324	
<b>24/39728/PSI</b>	<b>County Hospital, Weston Road, Stafford</b>	22 - 44
	This application has been referred to the Planning Committee because the development is a large scale major application.	
	<b>Officer Contact</b> - 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.

<b>Application:</b>	23/38211/FUL
<b>Case Officer:</b>	Vanessa Blake
<b>Date Registered:</b>	22 April 2024
<b>Target Decision Date:</b>	22 August 2024
<b>Extended To:</b>	-
<b>Address:</b>	Aston Marina, Lichfield Road, Stone, Staffordshire, ST15 8QU
<b>Ward:</b>	Milwich
<b>Parish:</b>	Stone Rural
<b>Proposal:</b>	Proposed installation of ground mounted solar panels and associated works
<b>Applicant:</b>	Aston Marina Ltd
<b>Recommendation:</b>	Approve, subject to conditions

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## **REASON FOR REFERRAL TO COMMITTEE**

This is a large scale major development which is excluded from the scheme of delegation and therefore needs to be determined by Planning Committee.

## **CONTEXT**

### **1.0 Site and surroundings**

- 1.1 The application site relates to land within Aston Marina to the south of the Lichfield Road (A51) within Stone Rural Parish. Aston Marina comprises of a canal marina, restaurant and events space which is bound by the Trent and Mersey Canal to the south, which is a Conservation Area and the A51 to the north.
- 1.2 Aston Marina is predominantly surrounded by open fields although there are sporadic dwellings along the canal and a cluster of dwellings to the east, Aston-by-Stone. There are a number of listed buildings within Aston-by-Stone, Aston Marina is within the setting of the Church of St Saviour (grade II), Parker Jarvis Mausoleum (grade II), Holy Michael Archangel Church (grade II) and Aston Hall (grade II). The settlement of Stone lies to the north of the A51. There is a high-pressure gas pipeline along the A51.
- 1.3 The application site is 2.14ha and is located to the northeast of the complex, adjacent to the A51. The site is currently grassed and the land formation was created as a result of the marina development. The site is outside of any settlement boundary and is within Flood Zone 1.

## 2.0 Background

- 2.1 Planning permission was granted in 2007 for the formation of canal marina (2.18 hectares) and associated facilities including marina reception/chandlery/farm shop building boat yard building, sanitary station, car parking, new access permissive path and landscaping (07/08821/FUL). This was granted a variation in 2010 (09/11517/FUL).
- 2.2 Condition 30 of the permission states:

*“The area edged green on the attached drawing number H0020/A3SK/01A shall be retained as agricultural land and shall not be used for any other purpose or for activities associated with the marina.”*

The reason for condition 30 was ‘to define the permission’ and the application site falls within this land.

## 3.0 Proposal

- 3.1 This application seeks planning permission for the installation of ground mounted solar panels. The 724 panels would cover an area of 0.44ha and be arranged in rows spaced 5m apart. The panels would have a maximum height of 2.5m. The panels would generate 0.3MW of electricity which would be utilised by Aston Marina, partially to serve the new electric vehicle charging points.
- 3.2 The land would be excavated by up to 3m to accommodate the panels and the excavated material would be utilised to regrade the surrounding land, increasing the land height by up to 4m.
- 3.3 The panel area would be bound by a 2m high mesh fence. There would be 2 CCTV camera poles with a maximum height of 4.5m within the site. Landscaping would be provided and a gravel track created at the access to the solar panel area.

## OFFICER ASSESSMENT – KEY CONSIDERATIONS

### 4.0 Planning policy framework

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

### 5.0 Principle of Development

- 5.1 The proposal would generate up to 0.3MW of electricity and therefore falls under the threshold of 50MW for the development to be determined as a Nationally Significant Infrastructure Project.

- 5.2 The proposal also falls within the threshold under Schedule 2, 3(a) Energy Industry of the Environmental Impact Assessment Regulations (EIA) 2017 as the total site area exceeds 0.5 hectares. The development was screened during the consideration of the application and on the basis of the details submitted, it is concluded that the proposal is not likely to have significant effects on the environment given the limited area of the solar panel installation. The proposal is therefore not considered to represent EIA development.
- 5.3 The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development, which is echoed in Spatial Principle (SP) 1 of The Plan for Stafford Borough (TPSB). Paragraph 12 of the NPPF states that:

*“The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making...”*

- 5.4 However, paragraph 188 states:

*“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”*

- 5.5 In this case the site falls within 15km of the Cannock Chase Special Area of Conservation (SAC), therefore it is necessary for the development to demonstrate it has satisfied the Habitats and Species Regulations in that the integrity of the SACs will not be adversely affected, having regard to avoidance or mitigation measures. This issue is addressed later under section 6 of this report.

- 5.6 The NPPF states at paragraph 163:

*“When determining planning applications for renewable and low carbon development, local planning authorities should:*

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to significant cutting greenhouse gas emissions...”*

- 5.7 SP 3 sets out the sustainable settlement hierarchy for the Borough with Policy SB1 establishing the settlement boundaries for the Borough. The site is located outside of any settlement boundary.
- 5.8 SP7 sets out criteria that development outside of settlement boundaries should adhere to. Criterion relevant to this application are that the development should comply with SP6 and E2; not conflict with environmental protection and nature conservation policies and should provide any necessary mitigation or compensatory measures to address any harmful implications.

- 5.9 SP6 seeks to support rural sustainability and promotes the use of sources for renewable energy. Policy E2 seeks to protect the best and most versatile agricultural land (BMVAL) and supports the provision of renewable energy generation in the rural area, in accordance with N3.
- 5.10 Policy N3 supports schemes for the generation of renewable energy where there is no harm to residential amenity, limited adverse impacts on townscape, landscape and heritage assets, no harmful environmental impacts such as emissions, noise, water environment and has been accompanied by decommissioning conditions to allow the site to be restored following cessation of energy production.
- 5.11 The site was significantly regraded during the formation of the marina and is currently grass and scrub land. Best and Most Versatile Agricultural Land (BMVAL) is defined as Grades 1, 2 and 3a, with poorer agricultural land being defined as grades 3b, 4 and 5. The submitted Agricultural Land Statement advises that the site has an agricultural land value of grade 4, possible grade 5. As such, the development would not result in the loss of BMVAL and is acceptable in this regard.
- 5.12 This small-scale energy scheme would generate 0.3MW of electricity to be used by Aston Marina, which would support the expansion of the use of renewable energy. The construction of the development would also support the local economy. The proposal is therefore considered to be acceptable in principle subject to the consideration of other relevant material considerations as discussed in the report.

Polices and Guidance:

National Planning Policy Framework: December 2023

Section 2, 14, Paragraph 188

The Plan for Stafford Borough: 2011-2031

Policies SP1 (Presumption in Favour of Sustainable Development), SP3 (Sustainable Settlement Hierarchy), SP6 (Achieving Rural Sustainability), SP7 (Supporting the Location of New Development), E2 (Sustainable Rural Development), N3 (Low Carbon Sources and Renewable Energy)

The Plan for Stafford Borough: Part 2 2011-2031

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

**6.0 Layout, Appearance and Impact upon Heritage Assets**

- 6.1 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 design, layout and materials.
- 6.2 Policy N3 requires renewable energy schemes to be suitable for the proposed location and not cause harm to the significance of heritage assets and have limited adverse effects on the surrounding landscape and townscape character.

- 6.3 Policy N9 states that development which affects the significance of a heritage asset will not be accepted, and that development is expected to sustain the significance and setting of a heritage asset.
- 6.4 When considering proposals which affect the setting of a Listed Building and Conservation Area regard is to be made to Sections 66 (1) and 72 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 respectively. The sections require the Local Planning Authority to have special regard to the desirability of preserving listed buildings and their settings and preserving or enhancing the character and appearance of conservation areas.
- 6.5 The marina is within the immediate setting of the Trent and Mersey Canal Conservation Area, and in the wider setting of the listed Church of St Saviour (grade II), Parker Jervis Mausoleum (grade II), Holy Michael Archangel Church (grade II) and Aston Hall (grade II) all located to the south-west of the canal and marina.
- 6.6 The proposed cut and fill exercise and the subsequent sunken siting of the panels would result in the solar panels being largely screened from view from the public realm. The regrading of the land would result in the mound being increased in height by up to 4m. This would exert a notable change to the existing landform and character of the site. The regraded land would be landscaped which would soften the appearance of the site and ensure it assimilates well with the wider site context. However, the introduction of woodland landscaping in this location would also change the character of the site and reduce the sense of openness within this portion of the marina site.
- 6.7 The Council's Design Advisor has advised that whilst the regrading of the land and woodland planting would remove the views afforded through the site by passers-by, the impact would be localised and overall openness of the marina site would be retained at the sites entrance and to the open fields to the north. The Design Advisor has advised that the proposal "...*would not completely alter and substantially harm the underlying landscape character of the locality*" or wider landscape and as such has not objected to the scheme.
- 6.8 The panels would be of a standard design and the layout of the panel area would be functional. A condition should be attached to ensure that the panels have a non-reflective finish. During the consideration of the application the proposed boundary treatments were rationalised to a single fence around the panel area. The proposed boundary fence would have an appearance similar to that of deer fencing, however, is proposed as galvanised wire mesh fence. The Conservation Officer has requested that the fencing be wire with timber posts which is considered to be more in keeping with the rural location and should be secured via condition. The applicant has advised they are agreeable to this.



- 6.9 The proposed CCTV camera poles would be sited on the bunds and have a height of 4.5m, which is considered to be excessive. The Conservation Officer has advised that the poles would be visible from the Trent and Mersey Canal Conservation Area and therefore requested that they are reduced in height and have a finish suitable for this rural location. This is considered to be reasonable and necessary and amended CCTV poles should be secured via condition. The applicant has advised they are agreeable to this.
- 6.10 The Canal and River Trust have raised no objections to the scheme, following the submission of amendments and clarification, and advise that the development would have a negligible visual impact upon the canal corridor. The scheme, subject to conditions, is considered to cause less than substantial harm to the setting of the nearby heritage assets.
- 6.11 The development is in close proximity to the A51 which contains a high-pressure gas pipeline. The Health and Safety Executive (HSE) and Cadent Gas have both raised no objections to the proposal and its siting in relation to the gas pipeline. An informative should be included as requested by Cadent Gas.
- 6.12 The submission does not include any decommissioning information and as such in accordance with Policy N3 a decommissioning statement should be secured via condition.
- 6.13 The development, subject to conditions, is considered to be adhere with the development plan and NPPF in this regard and is acceptable with regards to layout, appearance and impact upon heritage assets.

Policies and Guidance:

National Planning Policy Framework: December 2023

Sections 12, 15

The Plan for Stafford Borough: 2011-2031

Policies N1 (Design), N3 (Low Carbon Sources and Renewable Energy), N8 (Landscape Character), N9 (Historic Environment)

Supplementary Planning Document (SPD) – Design

**7.0 Access, Parking and Highway Safety**

- 7.1 Policy T2 states that all new development must have a safe and adequate means of access and internal circulation; not have unacceptable highway safety impacts and provide sufficient parking provision.

- 7.2 The submission includes a Logistic and Construction Traffic Management Plan (LCTMP), which advises that the construction period would be up to 6 weeks and that there would be a maximum of 12 construction workers on site at peak times. The existing Aston Marina vehicle access from the A51 would be used for construction traffic. The LCTMP advises that the construction would require up to 5 HGVs to deliver equipment and machinery, additional vehicle movement would arise from site workers/contractors and small goods vehicle deliveries. Deliveries would be between 09:30 and 16:30 to avoid peak times on the highway network. Proposed construction routes have been provided for the known materials supplier deliveries and for the known groundwork plant contractor. A construction compound would be provided within Aston Marina to serve the development and provide sufficient parking provision for workers. Once operational the development would be unmanned and require occasional maintenance visits.
- 7.3 The Highways Authority have raised no objections to the proposed development and accept the submitted LCTMP. The Highways Authority have advised that the LCTMP should be adhered to through the construction period which can be secured via a condition on any forthcoming permission. The Highways Authority have also raised no objection to the proposed access and construction routes. The development is not considered to have a significant impact on surrounding highway network.
- 7.4 The development, subject to conditions, is considered to be adhere with the development plan and NPPF in this regard and is acceptable with regards to parking, access and highway safety.

Policies and Guidance:

National Planning Policy Framework: December 2023

Section 9

The Plan for Stafford Borough: 2011-2031

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

## **8.0 Flooding and Drainage**

- 8.1 TPSB Policy N2 requires developments to provide sustainable drainage systems and Policy N3 requiring renewable energy schemes to not impact upon the water environment.
- 8.2 The site is located within Flood Zone 1 and is therefore at the lowest risk of flooding. The application is supported by a Flood Risk Assessment (FRA) which demonstrates that the development would not increase the amount of surface run off, nor increase the risk of flooding elsewhere. The proposal does not include any additional drainage provisions nor any areas of hard surfacing. Surface water would infiltrate the ground and during storm events would flow towards the marina basin as per the existing situation.

- 8.3 The Lead Local Flood Authority (LLFA) have raised no objections to the scheme or the submitted FRA. A condition should be attached to ensure compliance with the submitted FRA.
- 8.4 The Canal and River Trust (CRT) have advised that as site drains towards the marina basin there is potential for construction to result in silty run-off entering the canal network. A construction method statement was subsequently submitted. The CRT are satisfied that compliance with the method statement would prevent any silty run-off entering the canal network. A condition should be attached to ensure compliance with the submitted method statement.
- 8.5 Subject to adhering to conditions the proposal is considered to be acceptable with regards to flooding and drainage and adheres to the development plan and NPPF in this regard.

Policies and Guidance:

National Planning Policy Framework: December 2023

Sections 14 and 15

The Plan for Stafford Borough: 2011-2031

Policies N2 (Climate Change), N3 (Low Carbon Sources and Renewable Energy), N4 (The Natural Environment and Green Infrastructure)

**9.0 Ecology and Arboriculture**

- 9.1 Policy N4 states that the natural environment will be protected and that new development where damage to the natural environment is unavoidable must provide appropriate mitigation. Policy N1 requires development to retain significant biodiversity and landscaping features and create new biodiversity areas. To comply with the guidance contained within the NPPF and the Council's biodiversity duty new development must demonstrate that it will not result in the loss of any biodiversity value of the site.
- 9.2 With regards to ecology, the application is supported by a Preliminary Ecological Appraisal (PEA) which concludes that whilst the site has the potential to provide habitat for protected species the development, subject to adhering to the PEA recommendations, should have a limited impact upon protected species. The Council's Biodiversity Officer has raised no objections to the scheme or the findings of the PEA. A condition should be attached to ensure compliance with the PEA.
- 9.3 During the consideration of the application additional information was provided to address the Biodiversity Officer's request for method statements with regards to hedgehogs and great crested newts/reptiles. The Biodiversity Officer is satisfied with the submitted method statement and as such a compliance condition should be attached.

- 9.4 The application was submitted before the introduction of new Biodiversity Net Gain (BNG) legislation (9.10.2023) and is therefore exempt from this requirement. However, the scheme would result in a 46.05% net gain for habitat units and a 65.21% net gain in hedgerow units through the provision of landscaping. This net gain is welcomed. The Biodiversity Officer also requested the submission of a habitat management and monitoring plan via condition to ensure that the new habitats are maintained which has subsequently been submitted. Whilst the Biodiversity Officer is satisfied with the submitted information the Tree Officer has advised that the landscaping maintenance schedule is not sufficient. As such, a revised habitat management and monitoring plan should be secured via condition.
- 9.5 With regards to arboriculture, the proposal would not impact upon any protected trees. The scheme would result in the loss of the existing willow trees within the site however the proposed landscaping would provide sufficient replacement planting. The Council's Tree Officer has raised no objections to the scheme and advised that the proposed landscaping appears acceptable. As requested, a condition should be attached to secure a detailed final landscaping plan and maintenance schedule. Whilst additional information has been to address this matter, the Tree Officer has advised that the submission is not sufficient or detailed enough. As such, the condition, as originally requested, should be attached.
- 9.6 Subject to adhering to conditions the proposal is considered to be acceptable with regards to ecology and landscaping and adheres to the development plan and NPPF in this regard.

Policies and Guidance:

National Planning Policy Framework: December 2023

Section 15

The Plan for Stafford Borough: 2011-2031

Policies N1 (Design), N2 (Climate Change), N3 (Low Carbon Sources and Renewable Energy), N4 (The Natural Environment and Green Infrastructure), N5 (Sites of European, National and Local Nature Conservation Importance)

**10.0 Cannock Chase SAC**

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

- 10.2 Under the provisions of the Conservation of Habitats and Species Regulations 2017, the Local Planning Authority, as the competent authority, must have further consideration to the impact of this development due to the relative proximity on the Cannock Chase SAC. The LPA have completed a Habitats Regulation Assessment which concludes, that given the nature and scale of the proposal, the development is not considered have an adverse effect upon the integrity of the Cannock Chase SAC. On this basis, it is concluded that the LPA have met its requirements as the competent authority, as required by the Regulations and therefore the proposal will comply with the requirements of the Development Plan and the NPPF in this regard.

Policies and Guidance:

National Planning Policy Framework: December 2023

Paragraphs 185-188

The Plan for Stafford Borough: 2011-2031

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

**11.0 Other matters**

- 11.1 Policy N1 requires the design and layout of development to take account of noise and light implications and amenity of adjacent residential areas. The Design SPD also provides guidance on amenity standards and separation distances.
- 11.2 The site is not located within close proximity to residential properties, the closest being over 300m away from the development site. Given the relatively short construction period and limited construction traffic the construction phase of the development is not considered to detrimentally impact upon residential amenity. The development once operational is also not considered to impact upon the amenity of nearby residents.
- 11.3 The site is within 60m of the West Coast Mainline. Network Rail originally objected to the scheme due to concerns regarding glint and glare to the rail line. Following the submission of additional information, which confirms that the development would not result in glint and glare due to the siting and screening of the panels, Network Rail now have no objections to the scheme.
- 11.4 The Police and Fire and Rescue Service have provided advice on a number of safety recommendations. An informative should be included to ensure that the applicant/developer is aware of these. Cadent have also provided an informative which should be included.

Policies and Guidance:

National Planning Policy Framework: December 2023

Paragraph 135

The Plan for Stafford Borough: 2011-2031

Policy N1 (Design), N3 (Low Carbon Sources and Renewable Energy)

Supplementary Planning Document (SPD) - Design

## **12.0 Conclusion and planning balance**

12.1 In conclusion, the proposal is considered to be acceptable in principle and would provide additional renewable energy. The scheme, subject to conditions, is considered to be acceptable with regards to residential amenity, visual impact, flooding, ecology, arboriculture and highways. The scheme, subject to conditions, is considered to cause less than substantial harm to the setting of the nearby heritage assets. The harm is considered to be outweighed by the wider public benefits of providing renewable energy and supporting the construction industry. The proposal is considered to adhere to the development plan and NPPF and is recommended for approval subject to conditions.

### **CONSULTATIONS (summarised)**

#### **SBC Biodiversity Officer:**

22 October 2024:

Satisfied that the submitted information addresses the previous requests for additional information.

23 May 2024:

Satisfied with the submitted Preliminary Ecological Appraisal which includes a Biodiversity Net Gain Assessment and Metric. Recommend avoidance of nesting birds, and that method statements are secured regarding hedgehogs and great crested newts/reptiles. Landscaping should be provided in accordance with the proposed plans to provide a net gain to biodiversity. A Habitat Management and Monitoring Plan must be submitted.

#### **SBC Tree Officer:**

7 November 2024:

The submitted landscaping scheme and maintenance schedule is not detailed enough. Recommend further detail is secured via condition.

6 June 2024:

No objection subject to a condition to secure a landscaping scheme and maintenance schedule.

#### **SBC Conservation Officer:**

7 August 2024:

No objections, subject to conditions to secure revised boundary treatment and reduced CCTV pole height. Recommend condition to ensure panels have a non-reflective finish, implementation and retention of landscaping.

The marina is within the immediate setting of the Trent and Mersey Canal Conservation Area, and in the wider setting of the listed Church of St Saviour (grade II), Parker Jarvis Mausoleum (grade II), Holy Michael Archangel Church (grade II) and Aston Hall (grade II) all located south-west of the canal and marina.

By virtue of the existing topography of the land and the installation being subterranean together with the earthwork bunds and robust landscaping it is unlikely that the panels and most of the associated infrastructure would be visible from any designated heritage assets, and as such there is no conservation objection to the development in principle.

**SBC Design Advisor:**

25 October 2024:

On balance, while the raised mounding and woodland planting of the scheme would have a tangible impact on the character and appreciation of the landscape locally, the scheme does provide very good visual screening and mitigation of the solar panels themselves, and would not, in itself, be so damaging and detrimental to the underlying character and quality of the wider landscape to warrant strong objection.

If battery storage is required in the future, then this should be sited within the sunken solar panel area rather than elsewhere within the site.

**SBC Environmental Health Officer:**

23 June 2024:

No objections.

**SCC Lead Local Flood Authority:**

4 June 2024:

No comments, the submitted Flood Risk Assessment demonstrates that the impermeable area of the site would remain unchanged and despite the cut and fill exercise is unlikely to impact upon the risk of flooding 3rd party areas.

**SCC Highways Authority:**

28 May 2024:

No objection subject to conditions to ensure compliance with the submitted Logistic and Construction Traffic management Plan.

**Canal and River Trust:**

16 October 2024:

The submitted method statements are acceptable, and a compliance condition should be attached. Landscaping condition is still required.

7 August 2024:

No objections, subject to conditions re landscaping, construction method statement.

24 May 2024:

No objections. Recommend conditions to secure CCTV pole details, landscaping provision and management, external lighting details and a construction method statement.

**Network Rail:**

21 June 2024:

No objections. The Network Rail Signal Sighting Engineer has reviewed the application.

22 May 2024:

Holding objection, due to the proximity to the railway we require a glint and glare study to ensure that the solar panels do not impact the perception of railway signalling.

**Health and Safety Executive (HSE):**

5 June 2024:

Do not advise against. Site is within consultation distance of a major hazard pipeline, recommend contacting the pipeline operator.

**Cadent:**

1 May 2024:

No objection, recommend an informative.

**Staffordshire Fire and Rescue Service:**

21 May 2024:

Provide advice regarding fire mains, hydrants, vehicle access and sprinklers.

**Police Designing Out Crime Officer:**

31 May 2024:

No objection.

21 May 2024:

Provide guidance and recommendations regarding safety and reducing opportunities for crime.

**Parish Council:**

1 May 2024:



No objections, it is considered that suitable mitigations have been included within the planning application.

**Neighbours:**

4 consulted: No representations received

**PUBLICITY**

Site Notice expiry date: 31 May 2024

Newsletter Advert expiry date: 5 June 2024

**RELEVANT PLANNING HISTORY**

21/34985/FUL – Extension to existing car park including the provision of 16 electric car charging points – Approved 15 March 2023

09/11517/FUL – Amendments to planning permission 07/08821/FUL incorporating the removal or variation of conditions 2, 4, 5, 6, 16, 20, 29 and 30 – Approved 23 March 2010

07/08821/FUL – Formation of canal marina (2.18 hectares) and associated facilities including marina reception/chandlery/farm shop building boat yard building sanitary station car parking new access permissive path and landscaping – Approved 21 December 2007

Various permissions relating to wider Aston Marina site and usage

**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 authorised by this permission shall be carried out in complete accordance with the approved plans and specification, as listed below, except insofar as may be otherwise required by other conditions to which this permission is subject;

AM.02.01M Site and location plan,

AM.02.03L Proposed site plan,

AM.02.04E Elevations: solar panel, gates, security camera, boundary treatment,

AM.02.05D Solar panel elevations,

01 revision 5 Proposed Landscape Layout,

02 revision 2 Proposed Contours,

03 revision 2 Proposed Cut and Fill.

3. Before the development hereby approved is commenced, a detailed soft landscaping scheme, expanding upon drawing 01 rev 5, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be limited to:

- species, location and density of proposed planting including detailed specification,
- a maintenance schedule to ensure the trees establish.

The approved landscape and planting scheme shall thereafter be implemented within eight months of the development being brought into use.

Any tree, hedge or shrub planted as part of the approved landscape and planting scheme (or replacement tree/hedge) on the site and which dies or is lost through any cause during a period of 5 years from the date of first planting shall be replaced in the next planting season with others of a similar size and species.

4. Before the development hereby approved is commenced, a Habitat Management Plan (HMP) shall be submitted to and approved in writing by the Local Planning Authority. The HMP shall include the following information:

- (a) Proposed management prescriptions for all habitats;
- (b) Assurances of achievability;
- (c) Timetable of delivery for all habitats; and
- (d) A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as a description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary. All ecological monitoring and recommendations for the maintenance/amendment of future management shall be submitted, on application, to and approved in writing by the Local Planning Authority.

The development shall be undertaken and thereafter maintained in accordance with the approved HMP.

5. Notwithstanding any description / details within the application submission, before the installation of the security cameras, revised details shall be submitted to and approved in writing by the Local Planning Authority showing the security camera poles not exceeding 2.5m in height. The development shall thereafter be carried out in accordance with the approved details and retained as such for the life of the development.
6. Notwithstanding any description / details within the application submission, before the installation of the fencing, revised details shall be submitted to and approved in writing by the Local Planning Authority showing the fencing to be of timber posts with wire mesh panels. The development shall thereafter be carried out in accordance with the approved details and retained as such for the life of the development.

7. The land level reprofiling shall be undertaken in accordance with the levels and contouring details shown on drawings 01 revision 5 (Proposed Landscape Layout), 02 revision 2 (Proposed contours) and 03 revision 2 (Proposed cut and fill).
8. The development hereby approved shall be carried out in strict accordance with the Logistics and Construction Traffic Management Plan (ref: AM-SOLAR-PV-AUG-2023) for the duration of the construction programme.
9. The development hereby approved shall be carried out in strict accordance with the Flood Risk Assessment (reference Rev C 15/4/24, produced by ABA Consulting).
10. The construction of the development hereby approved shall be carried out in strict accordance with the recommendations and methods of working, which are detailed within the:
  - Preliminary Ecological Appraisal (produced by Midland Ecology, dated 15 August 2023),
  - Precautionary Working Method Statement - Protected Species (produced by Aston Marina),
  - Method Statement and Pollution Prevention Plan for Aston Marina Solar development. 2024 (produced by A.P. Webb).
11. The solar panels shall have a non-reflective finish for the life of the development.
12. Within 3 months of the cessation of electricity generation, a Decommissioning Scheme shall be submitted to the Local Planning Authority for approval in writing. The Decommissioning Scheme shall include, but not be limited to, the provision for the dismantling and removal from the site of the solar PV panels, frames, foundations, and all associated structures, storage facilities, hard-surfacing and fencing, together with a scheme for the restoration of the land to its former condition and timetable for implementation and completion. The decommissioning shall thereafter be carried out strictly in accordance with the approved scheme.

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 encourage enhancements in biodiversity and habitat, to ensure that any initial plant losses are overcome in order to secure enhancements in biodiversity and habitat. (Policies N1 f, g, h and N4 of The Plan for Stafford Borough).
4. To safeguard existing habitats and biodiversity and to encourage enhancements in biodiversity and habitat. (Policies N1 f, g and N4 of The Plan for Stafford Borough).

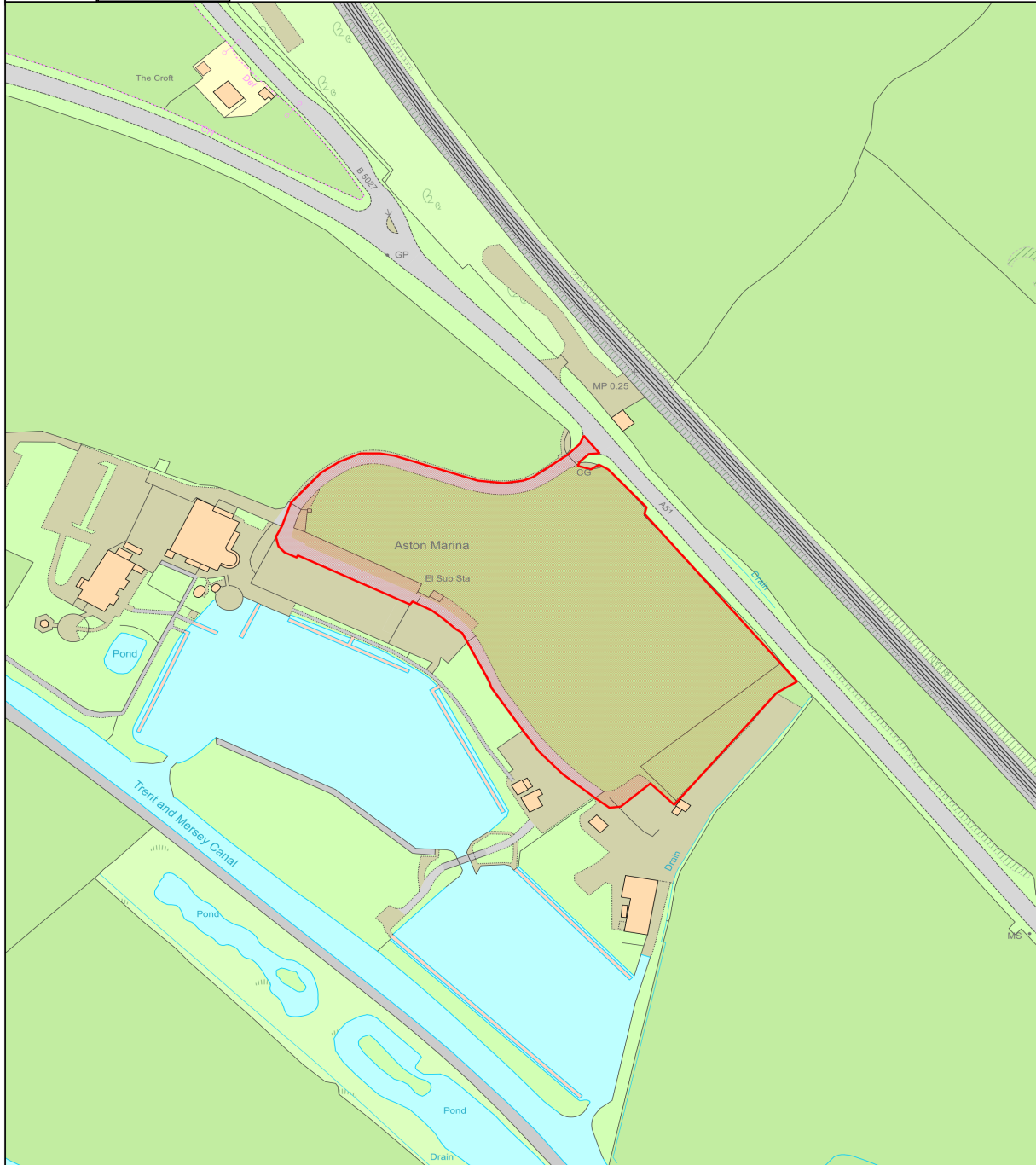
5. To ensure the satisfactory appearance of the development and to safeguard the character of the Trent and Mersey Conservation Area. (Policies N1 g and h and N9 of The Plan for Stafford Borough).
6. To ensure the satisfactory appearance of the development and to safeguard the character and appearance of the Trent and Mersey Conservation Area. (Policies N1 g and h and N9 of The Plan for Stafford Borough).
7. To safeguard the character and appearance of the area. (Policy N1 of The Plan for Stafford Borough).
8. In the interests of the safety and convenience of users of the highway. (Policies T1 and T2 of The Plan for Stafford Borough).
9. To ensure the provision of adequate drainage facilities and to prevent the pollution of any adjacent watercourses, wells and aquifers. (Policy N2 of The Plan for Stafford Borough).
10. In the interests of ecology, biodiversity and protecting the water quality of the canal as waterway habitat. (Policies N2, N3, N4 and N4 of The Plan for Stafford Borough).
11. To ensure the satisfactory appearance of the development and to safeguard the character of the Trent and Mersey Conservation Area. (Policies N1 g and h and N9 of The Plan for Stafford Borough).
12. To ensure restoration of the site following cessation of energy production (Policy N3 of The Plan for Stafford Borough).

#### Informatives

- 1 In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015, as amended, and the National Planning Policy Framework 2023, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 The applicant is recommended to review the comments of the SBC Tree Officer, dated 7 November 2024, with regards to discharging condition 3.
- 3 Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.
- 4 The applicant is advised to note and act upon as necessary the comments of the Staffordshire Fire and Rescue Service dated 21 May 2024 and the Police dated 21 May 2024.

**23/38211/FUL**  
**Aston Marina**  
**Lichfield Road**  
**Stone**

Scale	1:2500	Economic Development & Planning 23/38211/FUL	
Grid Ref	SJ9231,SJ9132,SJ9232		



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<b>Application:</b>	24/39728/PSI
<b>Case Officer:</b>	Ed Handley
<b>Date Registered:</b>	11 October 2024
<b>Target Decision Date:</b>	20 December 2024
<b>Extended To:</b>	-
<b>Address:</b>	County Hospital, Weston Road, Stafford
<b>Ward:</b>	Littleworth
<b>Parish:</b>	-
<b>Proposal:</b>	Construction of breast care unit, plant compound, solar PV, link corridor, landscaping, external lighting, cycle parking, retaining structures, and associated works
<b>Applicant:</b>	University Hospitals of North Midlands NHS Trust
<b>Recommendation:</b>	<ol style="list-style-type: none"> <li>1) Approve, subject to conditions if the Lead Local Flood Authority (LLFA) has, by the time of the Planning Committee meeting, removed their objection.</li> </ol> <p style="text-align: center;">or</p> <ol style="list-style-type: none"> <li>2) In the event of the LLFA maintaining their objection Planning Committee delegate authority to the Head of Economic Development and Planning to approve the application subject to the LLFA removing their objection, the conditions set out in the Agenda and the Committee Chairman agreeing the attachment of any further conditions recommended by the LLFA to resolve the drainage issue.</li> </ol>

## REASON FOR REFERRAL TO COMMITTEE

This is a large-scale major development which is excluded from the scheme of delegation and therefore needs to be determined by Planning Committee.

## CONTEXT

### 1.0 Site and surroundings

1.1 The application site essentially comprises two parcels of land connected by the internal hospital access road off Weston Road.

- 1.2 The proposed breast care unit would be located on the smaller parcel of land in front of the main hospital building and well within the confines of the hospital complex. The breast care unit building would be located between the main and A&E entrances of the main hospital building and be surrounded on all other sides by car parking areas associated with the hospital.
- 1.3 The larger parcel of land comprises an area of green infrastructure and woodland to the southeast of the main building which would provide for the proposed biodiversity net gain enhancements.
- 1.4 The overall site covers an area of approximately 2.9ha within the County Hospital complex.
- 1.5 The application site is predominantly within an amber risk zone for great crested newts with some being in a green risk zone, and 15km of the Cannock Chase SAC (special area of conservation). There are a number of trees within the application site.
- 1.6 Much of the hospital site is built on the 'Cotonhill Asylum Gardens' which is included on the Staffordshire Historic Environment Record. The application site is also within the impact risk zones of multiple SSSIs (sites of special scientific interest) although the proposal is not of a nature or scale whereby Natural England have any interest.

## **2.0 The proposal**

- 2.1 The proposed development comprises the erection of a two-storey building to be used as a breast care unit. The building would have a footprint of approximately 610sqm and be accessed via a link corridor from the main hospital building together with an external exit stair. An external plant compound is proposed along with bike lockers and a re-landscaped garden area to replace the existing redundant grass helipad.
- 2.2 The building (excluding the link and stairs) would have maximum dimensions measuring 31.4m x 19.5m with a height of 9.1m. A solar photovoltaic (PV) system would be provided on the flat roof behind a parapet. Principal materials would comprise wall cladding (in three colour finishes) above a blue-black engineering brick plinth with a single-ply membrane roof covering.
- 2.3 The application is supported by the following technical reports:
  - Ecological report
  - Flood Risk Assessment
  - Arboricultural report
  - CEMP Report
  - Travel Plan
  - Noise and acoustic report

- Site investigation report

## **OFFICER ASSESSMENT – KEY CONSIDERATIONS**

### **3.0 Planning policy framework**

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

### **4.0 Principle of development**

- 4.1 Whilst the settlement boundary for Stafford, where it relates to employment use, has been quashed, the hospital is not an employment use, and the application site is within the settlement of Stafford.
- 4.2 Spatial principle (SP) 7 of The Plan for Stafford Borough states that development or activities of a scale and nature appropriate to secure the sustainability of each settlement will be supported within the settlement boundaries.
- 4.3 The development subject to this application would facilitate the relocation of an existing unit from elsewhere in the hospital to a new bespoke facility to provide care to hundreds of patients per year. It would, therefore, facilitate the operations of the hospital, an existing and vital facility within the town. On this basis the proposal is considered to accord with the provisions of SP7 and whereby the principle of development is acceptable.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs: 7, 8, 10, 11, 100, 127

The Plan for Stafford Borough

Policies: SP1 Presumption in favour of sustainable development; SP3 Stafford Borough sustainable settlement hierarchy; SP7 Supporting the location of new development

The Plan for Stafford Borough: Part 2

Policies: SB1 Settlement boundaries



## 5.0 Character and appearance

- 5.1 The application site is viewed in the context of the existing County Hospital grounds; the wider site is generally well screened from the nearest public vantage points by mature trees. The site is, however, relatively prominent within the grounds given the surrounding ground levels. It is acknowledged that the proposed building would replace a modular building which has recently been removed from the site under 24/39338/NDEM.
- 5.2 Whilst the proposed building is substantially larger and taller than the building it would replace, it is considered that any visual impact would be largely mitigated by it being set lower than the adjacent outpatients building and by the distinctive architecture, which the Council's Design Advisor states would be a notable improvement. The Design Advisor goes on to state that the increased scale, form, and massing of the proposed building would not be so out of keeping with the underlying design qualities and the character of the main hospital buildings or their wider setting to warrant substantive concern.
- 5.3 Whilst raising no objection, some concerns are raised by the Design Advisor with regard to the following:
- 1) Loss of east-west footpath and potential provision of a more direct and generously proportioned route within the proposed garden.
  - 2) Loss of diagonal line of significant Lime trees.
  - 3) Impact on outlook from the first floor accommodation of the outpatients building and introduction of rooftop plant and solar photovoltaic (PV) array on the roof of the proposed building.
  - 4) The need to ensure the use of appropriately high-quality materials.
- 5.4 With regard to point 1, the applicant advises that the desire is to create a quiet landscaped area with seating for contemplation and the landscape improvements would not significantly affect pedestrian travel time through the site. It is acknowledged that routes would remain linking the east and west sides of the application site and that these would be of adequate width and surfaces to provide access for all users.
- 5.5 Concerning point 2, it is noted that this does not comprise an objection from the Design Advisor, merely a comment that in an ideal scenario such trees would remain. Furthermore, the comments of the Council's Tree Officer (as set out in section 5 of this report) must be acknowledged that these trees are assessed to have mechanical root damage and open cavities and that the trees have suffered from neglect during other works over recent years. It is considered that the proposed landscape garden and BNG enhancements would, on balance, compensate for the loss of these trees and it is acknowledged that they constitute a small percentage of the overall structural landscaping of the site. Their loss would not, therefore, be likely to result in significant changes to the visibility of the application site from public vantage points.

- 5.6 In respect of point 3, the applicant has advised that the rooms overlooking the application site from the outpatients building are predominantly offices and elements of external plant have been minimised as far as possible, thereby reducing visual clutter from these vantage points. Notwithstanding this, whilst there are likely benefits to outpatients having attractive views during their recuperation there is no policy reason to require any room within the hospital to benefit from a specific level of outlook. Consequently, it is not considered that such a concern, if left unanswered, would justify the refusal of this application.
- 5.7 With regard to point 4, it is noted that the applicant accepts the need for a condition to secure the provision of precise details or samples of the proposed external materials to ensure that the materials are of an appropriate quality. Subject to such a condition, the Council's Design Advisor raises no objection to the proposed development.
- 5.8 It is noted that a solar PV array is indicated on the roof of the proposed building as is indicative ductwork. It is considered that any approval should, therefore, be subject to conditions to secure precise details of the proposed plant and machinery to be installed on the roof and within the plant compound.
- 5.9 It is considered that the proposed development would replace a modular building of limited architectural merit; it would be distinctive in its appearance and a notable improvement over the previous structures on this part of the site; and would not likely be prominent in any public views given the significant natural screening of the site and its massing being somewhat absorbed into the main hospital building behind. Consequently, it is not considered that the proposed development would result in any undue harm with regard to the character and appearance of the area.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs: 131, 135, 137 and 139

The Plan for Stafford Borough

Policies: N1 Design; N8 Landscape character

Supplementary Planning Document (SPD) – Design

## **6.0 Amenity**

- 6.1 Whilst hedge and tree planting is proposed within the Biodiversity Net Gain (BNG) area in proximity to 149 and 151 Weston Road, the proposed development is a significant distance from any residential property and it would, therefore, not result in any undue harm with regard to visual amenity.

- 6.2 The Council's Environmental Health Officer raises no objection with regard to the application, advising that the noise sensitive receptors identified within the supporting noise report are too far removed from the site to be affected by the predicted noise output from the proposed development. Furthermore, the Council's Environmental Protection Officer advises that whilst the phase 1 and 2 intrusive investigations are satisfactory, section 9 of the phase 2 report advises that ground gas monitoring is to be undertaken and that the results of this assessment should be submitted prior to the approval of any mitigation measures; it is has since been confirmed that such mitigation could reasonably be secured by condition which prohibits any above ground works unless and until an appropriate scheme is approved.
- 6.3 Surface mounted external illumination is proposed around the proposed building. It is acknowledged that the building would be located within an area with existing lamppost lighting and, therefore, given its distance from adjacent residential properties it is not considered that there would be any harm with regard to residential amenity. Furthermore, it is noted that the neither the Council's Environmental Health Officer or Biodiversity Officer raises any concern with regard to the proposed lighting.
- 6.4 No general construction conditions are recommended by the Environmental Health Service and it is not considered that such conditions would be necessary given the size of the hospital complex and the distance of the proposed development from the site boundaries.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs: 135

The Plan for Stafford Borough

Policies: N1 Design

Supplementary Planning Document (SPD) - Design

## **7.0 Access and parking**

- 7.1 The proposal would result in the relocation of the breast care unit to a bespoke building within the site. There is no proposed alteration to the existing vehicular access or car parking provision which surpasses 650 parking spaces for staff and visitors.
- 7.2 The proposed development would not increase the activity of the clinical team and therefore the staff levels and patient numbers would remain similar to the existing arrangement.
- 7.3 The existing cycle parking facilities would be relocated as part of the proposal.

- 7.4 The applicant has submitted a travel plan in support of the application; this plan encompasses the hospital as a whole and aims to realise more sustainable and healthier travel behaviour in staff.
- 7.5 The local highway authority advises that there is adequate parking provision within the hospital grounds to accommodate any additional requirements which may arise from the proposed development. No objection is raised, subject to a condition to ensure that the development is carried out in accordance with the construction method statement which contains measures to mitigate impacts upon the local highway network.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs: 111 and 112

The Plan for Stafford Borough

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

## **8.0 Natural Environment**

### Cannock Chase Special Area of Conservation

- 9.1 The site is within 15km of the Cannock Chase Special Area of Conservation. Due to the nature of the proposal, it is not considered that the development would result in any impact on the reasons for the designation of the SAC; the proposed development is not likely to result in any significant increase in vehicular movement during operation, nor would it result in any net increase in accommodation within 15km of the SAC. The Council is, therefore, not required to carry out an appropriate assessment.

### Net Biodiversity Gain

- 9.2 The proposal would impact an area of modified grassland, introduced scrub, hedgerow and a line of Lime trees; a significant element of this habitat is currently impacted by a temporary site compound and an earlier baseline for existing biodiversity value is therefore used. Planting is proposed within the landscaped garden area and the woodland area. The baseline biodiversity value comprises 3.75 habitat units, 0.12 hedgerow units, and 0.00 watercourse units; the on-site net change is calculated as 1.63 habitat units (43.50%) and 0.05 hedgerow units (38.35%). The Council's Biodiversity Officer raises no objection in this regard and states that biodiversity net gain (BNG) should be secured in accordance with the supporting biodiversity net gain plan.

### Protected species

- 9.3 With regard to other considerations, the Biodiversity Officer is supportive of the proposal, raising no objection subject to conditions. The findings of the preliminary ecological appraisal (July 2024) are acknowledged, and conditions are recommended to secure the provision of 3 Schwegler 1B bird boxes in suitable locations on mature trees within the site, the implementation of mitigation recommendations with regard to a small roost of common pipistrelle bats found within the site, and the provision of suitable means of escape from any excavations left open overnight. Furthermore, it is recommended that the site is landscaped in accordance with the general arrangement plans submitted in support of the application.

### Great Crested Newts

- 9.4 The Newt Officer advises that, whilst the majority of the proposed development would be within the amber risk zone for great crested newts, the proposed development is not likely to result in any impact on great crested newts or their habitats.

### Trees

- 9.5 The proposal would result in the loss of the existing line of pollarded Lime trees, leaving only three trees within the area of the proposed development – T17, Lime; T18, Lime; T21 Cherry. The applicant's arboricultural information indicates that the Lime trees to be removed have mechanical root damage and open cavities as well as being impacted by recent ground level alteration; the Council's Tree Officer considers that this compaction may have arisen from the siting of the temporary construction compound and advises that the assessment of the existing trees may not be entirely accurate. However, whilst these trees form a strong landscape feature, they have clearly not been looked after during various works on the hospital site and it is likely that they have suffered significant harm. The Council's Tree Officer acknowledges that there is significant tree planting proposed, both in the landscaped garden and adjacent to the woodland block, however, significant mitigation in the vicinity is required and should be secured by condition, to include:
- Amendment to the proposed landscaping layout to include suitable species with space to mature. Lime Trees, Field Maple, and Whitebeam are recommended.
  - Additional detail of planting specification to include ground decompaction.
  - Detailed maintenance schedule, to include watering during summer months.
  - Details of specific tree location of bird and bat boxes and method of attachment in order to prevent undue harm to existing trees.
  - Inclusion of the removal of the existing footway (where it lies within a root protection area) in the arboricultural method statement.
  - Retention of landscaping scheme, to include replacement of any loss, for a minimum of five years.

- 9.6 It is noted that securing a revised landscaping scheme by condition would likely impact upon the BNG enhancements; however, the proposed development is currently projecting enhancements significantly greater than 10%, furthermore, it is likely that more appropriate tree species with better spacing and ground conditions are likely to grow into higher value specimens which would further improve the biodiversity value of the site.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs: 8, 124, 158, 159, 180, 185, 186, 187, 188

The Plan for Stafford Borough

Policies: N2 Climate change; N4 The natural environment and green infrastructure; N5 Sites of European, national and local nature conservation importance; N6 Cannock Chase special area of conservation

## **9.0 Other matters**

### Drainage and flood risk

- 9.1 The application site is within flood zone 1; there is very low risk of surface water flooding within the footprint of the proposed building, however the access road within the site boundary is at risk in all surface water risk categories.
- 9.2 Based on the initial submission the Lead Local Flood Authority raised concern and requested further information be submitted to demonstrate that an acceptable drainage strategy can be achieved.
- 9.3 The applicant subsequently submitted a revised flood risk assessment and written response to the concerns raised by the LLFA, including a comment that they had not instructed a CCTV survey of the existing drainage system and a request that this be secured by condition of any approval.
- 9.4 The LLFA confirm that their objection remains, recommending that the application not be approved in the absence of the outstanding information. The reasoning being that the proposed connection point may not be viable, the private network to which the proposal would connect may not be in working order, and that there may not be capacity for additional water within the system.
- 9.5 Further information has been requested from the applicant and it is intended to provide a verbal update on this matter to the Planning Committee.

### Archaeology

- 9.6 The application site is within an area which is identified as comprising part of the former 'Cotonhill Asylum Gardens' which is included on the Staffordshire Historic Environment Record. The application is supported by an archaeological desk-based assessment which concludes that there is some archaeological potential within the application site, specifically from a prehistoric and post-medieval date.

- 9.7 The County Archaeologist advises that the potential of the site does not present an impediment to development and recommends that an appropriately proportionate archaeological mitigation strategy should be secured by condition, to include an archaeological watching brief on foundation trenching or a programme of archaeological trial trenching.

### Cadent

- 9.8 Cadent advise that the proposed development is in close proximity to medium and low pressure assets, however they raise no objection to the proposal. It is considered necessary to attach an informative to any approval to bring to the attention of the applicant the presence of the gas infrastructure and the potential for legal interests in the land which restrict activity in proximity to such assets.

Policies and Guidance:-

National Planning Policy Framework

Paragraphs: 8, 124, 158, 159, 165, 167, 169, 170, 173, 174, 180, 189, 195, 198, 199, 200, 201, 203, 205, 211

The Plan for Stafford Borough

Policies: N2 Climate change; N4 The natural environment and green infrastructure; N5 Sites of European, national and local nature conservation importance; N9 Historic Environment

## **10.0 Conclusion and planning balance**

- 10.1 It is considered that the proposed development accords with the provisions of SP7 and that the principle of the development is acceptable.
- 10.2 The architectural design of the proposed building is considered to be a notable improvement over that within the wider hospital complex and, furthermore, the visual massing of the building would be somewhat mitigated by the relationship with the larger adjacent outpatients building and the mature screen planting around the site.
- 10.3 Subject to conditions to secure a revised landscaping scheme to ensure that there is appropriate replacement for the significant line of Lime trees to be removed, it is considered that the proposed development is acceptable.
- 10.4 As set out in section 9 of this report, at the time the Officer's report was published the Lead Local Flood Authority (LLFA) maintained an objection to the proposal on the basis that the applicant had not demonstrated that a satisfactory drainage scheme can be achieved in the absence of a CCTV survey of the existing drainage network.
- 10.5 On this basis it is recommended that:
- a. Planning Committee resolve to approve the application subject to the conditions listed should the LLFA have removed their objection;

or

- b. In the event of the LLFA maintaining their objection that Planning Committee resolve to delegate authority to the Head of Economic Development and Planning to approve the application subject to the LLFA removing their objection, the conditions set out in the Agenda and the Committee Chairman agreeing the attachment of any further conditions recommended by the LLFA to resolve the drainage issue.

10.6 The above options are suggested to avoid delays in the construction programme in bringing the breast care unit forward, as otherwise the application would need referring back to committee, given the importance of the facility to health care service provision in Stafford Borough.

## CONSULTATIONS

### Design Advisor:

No objection.

- The proposed building would replace a series of temporary (and rather ugly) single storey buildings which occupy the site.
- Although the size and height of the proposed building is substantially larger than those it would replace, it is considered that any impacts would be at least partially (if not largely) mitigated by the building being set lower than the adjacent outpatients building and by the architecture of the proposal being quite distinctive and a notable improvement over the visual aesthetic of the existing structures.
- The increased scale, form, and massing (although more visually present) would not be so out of keeping with the underlying design qualities and character of the main hospital buildings or their wider setting to warrant substantive concern that the proposed building would either be overtly incongruous or damaging to the underlying character of place.
- Overall, there are no significant design-based objections to the siting or broad architectural parameters of the scheme.
- There are finer grained aspects of the scheme which either raise some concern or where consideration would benefit from further clarification:
  - o The existing east-west footpath which facilitates east pedestrian movement would be notably eroded by the scheme. whilst the diagonal footpath would be more or less retained, the loss of the footpath running along the side of the outpatients buildings is more unfortunate, and it is questioned whether the arrangement of pathways within the new garden could facilitate a more direct and generously proportioned east-west route.



- The loss of the significant line of mature trees is unfortunate as they contribute to the wider structural landscape setting of the hospital. However, they constitute a very small percentage of the overall structural landscaping of the site and in combination with the provision of a new, high quality landscaped garden space being created, their loss is not likely to be so detrimental to the overall character and quality of place to warrant substantive objection.
- The function of the first floor rooms of the existing outpatients building is unknown, however there is some concern that outlook from these rooms would be significantly diminished by the scheme as they would overlook the rather unsightly rooftop plant and photovoltaic equipment on the proposed building.
- Whilst there is no inherent objection to the visual aesthetic of the proposed materials, the generic specification annotated on the drawings would necessitate a condition to secure submission of samples of the materials and detailing to ensure they are of an appropriate quality.

### **Highway Authority:**

(Comments dated 8 November 2024):

No objection.

- The content of the construction management plan is acceptable and compliance with this should be secured by condition.

(Comments dated 6 November 2024):

No objection.

- The proposal seeks to facilitate the move of the breast care team to a new compliant facility from their existing none clinically compliant accommodation within County Hospital. As a result, there is no proposed increase in activity for this clinical team therefore the staff levels and footfall is anticipated to be similar to the existing arrangement. Furthermore, the proposal would replace an existing building to be demolished.
- Although parking figures are not given in support of the submission, it is considered that there is still plenty of parking provision within the hospital grounds to accommodate any additional requirements of this proposal.
- The travel plan submitted in support is that which has been implemented for the whole site, and which demonstrates the commitment to encouraging the use of sustainable travel by employees and documents the measures in place. It is not a travel plan specifically designed to mitigate against the proposed development and is not something we could monitor therefore a travel plan monitoring fee should not be requested.
- Prior to the commencement of any construction, a Construction Environmental Management Plan (CEMP) should be secured by condition.

**Lead Local Flood Authority:**

(Comments dated 20 November 2024):

Objection.

- There is still information required to demonstrate that an acceptable drainage strategy is proposed:
  - A CCTV survey of the existing private sewer network from the point of proposed connection up to the point that it connects into the Severn Trent Water network is required to establish connectivity and condition.
  - Details of the capacity of the existing private network and its current load are required to establish if it can accommodate the additional flows being proposed.
  - The swale modelling does not reflect the information in the cross section provided. In the Causeway modelling the swale has height 1m and bed width of 0.8m and in the cross-section height is 0.5m and bed width is 0.5m.
- This information is required prior to determination because the consequences of this being conditioned without survey may include:
  - Approval of a modelled drainage network based on an estimated outfall invert level of 88.4; as this is an estimation, it might not be possible to connect here based on the levels and/or the drainage design may have to fundamentally change from what is proposed to accommodate a different level.
  - If the private drainage network does not route into an ongoing connection (STW/ordinary watercourse/private soakaway) then it is not a viable point of discharge, it would require a change of discharge point and redesign of the drainage strategy as proposed. Furthermore, without survey it is assumed that the private network is operating satisfactorily at the moment so there would be no issues, however, addition of water without knowledge of point of outfall or condition of the system may cause flooding to a system that may operate currently but any additional flows may cause it to become overloaded.
  - It has not been demonstrated that the private drainage is in full working order without a condition survey; it could be partially collapsed, in which case it would need to be restored or replaced – if this is not possible it would require a change of discharge point and redesign of the drainage strategy as proposed.
  - It has not been demonstrated that there is sufficient capacity in the pipe to convey the extra flows being added as a result of these proposals. In the absence of capacity, a change of discharge point and redesign of the drainage strategy would be required to avoid the risk of flooding.

(Comments dated 5 November 2024):

Objection.

- The application site is within flood zone 1; there is very low risk of surface water flooding within the footprint of the proposed building; the access road within the site boundary is at risk in all surface water risk categories.
- There is no known past flooding information and no watercourse within 5m of the site.
- Further information is required to demonstrate that an acceptable drainage strategy is proposed:
  - o Consideration of above-ground SuDS instead of an attenuation tank.
  - o Demonstration of connectivity and condition of existing private surface water sewer network from the point of connection to the Severn Trent Water network.
  - o Detail of the capacity of the existing private network and its current load to demonstrate it can take further additional flows.
  - o Further details on exceedance flows.
  - o Further detail to be including within modelling.

**Biodiversity Officer:**

No objection.

- Countryside Consultants undertook a preliminary ecological appraisal during July 2024.
- The bat survey and impact assessment report includes the results of emergence surveys from the summer of 2024 which found a small roost of Common pipistrelle within the avenue of Lime trees. Mitigation recommendations should be carried out as stated, including bat box installation.
- During construction, any excavations left open overnight should be provided with a means of escape for mammals.
- Three Schwegler 1B bird boxes should be installed in suitable locations on mature trees around the site.
- Nesting birds should be adequately protected (or avoided) during works.
- Biodiversity net gain should be secured in accordance with the submitted Biodiversity Net Gain Plan, 16 October 2024.
- The planning statement (paragraph 5.41) states, *“A Biodiversity Metric Assessment has been completed to support the application. The proposed ecological impact of the development has been assessed and a planting scheme proposed to mitigate against the losses. The BNG confirms that a 43.50% habitat and a 38.35% hedgerow change will be provided as a result of the development.”*
- Landscaping around the new building should be in accordance with the EDP Landscape General Arrangement plans.

**Newt Officer:**

(Comments dated 17 October 2024):

No objection.

- It is not likely that the proposed development would result in any impact on great crested newts or their habitats.

**Tree Officer:**

No objection.

- There are numerous trees on site which are assessed within the supporting arboricultural method statement.
- There is a prominent line of pollarded Lime trees of notable significance which cuts across the site. It is suggested that there has been recent ground level alteration and excavation within their root protection areas and that every tree has mechanical root damage and open cavities. It is suspected that this might not be the case for every tree as the detail is bulleted and succinct.
- The ground compaction is assumed to be from the surfaced footpath but could also be caused by the construction compound currently in place.
- All (but one) of these trees has fair or poor physiological condition recorded which may not be a fair and reasonable assessment.
- Whilst the trees are a strong landscape feature, ongoing work at the hospital has resulted in scant regard to these trees and may have led to significant harm.
- The proposal has taken no account of the tree cover on site, simply choosing to removal all but three trees (T17, Lime; T18, Lime; T21 Cherry). It seems peculiar that these trees are to be retained, however they are shown to be for retention.
- The installation of the no-dig footway would be within their root protection area (RPA). There is no mention of the removal of the existing footway within the RPA – this will need to be specified in the method statement as it has potential to lead to significant damage to the trees if traditional methods are used. This must be a specific activity within the method statement with control methods detailed.
- The installation of the no-dig footway is covered by the supervision of the arboricultural clerk of works.
- There is significant tree planting proposed, some for the re-landscaped site and some adjacent to the block of protected woodland adjacent to Weston Road.
- Significant damage could result from installation of boxes on trees. Detail of attachment should be secured.
- Hedgerow planting mix includes Blackthorn which may be problematic at suckering and small-leaved Lime which is usually a tree species growing within a hedgerow.

- The landscape strategy includes very small trees which would be of little consequence in the landscape. It is important that a significant number of trees that will have space to achieve replacement to landscape loss are shown. This is important towards the edges of the site where currently trees are shown approximately 8m apart and with a crown spread of 2.5m to achieve significance, the trees need to be broader spreading and be planted further apart.
- The benefits of the line of Lime trees is considered high in both landscape and amenity terms. There is also an overriding and well-researched benefit from having such things in close proximity to recuperating patients.
- As the scheme is not considering that benefit and simply chooses to remove the Lime trees, strong mitigation in the vicinity is required.
  - o Clarification regarding either method of attachment or specific tree location of bird and bat boxes within woodland TPO area is required to prevent undue harm being caused to the trees
  - o Amendment to the proposed landscaping layout require to include suitable species and space to mature. Lime trees would be a good choice as these are being removed, however, diversity to include Field maple and Whitebeam may also be useful additions to species.
  - o There will be a need to be a planting specification that will have to include ground decompaction given the comments in the AMS and the use of much of the area proposed to be landscaped site being used as a site compound.
  - o There will also need to be a maintenance schedule that includes watering during the summer months.
- Subject to the slight addition to the AMS regarding removal of the existing footway, it is recommended that the application be approved, subject to conditions to secure:
  - o Compliance with tree protection plans and AMS.
  - o Landscaping scheme to include details and location of proposed planting with a maintenance schedule, and details regarding ground suitable for unrestricted roof growth.
  - o Retention or replacement of landscaping scheme for five years.

**County Archaeologist:**

No objection.

- The supporting information is suitably comprehensive and concludes that there is some archaeological potential within the application site, specifically from a prehistoric and post-medieval date (potential to impact buried features associated with the formal gardens associated with Cotonhill Asylum).

- The archaeological potential of the site does not present an impediment to development. An appropriate and proportionate archaeological mitigation strategy should be secured by condition; to include an archaeological watching brief on foundation trenching or a programme of archaeological trial trenching.

**Environmental Health Officer:**

(Comments dated 6 November 2024):

No objection.

- The identified noise sensitive receptors are too far removed from the site to be affected by the predicted noise output from the proposed development.

**Environmental Protection Officer:**

(Comments dated 18 November 2024):

No objection.

- The ground gas assessment can be secured by condition.

(Comments dated 12 November 2024):

- The phase 1 and 2 intrusive investigations are satisfactory, however I cannot find the ground gas assessment results addendum referred to on page 12 of the Phase 2 report. This should be reviewed before recommending discharge / advising mitigations.

**Cadent:**

No objection.

- The proposed development is in close proximity to medium and low pressure assets.
- An informative should be attached to any approval to bring this matter to the attention of the applicant.

**Neighbours:**

One representation received in support of the proposed development, raising the following points:

- There should be step-free access to the A&E department.
- Pedestrian signage should be provided along the new routes to indicate where the main entrance and A&E entrances are located.
- Three lampposts will need to be relocated to facilitate safe pedestrian access.

**PUBLICITY**

Site notice expiry date: 7 November 2024

Newsletter advert expiry date: 13 November 2024

## **RELEVANT PLANNING HISTORY**

24/39338/NDEM – Demolition of modular office building (corporate services) – Prior approval not required 29 July 2024

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

HB0012-GDA-V8-00-DR-A-9901 P04 Site location plan

HB0012-GDA-V8-ZZ-DR-A-9903 P04 Proposed site plan

HB0012-GDA-V8-00-DR-A-9904 P04 Demolition site plan

HB0012-GDA-V8-00-DR-A-9911 P03 Proposed GA ground floor plan

HB0012-GDA-V8-BS-DR-A-9912 P02 Proposed GA lower ground floor plan

HB0012-GDA-V8-RF-DR-A-9913 P02 Proposed GA roof plan

HB0012-GDA-V8-ZZ-DR-A-9914 P02 Proposed elevations (sheet 1 of 2)

HB0012-GDA-V8-ZZ-DR-A-9915 P02 Proposed elevations (sheet 2 of 2)

HB0012-GDA-V8-ZZ-DR-A-9916 P02 Proposed sections (sheet 1 of 2)

HB0012-GDA-V8-ZZ-DR-A-9917 P02 Proposed sections (sheet 2 of 2)

HB0012-GDA-V8-ZZ-DR-A-9918 P03 Site sections (sheet 1 of 2)

HB0012-GDA-V8-ZZ-DR-A-9919 P03 Site sections (sheet 2 of 2)

HB0012-GDA-V8-ZZ-DR-A-9930 P02 Internal door / screen and security reference plans

HB0012-CDLL-V8-EX-DR-E-6301 P01 Proposed external lighting layout

The Bike Storage Company - Horizontal two bike locker product specification

3. No development shall commence, unless and until a project design has been submitted to, and approved in writing by, the local planning authority. The project design shall provide details of the programme of archaeological works to be carried out within the site, including post-fieldwork reporting and the provision of post-demolition analysis, publication, and dissemination of the results and archive deposition. The archaeological site work shall thereafter be implemented in accordance with the approved project design and timeframes contained therein.
4. No above ground construction shall commence unless and until a scheme of mitigation measures to be supported by the conclusions of the ground gas assessment set out at section 9 of the Phase 2 Site investigation (M24-023 revision 1) has been implemented after having first been submitted to, and approved in writing by, the local planning authority.
5. Notwithstanding any description/details of external materials in the application documents, no construction works above ground shall be commenced until precise details or samples of the materials to be used in the construction of the external wall(s) and roof(s) of the building(s) have been submitted to and approved in writing by the Local Planning Authority.
6. No development shall be carried out in the root protection area of any retained tree unless and until a revised arboricultural method statement (AMS) has been submitted to, and approved in writing by, the local planning authority. The revised AMS shall include the removal of the existing footway. Thereafter, the development shall be carried out in accordance with the approved AMS and tree protection measures contained therein.
7. The development shall be carried out in accordance with the Construction Method Statement (HB0012 BCU) by Vinci Construction.
8. Notwithstanding any description / details in the application documents and before any external plant and machinery or extract/ventilation system (including external ducting) is installed, details of their location, design, materials and colour finish shall first be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.
9. Within 12 months of the development hereby approved first being brought into use the site shall be landscaped in accordance with a soft landscaping scheme which shall first be submitted to, and approved in writing by, the local planning authority. The soft landscaping scheme shall be broadly in accordance with drawing HB0012-EDP-V8-00-DR-L-0001 P01 (landscape general arrangement) and shall include details and location of proposed planting; maintenance schedule to ensure establishment of trees; and details to demonstrate how planted trees shall have sufficient ground suitable for unrestricted root growth for the planted trees to their approximate maximum perceived crown spread.



10. Any plants, trees, or shrubs in the landscaping scheme which are removed, die, or become seriously damaged or diseased within a period of 5 years from the date of planting shall be replaced with others of a similar size and species in the next planting season unless the local planning authority gives written consent to any variation.
11. Within one month of the development first being brought into use, a minimum of three Schwegler 1B bird boxes and five bat boxes shall be installed in accordance with details which shall first have been submitted to, and approved in writing by, the local planning authority. The details shall include the specific tree location and the method of attachment.
12. The development shall be carried out in accordance with the biodiversity measures set out within section 6 of the preliminary ecological appraisal (reference HB0012-COUN-ZZ-XX-SU-Y-0001 P01) by Countryside Consultants.
13. Any excavations which are left open overnight shall be provided with a means of escape for mammals.

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

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.
3. In order to ensure that an appropriate record is kept of a heritage asset in accordance with paragraph 205 of the National Planning Policy Framework.
4. In order to ensure that adequate provision is made to safeguard human health. (Paragraph 189 of the National Planning Policy Framework and policy N1e of The Plan for Stafford Borough).
5. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
6. To enable the Local Planning Authority to consider the scheme of development and the landscaping proposals in relation to the existing trees and hedges. (Policy N4 of The Plan for Stafford Borough).
7. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
8. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
9. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
10. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).

11. In order to ensure that the development results in a net gain in biodiversity and that no undue harm is caused to existing trees. (Paragraph 180 of the National Planning Policy Framework and policy N4 of The Plan for Stafford Borough).
12. In order to ensure that the development results in a net gain in biodiversity. (Paragraph 180 of the National Planning Policy Framework).
13. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 180 of the National Planning Policy Framework).

### BIODIVERSITY GAIN CONDITION

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun as it is not exempt from the mandatory Biodiversity Gain Condition. Further information about how to comply with this statutory condition is set out below.

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 has the effect that planning permission is deemed to have been granted subject to the “biodiversity gain condition” which means that the development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: [www.gov.uk/guidance/submit-a-biodiversity-gain-plan](http://www.gov.uk/guidance/submit-a-biodiversity-gain-plan)

Details of the planning authority:

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, in respect of this permission would be Stafford Borough Council.

Statutory exemptions and transitional arrangements:

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at: [www.gov.uk/guidance/biodiversity-net-gain](http://www.gov.uk/guidance/biodiversity-net-gain)

Requirements relating to irreplaceable habitat:

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans, please see the link: [www.gov.uk/guidance/irreplaceable-habitats](http://www.gov.uk/guidance/irreplaceable-habitats)

The effect of Section 73(2D) of the Town and Country Planning Act 1990, (as amended):

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:


- i. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.
- iii. habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

Where development is to proceed in phases and the modifications in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply, a statement to that effect and to the effect that Biodiversity Gain Plans are required before development may be begun (the overall plan) and required before each phase of development may be begun (phase plans).

#### Informatives

- 1 In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015, as amended, and the National Planning Policy Framework 2023, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 The applicant's attention is drawn to the comments of Cadent. All comments can be viewed online through the planning public access pages of the Council's website ([www.staffordbc.gov.uk](http://www.staffordbc.gov.uk)).
- 3 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).

**24/39728/PSI**  
**County Hospital**  
**Weston Road**  
**Stafford**

Scale	1:2500	Economic Development & Planning 24/39728/PSI	
Grid Ref	SJ9323		



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