

Dear Members

### **Planning Committee**

A meeting of the Planning Committee will be held on **Wednesday 25 June 2025** at **6.30pm** in the **Craddock Room, Civic Centre, Riverside, Stafford** to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

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



Head of Law and Governance

## **PLANNING COMMITTEE - 25 JUNE 2025**

**Chairman - Councillor A Nixon**

**Vice-Chairman - Councillor S N Spencer**

### **AGENDA**

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

Details of Delegated applications will be circulated separately to Members.

	<b>Page Nos</b>
5 <b>Planning Applications</b>	3 - 59
6 <b>Planning Appeals</b>	60 - 62
7 <b>Enforcement Matters</b>	-

### **MEMBERSHIP**

**Chairman - Councillor A Nixon**

B M Cross	A R McNaughton
P C Edgeller	A Nixon
A D Hobbs	M Phillips
J Hood	A J Sandiford
R A James	S N Spencer
R Kenney	

ITEM NO 5

ITEM NO 5

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PLANNING COMMITTEE - 25 JUNE 2025

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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>22/36231/OUT</b>	<b>Stonefield Works, Oulton Road, Stone, ST15 ORS</b>	4 - 59
	<b>Officer Contact</b> - (Lead Officer, John Holmes, Development Management Manager), Telephone 01785 619302	

### **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>	22/36231/OUT
<b>Case Officer:</b>	John Holmes
<b>Date Registered:</b>	2 September 2022
<b>Target Decision Date:</b>	2 December 2022
<b>Address:</b>	Stonefield Works, Oulton Road, Stone, ST15 ORS
<b>Ward:</b>	St. Michaels and Stonefield
<b>Parish:</b>	Stone Town
<b>Proposal:</b>	Outline application for the demolition of existing buildings and redevelopment of the site for residential development of up to 114 dwellings, public open space and associated works (all matters reserved except for access).
<b>Applicant:</b>	Hitachi Energy UK Limited
<b>Recommendation:</b>	Approve, subject to conditions and the completion of a 106 Agreement.

## UPDATE SINCE PLANNING COMMITTEE DEFERRAL

### 1.0 Introduction

- 1.1 The application was deferred by Planning Committee on 23 October 2024 for the following reasons:
1. Proposal does not fully meet policy N9. Further clarification required of the evidence in the submitted Options Analysis and Retention Strategy for the potential retention of the central portion of the main building facing Longton Road as a non-designated heritage asset.
  2. Deficiencies for sports provision in Stone not reflected in the officer report. Reconsult to query the absence of any identified sites or schemes, and question whether there is a scheme at Alleynes School which forms part of the dual use of the site which may comply with NPPF para 57 and CIL Regulation 122(2).
  3. Reconsultation required with Seven Trent Water in relation to the proposed drainage strategy, and in particular seek confirmation from Seven Trent Water that the drainage system below Cross Street can accommodate any additional run off.

- 1.2 The applicant has submitted further clarification of the evidence in the submitted Options Analysis and Retention Strategy for the potential retention of the central portion of the main building facing Longton Road as a non-designated heritage asset.
- 1.3 In addition, following the publication of an updated version of the National Planning Policy Framework (hereafter referred to as the 'Framework') in December 2024, the applicant has provided a note which identifies the changes in the Framework which are relevant to the consideration of this application.

## **2.0 Development Plan Framework**

- 2.1 Section 38(6) of the 2004 Planning and Compulsory Purchase Act and Section 70 of the Town and Country Planning Act 1990, as amended, require decisions to be made in accordance with the development plan unless material considerations indicate otherwise.
- 2.2 The Development Plan for the purposes of this application comprises The Plan for Stafford Borough 2011-2031 Parts 1 and 2 (TPSB), and the Stone Neighbourhood Plan.
- 2.3 When the application was considered by Planning Committee on 23 October 2024 the December 2023 version of the Framework was current. A revised version of the Framework was published on 12 December 2024. This therefore needs to be taken into account in the determination of this application rather than the December 2023 version referred to in paragraph 2.2 of the previous report.
- 2.4 The December 2024 version of the Framework places more emphasis on the delivery of new housing including the use of brownfield land. Paragraph 125(c) of the Framework (previously paragraph 122 in the December 2023 version) has been revised and now states:

Planning policies and decisions should:

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, *proposals for which should be approved unless substantial harm would be caused*, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

The words in italic text have been inserted in the December 2024 version of the Framework.

- 2.5 Another significant change is in relation to the 5-year housing land supply situation. Whilst paragraph 2.8 of the previous report stated that as at March 2024 the Council could demonstrate a 8-year supply of housing land against the Local Housing Needs as calculated within the adopted Local Plan Strategy, a new standard methodology is now being used to calculate the local housing need, which has resulted in the Council no longer having a 5-year land supply. As of 12 December 2024, the day on which the current version of the Framework was published, the Council has a 3.65-year supply of housing land.

- 2.6 Because the Council does not have a 5-year housing land supply and the Policies in The Plan for Stafford Borough which relate to the supply of housing are more than 5 years old, these policies are not up to date and as such the 'tilted balance' is engaged where the National Planning Policy Framework's 'presumption in favour of sustainable development' is applied for decision taking as set out in paragraph 11 of the Framework.
- 2.7 Paragraph 11 of the Framework amongst other things, requires the following:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
  - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
    - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
    - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

### 3.0 Reasons for Deferral of the Application

#### Reason 1

*Proposal does not fully meet policy N9. Further clarification required of the evidence in the submitted Options Analysis and Retention Strategy for the potential retention of the central portion of the main building facing Longton Road as a non-designated heritage asset.*

- 3.1 At the Planning Committee meeting on 23 October 2024 a significant part of the debate focused on the Council Conservation Officer's consultee responses which advised of a strong conservation objection to the principle of the wholesale demolition of the factory complex. At paragraph 4.6 of the officer's report, it stated that, "The Conservation Officer advised there was no document submitted with the application to indicate whether a scheme had been explored to retain and adapt the existing factory for re-use as residential or retain the frontage of the factory including the boundary walls. In addition, no viability data or cost analysis has been submitted to demonstrate whether it would be cost effective for a scheme for re-use of the existing building".
- 3.2 Members considered that the applicant had failed to consider whether a scheme could be brought forward that would allow for the retention in whole or part, and for re-use for residential development, the frontage of the factory (including the boundary walls). Whilst officers advised that an Options Analysis and Retention

Strategy Report was submitted which was referred to in section 4 'Heritage Assets' of the report, the Committee resolution to defer consideration of the application included a request for further clarification of the potential retention of the central portion of the main building.

- 3.3 The applicant's agent has responded advising that an Options Analysis and Retention Strategy Report was submitted in February 2023 which considered a range of options ranging from retention of the full factory complex to its complete demolition. The pros and cons of each option were explored and on balance it was considered that from a heritage and placemaking perspective, the optimum solution would be to remove the factory complex but to reference the history of the site through interpretation boards/recording/street names; and, the re-use within a future redevelopment proposal of the existing boundary walls, gates and railings from the Site's Stone Road boundary. The applicant considers this will maintain elements of the local history of the site while providing for its efficient and sustainable redevelopment.
- 3.4 The applicant's agent has pointed out that the starting point for consideration of the potential retention of the central portion of the main building is that there is no requirement, in either local or national planning policy terms, for this proposal to retain the existing frontage building, or part of it, because it is a non-designated heritage asset. It is further suggested that the Conservation Officer has misinterpreted the provisions of national planning policy, because it is only in scenarios where a proposal would lead to substantial or less than substantial harm to a designated heritage asset that the need to take into account and secure the 'optimum viable use' of a building comes into consideration (paragraphs 214 and 215 of the Framework). That is not the situation here as the proposal does not involve the potential loss of a designated heritage asset
- 3.5 The potential for retaining the central part of the Longton Road frontage building (the office building) is discussed at Option 4 of the Options Strategy and Retention Strategy. In short, it concludes that:
  - (a) the design and internal arrangement of the building – it being a narrow, single room depth building (comprising a central stairwell with two, four bay winds either side) is such that it is likely to make it difficult to design a viable scheme with unit yields being low (potentially 8, small 1 bedroom apartments or 4 small, two bedroom apartments) and conversion costs and future maintenance liabilities being high.
  - (b) retention and conversion are further complicated due to the fact that the building projects forward of, but is physically attached to, the manufacturing building to the rear of it. There are unknown issues and costs associated with its separation.
  - (c) the flat roof design of the building and existing sub-ground accommodation (there is a 2.8m deep basement beneath the manufacturing building) is also likely to impact on the ability of a developer to increase the footprint of the office building, in order to potentially create larger apartments.

- (d) the office building was constructed in 1950s and therefore significant work would be required to achieve a conversion from office use to residential, that is capable of satisfying Part L (energy efficiency) of the Building Regulations.
- (e) Retaining a small part of the frontage building would result in the loss of some of the balance / detract from the character of the existing building. What character the building has at present is derived from its bypass modern 'factory' style architecture. Removing the factory building in order to retain the office building seems counterintuitive and would be harmful for two reasons. First it would remove a significant proportion of the building's architectural interest; and, secondly, it would lead to the loss of some of the site's historic interest, given it would effectively remove the site's connection 'link with 'manufacturing'.
- (f) There are significant reservations about how a developer would go about retaining the office building and successfully incorporating into a modern residential development from a placemaking perspective. The office building was designed to be part of a daylight modern factory complex. It was never intended to sit in the middle of a modern housing estate development. For this reason alone, a housebuilder would find it incredibly challenging to find a way of successfully integrating a 1950s office building into a housing development without it either impacting adversely on the quality of the design of the new housing estate or the modern appearance of the housing estate detracting from the character and appearance of the office building.
- (g) The retention would also reduce the quantum of family housing (including affordable) that would be delivered. The costs of retaining and converting the building could impact on the viability of the wider development. This could also result in a reduction in the quantum of affordable housing that the scheme is able to deliver, or a reduction in the overall quantum of S106 obligations/financial contributions that Hitachi is able to agree to because of viability issues.

- 3.6 At the Planning Committee meeting on 23 October 2024, mention was made by a speaker of the Banbridge redevelopment in Northern Ireland. That site was the former Down Shoes factory site where the office building was retained. However, the agent has clarified that the office building at Banbridge has been retained and re-used as offices - the headquarters for the developer of the site, and not for residential use. The situation at Banbridge is also different for a number of other reasons, the most significant being that the Down Shoes factory building is listed.

## **Reason 2**

*Deficiencies for sports provision in Stone not reflected in the officer report. Reconsult to query the absence of any identified sites or schemes, and question whether there is a scheme at Alleyne's School which forms part of the dual use of the site which may comply with NPPF para 57 and CIL Regulation 122(2).*

- 3.7 A further response from the Leisure Policy and Implementation Officer has identified 4 potential schemes:



1. The need for a 3G pitch in the north (Stone) which the creation of a 3G pitch at Alleyne's academy would fulfil, and the project has the backing of the Staffordshire FA.
2. The lack of tennis facilities in Stone. The Staffordshire LTA back the proposed project at Alleynes Academy due to the current lack of available courts for public use.
3. England Rugby have identified the need to upgrade the pitches at Stone Hockey and Rugby Club with permanent pitch floodlighting to address a deficit in midweek training capacity. The estimated cost is approximately £70k. The proposal has the full backing of England Rugby
4. Stone Leisure Centre "to aid the enhancement of the swimming pool" the addition of additional pool hoist and the improvement/upgrade of the existing changing facilities for those with disabilities. The projected cost for the development of these facilities is approximately £75k

3.8 Albeit that the first 2 potential schemes are not costed, the agent has considered this information and confirmed that in this instance, the applicant would be prepared to pay a sum of £70,000.00 towards the creation of a new 3G pitch at Alleynes School or for the provision of new/enhancement of existing sports pitches/outdoor sports facilities within the settlement of the Stone.

3.9 It is agreed that the proposals at Alleynes Academy are within the locality of the proposed development and are directly related to the development, and it is also considered that a new 3G pitch or the enhancement of existing sports pitches/outdoor sports facilities elsewhere within Stone would be directly related to the development. It is necessary to make the development acceptable in planning terms and the applicant accepts that £70,000.00 is fairly and reasonably related in scale and kind to the development. As such a sum of £70,000.00 towards the creation of a new 3G pitch at Alleynes School or for the provision of new or an enhancement of existing sports pitches/outdoor sports facilities within the settlement of the Stone meets the tests of Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.

### **Reason 3**

*Reconsultation required with Seven Trent Water in relation to the proposed drainage strategy, and in particular seek confirmation from Seven Trent Water that the drainage system below Cross Street can accommodate any additional run off.*

3.10 Seven Trent Water have been reconsulted and were specifically asked to confirm whether the drainage system below Cross Street can accommodate any additional runoff. Seven Trent Water responded on 21 November 2024 stating, "I have spoken to the Network Solutions team who provided the email response (1106343 Oulton Rd Stone) and can advise that their comments as made on email dated 21/02/2024 remain, that being:

"We confirm as per the Developer Enquiry response the sewer network has sufficient capacity to receive the proposed flows from the proposed development."

## **4.0 Planning balance and Conclusion**

- 4.1 A response to each of the three reasons for deferral of the application is reported above. It is considered that these responses provide the further information required by Planning Committee and that the application can now be determined.
- 4.2 In considering the planning balance it should be noted that as explained in paragraph 2.6 a 'tilted balance' is engaged where the National Planning Policy Framework's 'presumption in favour of sustainable development' is applied for decision taking as set out in paragraph 11 of the Framework.
- 4.3 Taking into account the 'tilted balance' and the additional wording inserted into paragraph 125(c) of the Framework regarding using suitable brownfield land within settlements for homes and other identified needs, it is clear that this application should be approved unless substantial harm would be caused.
- 4.4 The application is recommended for approval subject to conditions and the completion of a 106 Agreement, which will now also include a sum of £70,000.00 towards the creation of a new 3G pitch at Alleyne's School or for the provision of new / enhancement of existing sports pitches / outdoor sports facilities within the settlement of the Stone.

### **Recommendation**

Approve subject to conditions and the applicant entering into a Section 106 Agreement: to secure financial contributions towards the provision of open space, education, highways and the provision of affordable housing.

### **Conditions:**

1. Application for the approval of the reserved matter shall be made to the local planning authority no later than the expiry of three years beginning with the date of this permission.
2. No development shall take place without the prior written approval of the local planning authority of all details of the following reserved matters:
  - (a) Appearance.
  - (b) Landscaping.
  - (c) Layout.
  - (d) Scale.

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

3. The development hereby permitted shall be begun before the expiration of two years from the date of the final approval of the last reserved matters to be approved.

4. The development hereby approved shall be carried out in accordance with the following approved plans, except insofar as may otherwise be required by other conditions to which this permission is subject:

Site Location Plan: Drawing No: 10397-FRCR-XX-XX-DR-L-0001 PO1 08  
December 2021

Access and Visibility Splays: Drawing No: CBO-0710-001

Access and Visibility Splays: Drawing No: CBO-0710-002 Rev. A

Surface Water and Foul Water Drainage Layout: Drawing No: 01c100990.01 Sheet 1 of 1 (Rev.C) Avison Young 15.12.23.

5. The details submitted pursuant to condition 02 of this planning permission shall include full details of existing and proposed ground levels and finished floor levels of all buildings relative to the proposed ground levels. Thereafter the development shall be constructed in strict accordance with approved details.
6. The existing railings, low stone wall and columns along the Stone Road frontage shall be retained.
7. No dwelling shall be occupied until an interpretation board of the sites' history is provided, details of the size, design and location of which shall be submitted for the prior written approval of the local planning authority. Thereafter, the interpretation board shall be erected in strict accordance with the approved details and retained for the lifetime of the development.
8. No development shall commence until a scheme to manage surface water in accordance with guidance contained in Staffordshire County Council's SuDS Handbook has been submitted to, and approved in writing by, the local planning authority. The surface water drainage scheme shall contain the following mitigation measures:
  - (a) Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 years, 1 in 30 year, 1 in 100 year and 1 in 100 year plus 40%\* climate change return periods.
  - (b) Surface water drainage system(s) designed in accordance with the non-technical standards for sustainable drainage systems (DEFRA, March 2015).
  - (c) Limiting the surface water run-off generated by the 100yr + 40%\* climate change critical storm so that it will not exceed 10.3l/s split by the following and as demonstrated on plan 01C100990, 01 Surface Water and Foul Water Drainage Layout Sheet 1 of 1 (Rev C), Avison Young, 15.12.23
    - 6l/s at manhole 2307 in Oulton Road

- 3.2l/s into the 225mm network in Cross Street and a second connection into the eastern part at 1l/s
- (d) All surface water shall be contained within the surface water network in all events up to and including the 100yr + 40%\* climate change event plus a 10% allowance for urban creep.
- (e) All storage provided shall be above ground multi-benefit SuDS in line with the Guidance on Flood Risk and Coastal Change (GOV.UK, August 2022) or subsequent updated guidance.
- (f) All SuDS features shall be lined to prevent contamination leaching into to water.
- (g) Provision of supporting information to demonstrate that sufficient water quality measures have been incorporated into the design. This should be in accordance with the CIRIA SuDS Manual Simple Index Approach and SuDS treatment design criteria.
- (h) All road runoff shall have two levels of water treatment.
- (i) Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system demonstrating:
- Finished floor levels shall be a minimum of 150mm above surrounding ground level.
  - All ground levels shall be profiled away from building entrances.
  - Any exceedance flows shall be contained within green spaces.
  - How surface water ponding due to site profiling is to be rationalised through ground profiling of the development.
- (j) All non-adoptable hard paving areas shall utilise permeable or porous surfacing.
- (k) Rainwater harvesting systems shall be used on all plots.
- (l) Provision of a finalised management and maintenance plan to ensure continued performance of the system for the lifetime of the development. Details of the maintenance arrangements should be provided, to include a schedule of activities with frequencies, together with the name and contact details of the party or parties responsible for ongoing maintenance.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

9. Satisfactory arrangements for the control of surface water shall be made and carried out as part of any temporary works associated with the permanent

development, to ensure that flood risk is not increased, and water quality is managed prior to the completion of the approved drainage strategy.

10. The development hereby permitted shall not commence until a scheme for the disposal of foul and surface drainage have been submitted to and approved by the local planning authority. The scheme shall thereafter be implemented in accordance with the approved details before the development is first brought into use.
11. The development hereby permitted shall not be brought into use until the access points have been constructed in accordance with the details shown on drawing number CBO-0710-001 and drawing number CBO-0710-002 Rev A. The site access arrangements shall thereafter be retained for the lifetime of the development.
12. The development hereby permitted shall not be brought into use until the visibility splays shown on plan ref. CBO-0710-001 and CBO-0710-002 Rev A have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.
13. The development hereby permitted shall not be brought into use until the access to the site within the limits of the public highway has been completed in accordance with the approved drawing.
14. The development hereby permitted shall not be brought into use until the existing site access, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development hereby permitted is permanently closed and the access crossing reinstated as verge/footway.
15. No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out measures (including a timetable) to promote travel by sustainable modes. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary, for a period of five years from first occupation of the development permitted by this consent.
16. No dwelling shall be occupied until car parking and turning areas and cycle and bin storage for that dwelling have been provided in accordance with details that shall have had the prior written approval of the local planning authority. The car parking and turning areas and cycle and bin storage shall thereafter be retained for duration of occupancy.
17. No dwelling shall be occupied until a scheme for external lighting has been submitted to and approved in writing by the local planning authority. The lighting scheme shall thereafter be implemented as approved and retained for the lifetime of the development.

18. No development shall commence, including demolition, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The approved CEMP shall be adhered to throughout the construction period and shall provide details of:
  - (i) the method to be used and undertaken to control the emission of dust, noise, vibration from works
  - (ii) a scheme for dust deposition monitoring
  - (iii) measures (including wheel wash facilities) to control the deposit of mud and similar debris on adjacent public roads
  - (iv) site management arrangements, including on-site storage of materials, plant and machinery, temporary offices, contractor's compounds and other facilities, on-site parking and turning provision for site operatives, staff, visitors and construction vehicles and provision for the loading/unloading of plant and materials within the site.
  - (v) site fencing and security
  - (vi) details of the use of generators
  - (vii) a program of works (including measures of traffic management)
  - (viii) routes for construction traffic and proposed temporary traffic restrictions
  - (ix) delivery and construction working hours.
19. No development, including demolition or site works, shall begin until full details of protective fencing and/or other protective measures to safeguard existing trees and hedges on the site shall be submitted to and approved in writing by the local planning authority. The agreed tree and hedge protection measures shall thereafter be provided in accordance with the approved details and retained for the duration of construction (including site clearance works). No fires, excavation, change in levels, storage of materials, vehicles or plant, cement or cement mixing, discharge of liquids, site facilities or passage of vehicles, plant or pedestrians, shall occur within the protected areas. The approved scheme shall be kept in place until all parts of the development have been completed, and all equipment; machinery and surplus materials have been removed.
20. No development shall commence, including demolition works, ground works, construction activities and deliveries to the site of any materials or equipment, unless and until an Arboricultural Method Statement covering all aspects of development that are within the root protection areas of retained trees, or that have the potential to result in damage to retained trees, has been submitted to and approved in writing by the local planning authority. The measures within the approved Arboricultural Method Statement shall be implemented and maintained until the completion of all construction related activity, unless alternative details are otherwise first submitted to and approved in writing by the local planning authority.

21. Works to hedgerows and trees shall not be undertaken in the bird nesting season (March to August) unless it can be demonstrated that breeding birds will not be affected, through the submission, approval in writing by the local planning authority and subsequent implementation in accordance with the approved details of a method statement for the protection/avoidance of nesting birds. This may include timing of work, pre-work checks, avoiding nesting areas.
22. A comprehensive schedule of works for tree pruning and removal shall be approved in writing by the local planning authority prior to the commencement of any demolition works, ground works and construction activity in each phase, including the delivery to site of any materials or equipment. Thereafter no tree removals or pruning of any kind shall be carried out except as prescribed in the approved schedule of works, unless agreed in writing with the local planning authority.
23. If within a period of 5 years from the completion of any phase of development any of the trees, plants or shrubs that are to be retained or planted in accordance with an approved landscaping scheme are felled, uprooted, removed, destroyed, or in the opinion of the local planning authority die, become seriously damaged or defective, another tree, plant or shrub of the same species and size shall be planted at the same location in the next available planting season.
24. Prior to the submission of reserved matters, an Ecological Mitigation and Enhancement Scheme shall have been submitted to and approved in writing by the local planning authority, in accordance with the recommendations set out in the Ecological Appraisal June 2022 (FPCR Environment and Design Ltd) detailing in full the future habitat creation works and sustained goof management thereof. The Ecological Mitigation and Enhancement Scheme shall include biodiversity net gain and seek to retain existing mature trees and hedgerows with any losses compensated with native tree planting. Bird and bat boxes should be provided within the site and landscaping should consider the passage of hedgehog across the site. The development shall thereafter be implemented in accordance with the approved Ecological Mitigation and Enhancement Scheme.
25. No development shall commence until a detailed scheme for the investigating and recording of any contamination has been submitted to and approved in writing by the local planning authority. The contamination scheme shall identify any contamination on the site, the subsequent remediation works considered necessary to render the contamination harmless and the methodology used. The approved remediation shall thereafter be carried out and a validation report submitted to and approved in writing by the local planning authority within one month of the approved remediation being completed.

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 92 of The Town and Country Planning Act 1990 (as amended).

2. To comply with the requirements of Section 92 of The Town and Country Planning Act 1990 (as amended).
3. To comply with the requirements of Section 92 of The Town and Country Planning Act 1990 (as amended).
4. To define the planning permission.
5. To safeguard the character and appearance of the area and in the interests of residential amenity (Policy N1 of The Plan for Stafford Borough).
6. In the interest of visual amenity and to safeguard the character and appearance of the area (Policy N1 of The Plan for Stafford Borough).
7. To acknowledge the history of the Stonefield Works sit and loss of the non-designated heritage asset, the former Lotus Ltd shoe factory (Policy N9 of The Plan for Stafford Borough).
8. To ensure the site is appropriately drained and to minimise the risk of flooding (Policy N2 of The Plan for Stafford Borough).
9. To ensure the site is appropriately drained and to minimise the risk of flooding (Policy N2 of The Plan for Stafford Borough).
10. To ensure an appropriate method of disposing foul water from the development which will not pose a risk to the water environment (Policy N2 of The Plan for Stafford Borough).
11. To ensure a safe access is provided to serve the development in the interests of the safety and convenience of users of the highway (Policy T2 of The Plan for Stafford Borough).
12. To ensure a safe access is provided to serve the development in the interests of the safety and convenience of users of the highway (Policy T2 of The Plan for Stafford Borough).
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14. To ensure a safe access is provided to serve the development in the interests of the safety and convenience of users of the highway (Policy T2 of The Plan for Stafford Borough).
15. To promote sustainable modes of transport (T1 and T2 of The Plan for Stafford Borough).
16. To ensure adequate parking and turning facilities are provided to serve the development and to encourage sustainable modes of transport (Policies T1 and T2 of The Plan for Stafford Borough).



17. In the interests of visual and residential amenity and to safeguard the character and appearance of the area (Policy N1 of The Plan for Stafford Borough).
18. In the interests of highway safety, residential and visual amenity and to ensure the provision of a safe environment during and following construction works (Policies T1, T2 and N1 of The Plan for Stafford Borough).
19. To protect trees to be retained in the interests of visual amenity and to safeguard the character and appearance of the area (Policies N1 and N5 of The Plan for Stafford Borough).
20. To protect trees to be retained in the interests of visual amenity and to safeguard the character and appearance of the area (Policies N1 and N5 of The Plan for Stafford Borough).
21. To safeguard existing habitats and biodiversity (Policies N1, N4 and N5 of The Plan for Stafford Borough).
22. In the interests of visual amenity and to safeguard the character and appearance of the area (Policies N1 and N5 of The Plan for Stafford Borough).
23. To ensure that any initial plant losses are overcome in the interests of visual amenity and to safeguard the character and appearance of the area and enhance biodiversity (Policies N1 and N4 of The Plan for Stafford Borough).
24. To safeguard and enhance existing habitats and biodiversity, and in the interest of visual amenity and the character and appearance of the area (Policies N1, N4 and N5 of The Plan for Stafford Borough).
25. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours, and other offsite receptors. (Policies N1, N2 and N4 of The Plan for Stafford Borough).

#### Informative(s)

- 1 The conditions requiring off-site highway works shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack and an application form for the agreement. Please complete and send to the address indicated on the application form, which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire ST16 2DH. (Or email to [nmu@staffordshire.gov.uk](mailto:nmu@staffordshire.gov.uk)). The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales.

[www.staffordshire.gov.uk/Highways/highwayscontrol/HighwaysWorkAgreements.aspx](http://www.staffordshire.gov.uk/Highways/highwayscontrol/HighwaysWorkAgreements.aspx)

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

## Previous report to Planning Committee 23 October 2024

<b>Application:</b>	22/36231/OUT
<b>Case Officer:</b>	Gillian Morrell
<b>Date Registered:</b>	2 September 2022
<b>Target Decision Date:</b>	2 December 2022
<b>Extended To:</b>	14 August 2024
<b>Address:</b>	Stonefield Works, Oulton Road, Stone, ST15 ORS
<b>Ward:</b>	St. Michaels and Stonefield
<b>Parish:</b>	Stone Town
<b>Proposal:</b>	Outline application for the demolition of existing buildings and redevelopment of the site for residential development of up to 114 dwellings, public open space and associated works (all matters reserved except for access).
<b>Applicant:</b>	Hitachi Energy UK Limited
<b>Recommendation:</b>	Approve, subject to conditions and the satisfactory completion of a 106 Agreement.

### REASON FOR REFERRAL TO COMMITTEE:

The application has been referred to Planning Committee by Councillor Philip Leason (ward member for St. Michaels and Stonefield) for the following reasons:

- *“The former Lotus Building on Longton Road is regarded as a non-designated heritage asset of Stone and should be retained.*
- *No acceptable drainage in place.*
- *No provision to retain green corridor between development and houses on Oulton Road.*
- *Increased traffic.”*

## CONTEXT

### 1.0 Background

- 1.1 Stonefield Works is a former Lotus Ltd shoe factory located on the outskirts of Stone town centre, situated between the A520 Stone Road and Oulton Road. The shoe factory operated until the 1970's when it was acquired by ABB. In the mid-1990s ABB employed a considerable number of staff in industrial, administrative and research and development roles at the Stonefield Works site, since that time the operations and activities have changed vastly, and the number of staff based at Stonefield Works has reduced accordingly. In 2020 Hitachi and ABBs Power Grids' business came together to create Hitachi Energy UK limited. Hitachi Energy is a global company which operates in a variety of sectors including utility, industry and infrastructure sectors.
- 1.2 In 2005 outline planning permission was sought for the redevelopment of the site for residential purposes (reference 05/04787/OUT). Outline consent was granted on 5 November 2007 subject to a Section 106 Agreement. Subsequent applications seeking approval of the reserved matters were not submitted and the outline permission lapsed.
- 1.3 A further application was submitted in 2010 seeking to renew the 2007 outline consent. This application was refused on 10<sup>th</sup> March 2011 for the following reason:

*"The submitted Flood Risk Assessment does not provide a suitable basis for an assessment to be made of the flood risks arising from the proposed development and consequently fails to comply with the requirements set out in Annex E, paragraph E3 of Planning Policy Statement 25: Development and Flood Risk."*

#### The application site

The application site comprises approximately 4hectares of land situated between the A520 Stone Road and Oulton Road in Stone, bounded by residential properties. The site is currently in industrial use producing electrical and energy transmission equipment. There are a number of buildings on the site comprising:

- The existing production facility and offices.
- A maintenance centre.
- A social club.
- Hard standing comprising yards, circulation space, and car parking.

Many trees along the boundaries of the site are safeguarded by Tree Preservation Order No.349 of 2005.

The site is served by four vehicular access points, two from Stone Road and two from Oulton Road. The main entrance/exit is located immediately to the north of 41H Oulton Road with a second egress situated at the northern end of the Oulton Road frontage.

The site slopes gradually from its north eastern boundary with Harding Grove to its south western boundary with Oulton Mews/Cross Street. The site is bounded by several forms of boundary treatment, fencing, walls, hedges and mature trees. The trees along the north-west, north-east and eastern boundaries of the site are well-established, providing a screen to the rear of existing properties.

## **Proposal**

The supporting documents advise that the type, layout, and condition of some of the existing buildings on site, with many in disrepair, has impacted on the way that Hitachi has been able to operate from the site. It is stated that the current buildings are not capable of being brought up to modern standards for an operational and energy efficient perspective, because the cost of doing so is prohibitive. This has limited the operations that Hitachi can undertake on the site and has led to it seeking new premises elsewhere.

The application as submitted sought outline planning permission for the demolition of existing buildings on site and the construction of up to 130 dwellings.

The application has been subsequently amended and the proposal to be considered seeks the construction of up to 114 dwellings on the site with the provision of public open space and associated works.

Approval is sought only for the means of access to the site. All other matters relating to layout, scale, appearance and landscaping for the proposed development are reserved for subsequent approval.

An illustrative Masterplan forms part of the application, providing an indicative layout of the provision of 114 dwellings on the site. This also includes:

- The provision of a play area located centrally within the site.
- Areas of open space, landscaping and native scrub vegetation to the Stone Road frontage, retention of most trees safeguarded by a Tree Preservation Order, and street planting within the site.
- A pedestrian link between Stone Road and Oulton Road.

The scheme will deliver 40% of dwellings as affordable residential units.

Vehicular access is proposed from two points on Oulton Road, utilising the existing site accesses, with a new single access formed centrally within the site onto Stone Road.

The application is supported by the following documents:

- Illustrative Masterplan.
- Planning Statement.
- Design and Access Statement.

- Ecological Appraisal.
- Phase I Environmental Report.
- Flood Risk Assessment and Outline Drainage Strategy.
- Arboricultural Assessment.
- Transport Assessment.
- Travel Plan.
- Noise Impact Assessment.
- Marketing and Industrial Viability Report.
- Options Analysis and Retention Strategy.
- Heritage Assessment (Summary).

## **OFFICER ASSESSMENT – KEY CONSIDERATIONS**

### **2.0 Principle of Development.**

- 2.1 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. The development plan for the purposes of this application comprises of The Plan for Stafford Borough 2011- 2031, The Plan for Stafford Borough Part 2 2011-2031, and the Stone Neighbourhood Plan.
- 2.2 The National Planning Policy Framework (Framework), December 2023, sets out the Government's planning policies for England and how they should be applied. It advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means the planning system has three overarching objectives; an economic objective, a social objective, and an environmental objective, which are interdependent and should be pursued in mutually supportive ways.
- 2.3 Spatial Principle (SP) 2 of The Plan for Stafford Borough identifies that Stafford Borough will provide for new growth and investment, including the development of 500 dwellings per year over the plan period. Policy SP3 sets out the settlement hierarchy for the Borough and directs most of the future development towards the towns of Stafford, Stone and the defined Key Service Villages. SP 4 then apportions 10% of the annual housing target for Stone.
- 2.4 Spatial Principle SP7 establishes settlement boundaries for the Sustainable Settlement Hierarchy defined in Spatial Principle SP3. The policy states that development of a scale and nature appropriate to secure the sustainability of each settlement will be supported within the settlement boundaries.

- 2.5 Policy Stone 1-Stone Town seeks to enhance the role of the settlement by increasing both its range and quality of services and facilities, acknowledging the sustainability of the town and its role in serving the surrounding rural hinterland. The Policy also advises that development must not result in the loss of employment land to non-employment generating uses unless the development proposals satisfy the listed exceptions.
- 2.6 Stone Neighbourhood Plan was adopted on 20 July 2021.
- 2.7 The Framework, at paragraph 47, confirms planning law requires that applications for planning permission are to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 2.8 The 5 year housing land supply for Stafford Borough shows that at March 2024 the Borough Council could demonstrate a 8year supply of housing land against the Local Housing Needs as calculated within the adopted Local Plan Strategy, and as a result the Local Plan Strategy policies are considered up to date. Given that the Council can demonstrate a 5year housing land supply, it falls for this scheme to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 2.9 The site is located within the settlement boundary of Stone, in a sustainable location with access to services and facilities and is therefore an appropriate location for new housing development. However, the site is in industrial use, the loss of this employment land is a material consideration in the planning balance. This, along with all other material factors, are assessed in the sections below.

Policies and Guidance:

National Planning Policy Framework:

Paragraphs: 11,47,48

The Plan for Stafford Borough:

SP1 Presumption in Favour of Sustainable Development

SP2 Stafford Borough Housing & Employment Requirements

SP3 Stafford Borough Sustainable Settlement Hierarchy

SP4 Stafford Borough Housing Growth Distribution

SP7 Supporting the Location of New Development

Stone 1 Stone Town

Stone Neighbourhood Plan:

H1 Housing Tenures and Types

### 3.0 Loss of Employment Land

- 3.1 Reflecting its role as the second key settlement of the Sustainable Settlement Hierarchy, Policy Stone 1 seeks to enhance its role by increasing both its range and quality of services and facilities. The Policy states development must not result in the loss of employment land to non-employment generating uses unless either:
- “1) There is overriding evidence to demonstrate that the current use is presently causing and has consistently caused significant nuisance or environmental problems that could not have been mitigated; or*
  - 2) The loss of jobs would not result in a reduction in the range and diversity of jobs available within Stafford Borough; and*
  - 3) Applicants will need to provide substantial evidence to show the premises or site has been marketed both for its present use and for potential modernisation or regeneration for alternative employment-generating uses; and*
  - 4) The development outweighs the retention of the sites in its existing use.*
- iii. Where it is established that existing employment sites have no realistic prospect of development under current market conditions within the plan period, careful consideration should be given in priority order to:*
- 1<sup>st</sup>. What remedial action / infrastructure works will be required to ensure the retention of the site.*
  - 2<sup>nd</sup>. Identification / re-allocation of the site for mixed uses; and*
  - 3<sup>rd</sup>. Identification / re-allocation of the site for an alternative use.”*
- 3.2 In considering the requirements of the Policy, the agent acknowledges criterion (1) does not apply, stating that the applicant has always sought to be a good neighbour and careful to ensure the way it manages and operates from the site does not cause a nuisance to neighbours.
- 3.3 In respect of criterion (2) it is advised that the applicant is committed to relocating within Stafford and has been in discussion with the Council’s Economic Development team regarding the future acquisition of land to construct bespoke premises in the Borough. The local planning authority has no evidence contrary to this and as such it can reasonably be concluded that the loss of jobs from the redevelopment of the site for residential purposes would not result in a reduction in the range and diversity of jobs available within Stafford Borough.
- 3.4 In response to the requirement of criterion (3) as part of the application a Marketing and Industrial Viability Report has been submitted. This advises that the following marketing initiatives were employed:



- 1 no. two-sided marketing signboard located on the A520 Stone Road was erected on 19 January 2022 and remained in situ beyond the date the report was produced in June 2022.
- 1 no. advert was placed in the Estates Gazette national commercial property news publication.
- 2 no. HTML emailing campaigns outlining the availability and bid process for the property were carried out throughout the marketing period.
- a 2-page digital PDF brochure was produced by Avison Young. There were distributed to all enquiring parties and were made available on the online listings for downloading.
- the property was listed on the Avison Young property search website and external third-party websites.

- 3.5 During the property marketing period a total of 50 parties enquired for further details on the property. These interests varied in intended uses including investment, owner occupier, residential redevelopment and commercial redevelopment. A total of two informal offers were made. Neither party made a formal offer through the tender process, although they were offered to do so. The two informal offers received were also considered below the market value.
- 3.6 The Report concludes that the property has been effectively marketed for an appropriate period to capture any demand for the site's existing industrial use within the market. This has included the potential for reuse of the existing accommodation or the site's potential redevelopment for continued industrial use or other employment uses. The Report considers the marketing exercise demonstrates that there is no demand for the use or redevelopment of the site for employment use.
- 3.7 Policy Stone 1 does not provide a timescale over which marketing of the site should be undertaken or specify the nature and extent of marketing to be carried out, the Policy only requires substantial evidence the site has been marketed. Given that the site was marketed for a period of 4.5 months along with a reasonable schedule of advertising undertaken it is considered that sufficient evidence has been provided to demonstrate the site has been marketed for both its present use and alternative employment generating use, complying with the requirements of criterion (3).
- 3.8 The fourth criterion of Policy Stone 1 states that where employment sites have no realistic prospect of development, careful consideration should be given to: (i) What remedial action / infrastructure works will be required to ensure the retention of the site; (ii) Identification / re-allocation of the site for mixed uses; and (iii) Identification / re-allocation of the site for an alternative use.

- 3.9 The Marketing and Industrial Viability Report states that it is apparent from the marketing undertaken that the site has been developed with a bespoke configuration which does not meet the needs of current manufacturing or warehousing businesses, due to the building configuration being suited to that of laboratory space, the split-level industrial stores/production space offering no direct loading access with low working heights of approximately 3 metres and a large office content.
- 3.10 Whilst it is acknowledged that the site could be redeveloped and new industrial buildings constructed, given the proximity of the site to residential properties there would be constraints in terms of the overall height and scale of buildings that could be constructed. Moreover, it is not considered that the location of the site is entirely compatible with modern logistic operations due to the fact the site is accessed via residential roads, and the additional factors of unacceptable levels of noise and disturbance generated by high volumes of commercial vehicles entering and leaving the site.
- 3.11 It is concluded that the loss of the site as employment land has been demonstrated and in this regard the proposal accords with Policy Stone 1.

Policies and Guidance:

The Plan for Stafford Borough:

Policy Stone 1.

Stone Neighbourhood Plan:

No relevant policies.

#### **4.0 Heritage Assets**

- 4.1 Policy N9: 'Historic Environment' requires development proposals to sustain and enhance the significance of heritage assets, including their setting, and that any potential harm to the significance of a heritage asset will require clear justification.
- 4.2 Paragraph 209 of the Framework states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. Further advising, that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 4.3 Stonefield Works is an unlisted former Lotus Ltd shoe factory, built in the 'bypass modern' style. The factory building represents the last vestige of Stone's long involvement in shoe making and is an attractive example of a modernist factory of the post WWII years.

- 4.4 In 2022 an application for the listing of the building was submitted to Historic England by a member of the public. Historic England carried out a desk-based assessment followed by a site visit to Stonefield Works. Whilst Historic England acknowledged that the former Lotus shoe factory had some architectural distinctiveness and is of interest for its place in the historic development of a local area, it was considered a relatively late example of its type being stylistically of the inter-war period, and it has seen a degree of alteration which lessens its interest overall. Historic England therefore concluded that the criteria for listing was not met as the building does not have special interest in the national context. Historic England did, however, state that the factory possesses local interest as a clear link to Stone's history of shoe-manufacturing and as a large employer in the town during the mid to late 20<sup>th</sup> century and its links to the Bostock family of Stafford who first established a shoe manufacturing business in 1814, although this was not sufficient to merit listing.
- 4.5 The factory has a clear association of history at a local level and on this basis can reasonably be considered a non-designated heritage asset.
- 4.6 The Conservation Officer advised there was no document submitted with the application to indicate whether a scheme had been explored to retain and adapt the existing factory for re-use as residential or retain the frontage of the factory including the boundary walls. In addition, no viability data or cost analysis has been submitted to demonstrate whether it would be cost effective for a scheme for re-use of the existing building.
- 4.7 In response to the concerns raised a Heritage Assessment Summary (Statement of Significance) and Options Analysis and Retention Strategy were submitted.
- 4.8 The Heritage Assessment Summary considers the potential heritage significance of Stonefield Works against best practice guidance. This was undertaken using historic maps, regression, on-site visual survey, archival research and a review of existing published material and sources. The Summary concludes that Stonefield Works holds limited architectural or historic interest because:
- Externally Stonefield Works is an example of a bypass modern daylight factory but of comparatively late date. It does not display any innovative methods of working that would set it apart from earlier daylight factories.
  - The external appearance has a rather confused architectural form with competing Classical and Art Deco details.
  - Stonefield Works has been subject to alteration and extension in the late twentieth century which has resulted in demolition and subsumed the rear elevation of the original factory. The principal elevation has been diminished by incremental changes such as removal of original doors, alteration of windows and replacement of the roof.
- 4.9 The Options Analysis and Retention Strategy considers five options for the site, these are:
- (1) Whole Factory Retention.

- (2) Main (original) Factory Retention.
- (3) Main Factory Frontage Retained (including office building).
- (4) Main Building Retained.
- (5) No Building Retained.

- 4.10 Considering these options and the justifications put forward, it is agreed that it is likely to be unviable to pursue option (1), moreover, the loss of the later 20<sup>th</sup> century extensions would be an enhancement. In respect of option (2), it is appreciated that the factory building rear of the office and main frontage is a very deep and wide space and there would be practical difficulties in subdivision of this for residential development, the issues with conversion are also acknowledged. Option (3) considers the retention of the main factory frontage which is the principal elevation that fronts Stone Road. The Options Analysis and Retention Strategy acknowledges that the two-storey office building could potentially be converted to apartments for residential use but discounts this option on the grounds that the elevational treatment is not suitable for conversion, the building is not of sufficient height for two storeys nor is there demand for small apartments in Stone, such that any scheme is likely to be unviable. Equally, option (4) accepts that the main building could be converted to residential use, but the small number of units created would make such a scheme unviable. The Options Analysis and Retention Strategy concludes option (5) where no buildings are retained is the more viable option allowing for a more efficient layout and commercially viable mix of properties. It is also advised that there is the potential to reference the former factory building in several ways as part of any redevelopment scheme; through the re-use of the existing low wall and railings to Stone Road frontage, recording of the factory buildings and the provision of an interpretation board in a central space.
- 4.11 In weighing applications that directly or indirectly affect non-designated heritage assets, paragraph 209 of the Framework advises a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 4.12 It is clear from representations received that Stonefield Works are valued by residents and there would be preference to retaining the main factory building facing Stone Road. The removal of all building on site would result in the loss of the non-designated heritage asset, however, it is not considered that the asset is significant in terms of its heritage value. Moreover, this loss must be balanced against the social and economic benefits the redevelopment of the site for residential purposes would generate to the local environment. The applicant has indicated that there is the potential to reference the former factory building through re-use of the existing low wall and railings to Stone Road along with the provision of an interpretation board within the site. These are considered positive benefits which could be appropriately conditioned.

- 4.13 It is therefore concluded that the public benefits that would arise from the redevelopment of the site for a viable housing development would create significant social benefits through the provision of an appropriate housing mix and affordable housing, and substantial economic benefit through the construction phase and the contribution to the local economy from the spend by future residents. These factors collectively outweigh the loss of the non-designated heritage asset.

Policies and Guidance: -

National Planning Policy Framework:

Paragraphs 205-210

The Plan for Stafford Borough.

Policy N9 Historic environment.

Stone Neighbourhood Plan:

No relevant policies.

## **5.0 Visual Impact**

- 5.1 The effect of the proposal on the character and appearance of the area.
- 5.2 Policy N1 of The Plan for Stafford Borough 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 N4 of The Plan for Stafford Borough states the Borough's green infrastructure network will be protected, enhanced and expanded to create networks of open spaces for formal and informal recreation, natural corridors, access routes and watercourses. The Policy also requires all new development to be set within a well designed and maintained attractive green setting and provide a variety of spaces to meet the needs of people and nature. This is reflected in Policy CAF2 of the Stone Neighbourhood Plan which requires development proposals to protect, conserve and enhance Stone's natural setting, environment and green infrastructure.

- 5.3 Policy N8 of The Plan for Stafford Borough advises development proposals must be informed by, and be sympathetic to, landscape character and quality, demonstrated through local site-specific assessments. Development should demonstrate that proposals with landscape and visual implications, should protect, conserve and, where appropriate, enhance:
- (a) "The elements of the landscape that contribute to the local distinctiveness of the area (including heritage assets, cultural character and biodiversity);
  - (b) Historic elements of the present-day landscape that contribute significantly to landscape character.
  - (c) The setting and views of or from heritage assets

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

- 5.4 The Framework advises, in paragraph 131, the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the design process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.5 A Design and Access Statement submitted as part of the application states:
- “The proposed development would offer major improvements on the exiting site, which in its current state does not offer accessibility or amenity functions...The proposals will provide greater, multi-functional open space for meaningful habitats within the site and for recreation. Pedestrian connectivity will be improved by creating a footpath between Stone and Oulton Road.”*
- 5.6 The application seeks outline planning permission with all matters, other than access, reserved for subsequent approval. An illustrative Masterplan has been submitted to demonstrate how the site could be developed.
- 5.7 However, the illustrative Masterplan initially submitted showed the construction of 114 houses on the site, whereas the description of the development referred to ‘up to 130 dwellings.’ Whilst the Masterplan is illustrative, it nonetheless forms part of the supportive documents submitted as part of the application. Moreover, the local planning authority must be satisfied that the site can accommodate the quantum of development for which planning permission is being sought.
- 5.8 A revised illustrative Masterplan was subsequently submitted showing the provision of 130 dwellings along with the area of open space relocated centrally within the site. Whilst the revised siting of the open space was welcomed, concerns were raised at this layout. These included the lack of outlook and amenity space afforded to several units, the proximity of habitable room windows to parking areas or highways. In addition, a substantial number of dwellings were served by parking spaces to the front of properties, creating a harsh urban environment dominated by hard surfacing and car parking.
- 5.9 Extensive discussions were held with the applicant’s agent and an amended illustrative Masterplan was submitted providing 114 dwellings on the site, in addition, a further plan was provided showing the extent of natural green space and amenity open space provided as part of the illustrative scheme. The description of the application was amended to reflect the reduction in the quantum of development and neighbours and the town council were reconsulted.
- 5.10 Whilst illustrative, the revised layout provides a mix of house types and sizes, ensures adequate spacing between dwellings, and creates appropriate areas of open space and landscaping. It has therefore been demonstrated that the site can facilitate the quantum of development proposed and safeguard the character and appearance of the area.

- 5.11 Part of the site, to the north-east, is a Green Infrastructure designation. This part of the site is currently occupied by industrial buildings and hard surfacing. It is acknowledged that the illustrative Masterplan indicates that this area will be occupied by housing, however, as only 'access' is considered as part of this outline application the layout of the site is not a material factor to be determined. Moreover, the part of the site designated as green infrastructure is currently occupied by industrial buildings and hard surfacing and any subsequent application seeking approval of reserved matters will be required to provide areas of open space and landscaping planting as shown on the illustrative layout. Such provision will provide the opportunity to create multifunctional areas of open space, landscaping and ecological enhancements benefitting the well-being of existing and new communities that the development will serve.
- 5.12 It has been demonstrated that the quantum of development proposed can be provided on the site, with the capacity to achieve a well-designed place that positively enhances the character and appearance of the area, in accordance with Policies N1, N4 and N8 of The Plan for Stafford Borough.

Policies and Guidance: -

National Planning Policy Framework:

Section 12

The Plan for Stafford Borough:

Policy N1 Design

Policy N4 Green Infrastructure

Policy N8 Landscape Character

Supplementary Planning Document (SPD): Design

Stone Neighbourhood Plan:

Policy CAF2: Green Infrastructure

Policy CAF5: Local Green Infrastructure

## **6.0 Amenity**

- 6.1 The effect of the proposal on the level of amenity afforded to surrounding properties and the level of amenity afforded to future occupants.
- 6.2 The Framework advises, at paragraph 135(f), planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.
- 6.3 Policy N1 requires the design and layout of development to take account of noise and light implications and amenity of adjacent residential areas.

- 6.4 A Noise Impact Assessment has been submitted as part of the application. This states noise monitoring was undertaken at 3 Monitoring Locations considered to be representative of proposed and existing Sensitive Receptors.
- 6.5 The Assessment states that during the construction phase, any works carried at the proposed development has the potential to generate noise that may propagate beyond the site boundary. To reduce the potential impact of noise and vibration generated by the construction phase of the development, mitigation measures would be required. These would be implemented through a Construction Environmental Management Plan (CEMP) which would be conditioned as part of any planning permission granted. The Assessment further advises that outdoor living areas in the eastern and western part of the site, closest to Stone Road and Oulton Road require mitigation in the form of 1.8 metre high close boarded fencing along the boundary between the garden and road, or the provision of a separation distance of 15 metres between the road and gardens. In addition, those properties to the east, closest to Stone Road would require enhanced acoustic glazing. Such measures can be addressed with appropriately worded conditions.
- 6.6 Substantial representation has been received from neighbouring residents, raising concerns at the impact of the development on existing levels of amenity. Whilst the revised Masterplan showing the provision of 114 dwellings is provided for illustrative purposes only, as part of this submission additional plans were submitted demonstrating the garden areas for the residential units meet the requirements of the Design Supplementary Planning Guidance and the back-to-back distances and side to back distances between existing and proposed dwellings accord with the recommended separation distances.
- 6.7 Notwithstanding that the detailed layout, scale, size, design of dwellings are reserved for subsequent approval, the illustrative Masterplan and supplementary plans submitted have demonstrated that 114 dwellings are capable of being provided in a manner that would not adversely affect neighbouring dwellings and provide appropriate levels of amenity for future occupants. In this regard the proposal accords with Policy N1 of The Plan for Stafford Borough.

Policies and Guidance: -

National Planning Policy Framework:

Section 12

The Plan for Stafford Borough:

Policy N1 Design

Supplementary Planning Document: Design

Stone Neighbourhood Plan:

Policy H2 Housing Design



## **7.0 Access and Parking**

- 7.1 The effect of the proposal on highway and pedestrian safety.
- 7.2 Policy T1 of The Plan for Stafford Borough seeks to achieve a sustainable transport system.
- Policy T2 seeks to ensure that adequate parking facilities are provided for new development which must, amongst other things, have safe and adequate means of access, egress and internal circulation that does not materially impact highway safety or traffic movement and not detract or conflict with the transport function of the road. This is consistent with paragraph 114 of the Framework which requires that safe and suitable access is available for all users.
- 7.3 Paragraph 116 of the Framework requires applications for development to create places that are safe, secure and attractive which minimise the scope of conflict between pedestrians, cyclists and vehicles.
- 7.4 The site is located on the northeast side of Stone town centre and is bound by residential properties to the northeast and southwest, Oulton Road to the northwest and the A520 Stone Road to the south /southeast. There are currently four vehicular accesses to the site, two from Oulton Road and two from the A520 Stone Road. Both Stone Road and Oulton Road are lit roads subject to a 30mph speed limit.
- 7.5 The amended Oulton Road accesses would be provided in their existing locations, with the southwestern access located at the southwest corner of the Oulton Road site frontage and the north-eastern access located at the northeast corner of the Oulton Road site frontage. Both these amended accesses would be simple priority junction arrangements, with 5.5 metre wide carriageways, 6 metre radii and 2 metre-wide footways both sides. The A520 Stone Road access would be provided by a new access located approximately 80 metres southwest of the north-eastern Stone Road site boundary. The existing accesses from the A520 Stone Road would then be permanently closed and removed. This access will be a simple priority junction arrangement, with a 6metre-wide carriageway, 6metre radii and 2 metre wide footways to both sides.
- 7.6 The applicant has also produced an Interim Travel Plan as part of the application submission. This document is to provide a framework of measures on which a full Travel Plan will be prepared as the dwellings within the development become occupied. This document therefore identifies a package of measures and initiatives tailored to the requirements of the site with the aim of promoting sustainable travel modes.

7.7 A Transport Assessment (TA) has been submitted as part of the proposal which assesses all aspects of traffic movement and growth at offsite junctions of traffic for the development and compared it against that of the exiting permitted employment use. The TA looked at the impact on highway junctions. As the current use of the site is office and industrial, the peak traffic flows associated with this proposed development although reduced in number would be in reverse of those experienced with the existing employment use. In the morning peak most movements would be vehicles leaving the site with the proposed housing development, whereas with the extant employment use most movements would entering the site. The TA compared the existing employment use and the observed traffic flow at various junctions:

7.8 Oulton Road / Old Road / Stonefield Square:

At this junction the TA demonstrates that, during the morning peak, a 15 vehicle increase on the southbound Oulton Road approach as a result of the proposed residential development would be offset by a 50-vehicle reduction on the northbound Oulton Road approach. During the weekday evening peak a 16 vehicle increase on the northbound Oulton Road approach would be offset by a 39-vehicle reduction on the southbound Oulton Road approach.

A520 Stone Road / Oulton Road / A520 Radford Street / Granville Terrace:

During the morning peak, a 15 vehicle increase on the Oulton Road approach and an 18 vehicle increase on the A520 Stone Road approach as a result of the proposed residential development would be offset by a 50-vehicle reduction on the A520 Radford Street approach. During the weekday evening peak, the TA suggests that a 32 vehicle increase on A520 Radford Street approach would be offset by a 39-vehicle reduction on the Oulton Road approach.

Christchurch Way / B5027 Lichfield Street / Stafford Road / High Street:

The TA shows that, during the morning peak, a 22 vehicle increase on the Christchurch Road approach as a result of the proposed residential development would be partially offset by a 7-vehicle reduction on the B5027 Lichfield Street approach. During the weekday evening peak, a 4 vehicle increase on B5027 Lichfield Street approach would be more than offset by a 23-vehicle reduction on the Christchurch Way approach.

A34 The Fillybrooks / Stafford Road / B5026 Eccleshall Road:

At this junction the TA shows that, during the morning peak, a 19 vehicle increase on the Stafford Road approach as a result of the proposed residential development would be offset by an 18-vehicle reduction on the A34 The Fillybrooks (S) approach and a 6 vehicle reduction on the B5026 Eccleshall Road approach. During the weekday evening peak, a 15 vehicles increase on the A34 The Fillybrooks (S) approach and a 2 vehicle increase on the B5026 Eccleshall Road approach would be offset by a 17-vehicle reduction on the Stafford Road approach.

- 7.9 The TA also considered the operational assessments at all the off-site junctions within the study area. Operational assessments have also been carried out for the proposed site accesses. The highway authority advises these operational assessments demonstrate that the proposed development would have a negligible impact on operating conditions, with forecast increases in ratios of flow to capacity / degree of saturations and queue lengths being minimal. Because of the assessments and modelling undertaken the highway authority consider the operation of the identified junctions would not be substantially affected by the proposed development and has no objection to the application subject to recommended conditions.
- 7.10 The proposal therefore accords with Policy T1 of The Plan for Stafford Borough which seeks to ensure traffic flows from new development do not have a negative impact on nearby communities, along with advice in paragraph 116 of the Framework, which requires applications for development to create places that are safe, secure, and attractive which minimise the scope for conflict between pedestrians, cyclists, and vehicles.

Policies and Guidance: -

National Planning Policy Framework:

Section 9

The Plan for Stafford Borough:

Policy T1 Transport

Policy T2 Parking and Manoeuvring Facilities

Stone Neighbourhood Plan:

No relevant policies.

## **8.0 Biodiversity**

### Ecology

- 8.1 Policy N5 of The Plan for Stafford Borough requires development to protect nature conservation sites and mitigate against any impacts on protected sites.
- 8.2 The Framework advises, in paragraph 180(d), planning policies and decisions should contribute to and enhance the natural and local environment by '*minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.*'
- 8.3 An Extended Phase 1 Habitat Survey was undertaken on 13 September 2021. This advises the sites habitats comprise buildings set within hardstanding, woodland, trees and amenity grassland surrounded by hedgerow and small areas of introduced shrub.

- 8.4 The Phase 1 Habitat Survey considers most affected habitats on site are species-poor and of negligible ecological value. It further considers the woodland, trees and hedges have intrinsic conservation value and should be retained where possible.
- 8.5 The Council's Ecologist concurs with the conclusion of the Survey and advises the recommendations of the Survey should be undertaken. Biodiversity Net Gain should be achieved through ecological enhancements and a landscape management plan is required. Such measures may be attached as appropriately worded conditions to any planning permission granted. For clarification, this application is however exempt from the Biodiversity Net Gain regulations as the application was submitted before the regulations came into force in February 2024.

#### Arboricultural

- 8.6 Policy N4 of The Plan for Stafford Borough 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 Framework and the Council's biodiversity duty new development must demonstrate that it will not result in the loss of any biodiversity value of the site.
- 8.7 Paragraph 136 of the Framework advises that trees make an important contribution to the character and quality of the environment and can also help mitigate and adapt to climate change.
- 8.8 An Arboricultural Assessment (AA) was carried out in June 2022, as part of this Assessment, a Tree Retention Plan has been provided. The Assessment states that to facilitate the proposed development, based on the illustrative Masterplan, limited tree loss will be required. The area where built development is proposed is mainly devoid of tree cover, and the existing trees on site, situated around the boundaries are to be retained. Additional new tree planting is proposed within areas of public open space which will increase tree cover.
- 8.9 The AA states the largest tree loss would be to groups G15 and G16, two large buffer groups consisting of Lawson cypress. These were graded as category 'C' as they are reaching the end of their useful lifespan. The main access road would directly impact upon T9, a category 'B' specimen of silver birch. T9 is a protected tree and would be replaced with a replacement tree to mitigate its loss. G8, G14 and H2 would be directly impacted by the proposal and would require removal.
- 8.10 The AA concludes that the proposal retains a high proportion of existing tree cover and new tree planting is proposed to mitigate the impact of those trees to be felled. T9 is the only protected tree that would require removal, and this will be replaced. Trees will require protection during demolition and construction work. A site-specific Arboricultural Method Statement is required to include location of fencing, specialist construction techniques or watching briefs that would be necessary to ensure retained trees are protected during the proposed works.

- 8.11 The Council's Arboricultural Officer concurs with the conclusions of the AA and has no objections subject to recommended pre-commencement conditions.

Policies and Guidance: -

National Planning Policy Framework:

Paragraphs 136,180

The Plan for Stafford Borough:

Policy N1 Design

Policy N4 The Natural Environment & Green Infrastructure

Policy N5 Sites of European, National & Local Nature Conservation Importance

Stone Neighbourhood Plan:

Policy CAF2: Green Infrastructure

Policy CAF5: Local Green Infrastructure

## **9.0 Flooding and Drainage**

- 9.1 Policy N2 of The Plan for Stafford Borough states all development should incorporate sustainable design features and proposals must take account of the need to ensure protection from, and not worsen the potential for flooding.
- 9.2 A Flood Risk Assessment and Outline Drainage Strategy were submitted as part of the planning application. The Local Lead Flood Authority (LLFA) advised there was insufficient detail to fully demonstrate that an acceptable drainage strategy is proposed. The LLFA were unable to assess the suitability of soakaways in addition the correspondence provided from Severn Trent Water did not demonstrate that the point of connection for the site is acceptable to them. The LLFA therefore recommended that planning permission was not granted until this is resolved.
- 9.3 Extensive correspondence has taken place between the applicants' agent and the LLFA to address the outstanding concerns, these included details of connections to watercourses, sewers, public surface water sewers and highway drains. In addition, the LLFA required the agent to demonstrate that access is feasible for maintenance of proposed drainage systems, and in terms of above ground SuDS to avoid the need for multiple tanks, it was suggested adding an additional offline pond in the open space area in the south of the site and increasing the size of the pond in the east of the site.
- 9.4 Following the receipt of further amended plans and additional information the LLFA removed their objection to the proposal and advised there is no objection to the development subject to several recommended conditions.
- 9.5 Sufficient information has been provided to demonstrate that the residential development of the site would be satisfactorily drained without increasing the risk of

flooding elsewhere. The proposal therefore accords with Policy N2 of The Plan for Stafford Borough.

Policies and Guidance:

National Planning Policy Framework:

Paragraphs 165-175

The Plan for Stafford Borough:

Policy N2 Climate Change.

Stone Neighbourhood Plan:

No relevant policies.

## **10.0 Land Contamination**

- 10.1 A Phase 1 Environmental Report forms part of the application submission. This concludes localised areas of contamination are likely to be present, most likely because of oil/fuel storage. There is also potential for Made Ground and reworked natural materials to be present across the site from past activities. A ground investigation will be required to establish the ground conditions, determine the presence of any contamination, the depth to groundwater and establish the ground gas regime across the site. Following the completion of the ground investigation works the Report advises a Quantitative Risk Assessment should be completed. Should areas of soil and groundwater contamination be identified, a Remediation Options Appraisal and Remediation Strategy should be developed to inform the decontamination of the site. The Report further concludes asbestos containing materials are present within the fabric of the buildings and prior to any demolition works, it will be necessary to carry out an intrusive Pre-Demolition Asbestos Survey. During demolition works measures must be put in place to contain asbestos stripped from the building and disposed by a suitably licenced facility by a licensed contractor.
- 10.2 The Environmental Health Officer acknowledges the industrial use of the site and advises a Stage 1 Desktop Contamination Land Risk Report is required. This along with those recommended in the Phase 1 Environmental Report can be appropriately conditioned to any planning permission granted.

Policies and Guidance:

National Planning Policy Framework:

Section 12

The Plan for Stafford Borough

Policy N1 Design

Stone Neighbourhood Plan:

No relevant policies.

## **11.0 Planning Obligations**

- 11.1 Policy I1 of The Plan for Stafford Borough advises appropriate levels of contribution for infrastructure will be secured by Section 106 Agreement or legal agreements to ensure new development contribute to new and/or improved infrastructure and services (including community needs).
- 11.2 Policy C7 seeks to ensure that open space, sport and recreational facilities are provided as part of new development.
- 11.3 Policy C2 states that development of 12 or more dwellings within Stone must deliver 40% affordable housing.
- 11.4 Under the terms of Regulation 122(2) of the Community Infrastructure Levy Regulations 2010, planning obligations must only be sought where they meet all the following tests:
  - (a) Necessary to make the development acceptable in planning terms
  - (b) Directly related to the development, and
  - (c) Fairly and reasonably related in scale and kind to the development.

These tests are also set out in paragraph 57 of the National Planning Policy Framework, December 2023 with footnote 24 referring back to Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.

### **Affordable Housing:**

- 11.5 The Council's Housing Officer advises that 40% affordable housing is required with the tenure mix 25% First Homes and 75% social rent. A mix of 1-4 bedroomed properties is required and all affordable housing should meet the national prescribed space standards. In addition, affordable housing should be spread across the development in clusters of approximately 8 units and should be indistinguishable from open market housing.

### **Education:**

- 11.6 Staffordshire County Council advise an education contribution of £109,035.50 is sought to mitigate the impact on education from the development. This contribution is calculated in line with Staffordshire's Education Infrastructure Contribution Policy (SEICP) and would make the development acceptable from an education perspective subject to a s106 Agreement which meets this requirement.

- 11.7 Based on the location of the proposed development and current demographics the impact on school places at the following school(s)/planning areas has been considered:

Christ Church CE (VC) First School, Stone

Stone Town planning area

Christ Church Academy

Stone Middle planning area

Alleyne's Academy, Stone

Stone High planning area

- 11.8 To understand the impact of this development on education infrastructure analysis has been undertaken using:

- Pupil Number on Roll.
- Net capacity/funding agreement of the schools.
- Pupil projections which include committed developments

- 11.9 In determining whether there is a need for the developer to mitigate the impact of this development it was calculated that 114 dwellings would require 14 first school places, 14 middle school places and 10 high school places. These are based on a pupil product ratio (PPR) 0.03 per dwelling per year group. Using 5-year groups for first school, 4 for middle school and 3 for high school places.

- 11.10 There are projected to be an insufficient number of school places in the local area to mitigate the impact of the development at the high school phase of education.

- 11.11 The high school education contribution has been calculated as follows:

$\text{£1,308,426 (cost of additional High school places) / 120 additional school places} = \text{£10,903.55 per pupil place.}$

$\text{£10,903.55 per pupil place} \times 10 \text{ places required to mitigate the impact of this development} = \text{£109,035.50.}$

### **Highways:**

- 11.12 The highway authority advises a Travel Plan and Travel Monitoring fee of £10,000 is required to support the developer's Travel Plan Coordinator and audit annual monitoring reports to ensure the Travel Plan outcomes are being achieved. In addition, a contribution of £7,500 is required towards the Traffic Management Scheme of Works for Stone Road in the area of the development to help regulate indiscriminate parking.



### **NHS Staffordshire and Stoke-on-Trent Integrated Care Board (ICB).**

- 11.13 The Framework advises, at paragraph 96, planning policies should aim to achieve healthy and inclusive places. Further stating, at paragraph 97, to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should (b) take into account and support the delivery of strategies to improve the health, social and cultural well-being for all sections of the community.
- 11.14 The ICB has advised that the development would result in an additional 312 patients and have requested a contribution of £84,499 to support the further development of primary care services in the relevant PCN via future adaption, expansion, replacement of practices. The ICB advise the contributions would be towards the Stone and Eccleshall Primary Care Networks (PCN) Cumberland House Surgery and Mansion House Surgery would serve the patients. It is advised these practices have an existing shortfall in respect of the available gross internal area to serve the current patient population as such investment in the PCN is required to mitigate the development.
- 11.15 The ICB advise the outputs in the tables provided are derived from the Department for Health guidance 'Health Building Note 11-01: Facilities for Primary and Community Care Services', which provides best practice guidance on the delivery of new healthcare buildings and adaptation and extension of existing facilities. It is applicable to a range of building types including GP premises, Health centres, Primary care centres and Urgent care centres.
- 11.16 It is not clear how patient yield and floorspace requirements resulting from the development have been derived. Moreover, reference is made to supporting the further development of primary care in the relevant PCN via future adaptation, expansion and replacement of practices, it does not specify where the funds will be directed, nor has a project been identified or any build costs provided based on tenders. In a recent appeal decision, the Inspector found the contribution to be unlawful due to the obligation referencing only towards the improvement/expansion within the general area of the primary care network (Appeal Ref: APP/T3725/W/23/3319752 Land at Warwickshire Police Headquarters, Wooton). It is therefore not considered that the financial contribution requested satisfies the requirements of the Infrastructure Levy Regulations 2010 (as amended).
- 11.17 Representations received raise concern at the increase in demand on existing services resulting from the proposed residential development and the ability for existing facilities to absorb this capacity. However, for a financial contribution to be sought it must satisfy the requirements of Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 (as amended), and it is not considered that the tests have been met.

### **Open Space**

- 11.18 Sports pitch provision and built associated facilities within the area fall short of national standards as identified within Stafford Borough Council Playing Pitch Strategy Assessment Report carried out by Knight, Kavanagh and Page in 2019.

- 11.19 The Framework advises at paragraph 97(a), planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities (such as sports venues and open space) to enhance the sustainability of communities and residential environments.
- 11.20 A public open space contribution of 30.81sqm per person is required, combining this with the number of properties proposed (114) using the Council's formula, the open space requirement, to be provided on site, is 8,183.75 sqm.
- 11.21 This open space requirement per person comprises:
- 0.45 sqm under 12s
  - 15 sqm Accessible Natural Green Space (ANGST)
  - 0.3 sqm MUGA
  - 0.16 sqm tennis
  - 0.3 sqm teenage facilities
  - 14.6 sqm grass pitches

The illustrative proposals provide 8,602 sqm of open space, meeting the on-site requirement of 8,183.75 sqm.

A LEAP sum of £119,024.56 has also been requested, which the applicant accepts, subject to review given this is based on the initial number of 130 dwellings. This figure will be reassessed as part of any s106 Legal Agreement.

- 11.22 The Council's Open Space, Sport and Recreation Assessment update identifies that there will be a need for an additional 6 ATP pitches required due to an increase in the population of the borough and demand.
- 11.23 Sport England and the Open Space, Sport and Recreation Assessment identifies there is currently a shortfall of 300 sqm of pool space and that Stafford Leisure Centre is currently operating at capacity along with Alleyne's. Any future developments will further increase the deficiency in swimming capacity. The Leisure Policy and Implementation Officer advises the Sport England Facilities calculator has been applied to the proposed development as there will be an impact upon facilities in the local area as residents join local sporting clubs either as adults or through schools and increased usage of swimming pools. The calculator is based upon the population of the new development and how many visits the development will generate at peak times to sport facilities. This equates to the following financial contributions:
- Pool: £54,038
  - Sports Courts/Halls: £49,302
  - Artificial Turf Pitches (3G): £7,455.

- 11.24 The agent has requested confirmation of the schemes towards which the offsite sports and leisure contributions will be directed in accordance with Regulation 122.
- 11.25 In response the Leisure Policy and Implementation Officer advised the Playing Pitch and the Indoor Facility Strategy completed by Knight, Kavangh and Page highlighted the current need for additional pool space, 3G pitch and sports hall within the Borough. The Strategy also forecast what extra leisure provision would be required through the expected increase in population, the Borough Council is therefore working towards fulfilling that need. It is further advised developer contributions for large-scale leisure projects need to be collected over a period of time before it is possible to provide definitive details about the location, nature and implementation of provision to communities. Moreover, 106 Agreements include the caveat concerning the length of time to work on a project being 10years in most cases.
- 11.26 In response, the agent has stated that if the Borough Council is working to fulfil the requirements for new facilities there is an expectation that these schemes should have been identified and costed or have a strategy in place that identifies the facilities and infrastructure that any contribution sought from the development would be spent on. If it is not possible to do so, then it would not be appropriate to seek a contribution from the development as it cannot be established whether it is necessary to make the development acceptable in planning terms or whether the contribution sought is directly related to the development. There must be some direct link between the impact caused by the development and the provision of facilities to mitigate that impact.
- 11.27 Paragraph 57 of the Framework is clear, that planning obligations must only be sought where they meet the tests set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010. These are:
- Necessary to make the development acceptable in planning terms,
  - Directly related to the development; and
  - Fairly and reasonably related in scale and kind to the development.
- 11.28 It is clear, from recent appeal decisions, that to request financial contributions for development a local planning authority must be able to provide detailed evidence on how that contribution has been derived and its relevance to the development concerned. In appeal reference APP/K3415/W/22/3305895, Land northeast of Deanslade Farm, Claypit Lane, Lichfield, in considering a contribution towards primary school places the Inspector stated:

*“No detailed assessment of primary school places in the catchment area, including forecasts of proposed take up places at the new primary school has been provided...no detailed evidence has been provided in terms of a breakdown of the funding strategy for provision of the new school, including details of the money previously secured against the actual build costs...”*

In a further appeal decision, the local planning authority accepted at the Inquiry that there was no evidence to justify the contribution sought, with the Inspector stating:

*“The Council confirmed that it is not able to demonstrate that a community centre contribution would be necessary to make the development acceptable in planning terms. I have no reason to disagree with this position.”*  
(APP/E2734/W/19/3236153 land at Harrogate Road, Wetherby).

- 11.29 In the absence of identified schemes for the provision of swimming pool, sports court/hall or artificial turf pitch that are to be provided in the locality of the development site, it has not been demonstrated that the request for financial contributions for the requested offsite sports provision meets the tests of Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.

Policies and Guidance:

National Planning Policy Framework:

Paragraphs 34,55,57,96,97

The Plan for Stafford Borough:

Policy I1 Infrastructure Delivery

Policy C2 Affordable Housing

Policy C7 Open space, Sport and Recreational Facilities

Stone Neighbourhood Plan:

CAF1 Local Play, Sports and Recreational Facilities.

## **12.0 Other Matters**

- 12.1 Representations received from Stone Town Council, Twentieth Century Society and Save Britain Heritage in relation to the loss of the Lotus factory are acknowledged, but this matter has been considered in detail in the report above.
- 12.2 Concerns by residents at increased congestion and flooded have been considered in the report above.
- 12.3 Matters of concern in respect of the design and size of the dwellings are matters to be addressed as part of any application seeking approval of reserved matters.

## **13.0 Planning balance and Conclusion**

- 13.1 The proposal would provide housing in a sustainable location, being in a suitable location close to shops, services and facilities as well as a range of public transport options. There will be economic benefit brought by the construction phase and social benefit through the provision of new residential development, to which moderate weight is attached.

The site has low ecological value, with the proposal not having adverse effects in terms of flooding, drainage, contamination and highway safety. The loss of habitat,

including tree cover, would not be significant and there are mitigation and biodiversity gains brought through the proposed development.

There are no material considerations that indicate the decision should be made other than in accordance with the development plan.

## **Consultations**

### **Stone Town Council: 6 October 2022:**

Raises the following points in respect of the development proposal:

- The Borough Council is asked to carefully consider whether or not advertisement of the site has been proved to meet planning requirements and is satisfied that the developer has done enough marketing to justify a change of use from business to housing land.
- The existing flood risk on Oulton Road is high and a housing development of this size will put further strain on drainage in the area.
- Although not listed, the buildings have special architectural and historic value. The Town Council would like to see the site developed sympathetically with retention of the character buildings, incorporating them into a mix of property types rather than demolition in favour of new build homes that are the same as others in the town.
- Despite the planning application being outline in nature, a large number of residents have expressed concerns about the negative impacts of the proposal. The loss of employment, damage to residential amenity, impact on character and appearance of the area, impact on highways and traffic and increased flood risk have all been cited. These reserved matters should be noted by the Borough Council for future consideration.
- Concern was expressed that a further significant number of additional houses now under consideration had been included in the local plan for the Borough, as Stone cannot be expected to continue accepting windfall sites of 130 homes (now 114) and similar, with no provision for appropriate infrastructure.

### **Stone Town Council: 17 January 2024:**

Re-consultation on revised number of dwellings and indicative layout. The Town Council wishes to repeat its observations made in response to the original plans (dated 6 October 2022).

### **Cadent: 13 September 2022:**

No objection subject to a recommended informative.

### **Environmental Health Land Contamination: 05 October 2022:**

The recommendations within the contamination report are agreed and should be conditions of any planning permission.

**Environmental Health Officer: 20 September 2022:**

Advise the noise report does not consider piling techniques, clarification is required. A desk top contamination land risk report is required given the sites former industrial use.

**SCC Education: 20 September 2022:**

Advise a financial contribution of £130,842.60 is required towards educational provision.

**Arboricultural Officer: 30 September 2022:**

No objection subject to recommended conditions.

**Biodiversity Officer: 3 October 2022:**

No objection subject to recommended conditions.

**Police Designing Out Crime Officer: 3 October 2022:**

No objection, security measures are recommended.

**Housing Officer: 4 October 2022:**

40% affordable housing is required with a tenure mix of 25% first homes and 75% social rent.

**LLFA: 4 October 2022:**

There is insufficient detail to fully demonstrate that an acceptable outline drainage strategy is proposed. It is therefore recommended that planning permission is not granted until this is resolved.

**LLFA: 6 March 2023:**

There is insufficient detail to fully demonstrate that an acceptable outline drainage strategy is proposed. It is therefore recommended that planning permission is not granted until this is resolved.

**LLFA: 22 February 2024:**

There is insufficient detail to fully demonstrate that an acceptable outline drainage strategy is proposed. It is therefore recommended that planning permission is not granted until this is resolved.

**LLFA: 27 February 2024:**

No objection subject to recommended conditions.

**Highway Authority: 14 October 2022:**

No objection subject to recommended conditions.

**Historic England: 28 November 2022:**

Not recommended for listing.

**Severn Trent Water: 21 February 2023:**

No objection subject to a recommended condition.

**Integrated Care Board (Health): 27 October 2022:**

A developer contribution of £84,499 is required to support the further development of primary care services in the relevant PCN via future adaptation/expansion/replacement of the practices.

**Conservation Officer: 13 December 2022:**

Objects to the principle of the wholesale demolition of the factory complex. No objection to the site being reused for residential purposes, a scheme that would see the existing factory complex retained.

**Conservation Officer: 7 March 2023:**

The submitted Options Analysis and Retention Strategy does not appear to be based on any sound evidence. There remains a strong conservation objection to the principle of the wholesale demolition of the factory complex.

**Design Advisor: 7 November 2022:**

Advises the application seeks outline permission for 130 dwellings, however, the illustrative layout shows 114 dwellings with layout reserved. Recommend that a revised layout illustrating the actual quantum of development is provided. A number of further comments on the illustrative layout are made.

**Leisure Policy and Implementation Officer: 22 January 2024:**

In accordance with the financial contributions guide for new development provision of Open Space and commuted sums, the contribution required for this development should be: £104,375.38 capital with £13,572.84 towards maintenance.

Sports Provision:

Pool: £54,038

Sports Courts/Halls: £49,302

Artificial Turf Pitches (3G): £7,455

**Neighbour Representation: (212 consulted):**

118 representations received: 117 letters of objection and 1 letter of support:

Objections: the main planning issues referred to are:

- Increased traffic on already congested roads. Oulton Road is unsuitable for HGV's and should be avoided during demolition and construction.
- Stone has seen a lot of housing developments, infrastructure is suffering, doctors, dentists, care workers, jobs.
- Site should provide facilities- school, healthcare, large supermarket.
- Design in rural location.
- Building should be converted, e.g. Apartments and front façade should be retained.
- Effect on residential amenity- loss of light, noise and loss of privacy.
- Loss of Stone's heritage.
- Roads are already busy with high traffic speeds.
- The second access on Oulton Road has not been used for a long time.
- Proposed layout is generic. Future application should include larger, prestige houses along Oulton Road.
- Loss of tree including TPOs. Additional tree planting should be provided, mature trees should be retained.
- Who is responsible for the ongoing management and maintenance of the tree screening.
- Proposal creates a rat run between Stone Road and Oulton Road.
- Factory should be used as an artisan workshop for startup businesses or a shopping centre or a combination.
- Too much housing in Stone.
- Infrastructure impact- sewers, roads, schools.
- Additional cars will increase pollution levels.
- The site could be used to provide a community healthcare centre with doctors and dentist.
- Building should be listed and preserved and conserved.
- All construction access should be via Longton Road.
- Flooding and drainage issues.
- Loss of existing vegetation and habitat.



- Houses should be a suitable scale for Stonefield's character.
- Boundary hedgerow and trees should be retained.
- Loss of employment site.
- Adverse impact upon character and appearance of the area.
- Clarification is required regarding plans, open areas, screening.
- Development should provide rear access to 43-59 Oulton Road to alleviate some of the congestion issues.
- Increase in air and noise pollution.
- Disturbance during construction, HGV's, power tools.
- Open space and play area moved to area fronting Oulton Road, provide a buffer from existing houses.
- Concern at subsidence to surrounding buildings.
- Location of public open space could encourage anti-social behaviour.
- Correct removal of asbestos.
- Demolition and construction could cause damage to local properties.
- Substantial and unjustified harm to the industrial character of this area of Stone.
- Demolition would have a high negative carbon cost.

Support: the main planning issues referred to are:

- Not opposed to a well-thought-out development.
- Agree with the land being used for housing.

**Re-consultation of neighbours on revised number of dwellings and indicative layout: 10 January 2024:**

57 letters of representation received: 52 letters of objection and 5 letters of support.

Objections: the main planning issues referred to are:

- This former Lotus factory represents Stone's history of shoemaking. Every effort should be made to retain and redevelop the building which lends itself to apartments.
- The proposal will impact on the already inadequate infrastructure of roads and drainage in the area which is likely to be exacerbated.
- At least the frontage of the building should be retained.

- Flooding in Cross Street.
- Position of Plots does not accord with the separation distances in the Design Guide.
- Impact of overlooking onto existing houses.
- A major construction project such as will cause major difficulties to the existing residents over the duration of the construction.
- Insufficient parking provided for the residents.
- Too many houses proposed on the site.
- TPOs have been made for specific trees but the extensive screen of conifers on the North and Western boundaries are not protected. Removal of these trees should not be permitted not only to maintain privacy but to protect natural habitats.
- Concern at access and traffic on Oulton Road.
- How can the infrastructure cope with this number of houses and people in a small area.
- Concern at pressure on local services, schools and doctors are at capacity and there are no dentists available.
- The development will have a negative visual impact on the area.
- Concern the houses will not be in keeping with those in the local vicinity and will be a generic housing estate.
- Will there be affordable houses.
- The land would be better put to use for retail purposes.

Support: the main planning issues referred to are:

- The surrounding area is residential, and the proposed layout is sympathetic to the local streets.
- Better than the site not being developed as being left as an empty industrial premises.
- Housing is in short supply in Stone and affordable housing more so.
- This is an opportunity to transfer the site to a new opportunity for residents.
- Its better than industrial next to residential.

**Site Notice:** expiry date 5 October 2022

**Newsletter Advert:** expiry date 12 October 2022

## Relevant Site History

05/04787/OUT: Residential Development (Outline). Approved 5 July 2007.

10/14605/EXT: Extension of time to 05/04787/OUT-Residential Development (Outline)

Refused 10 March 2011.

## Recommendation

Approve subject to the following conditions and the applicant entering into a Section 106 Agreement to secure financial contributions towards the provision of open space, education, highways and affordable housing.

### Conditions:

1. Application for the approval of the reserved matter shall be made to the local planning authority no later than the expiry of three years beginning with the date of this permission.
2. No development shall take place without the prior written approval of the local planning authority of all details of the following reserved matters:
  - (a) Appearance.
  - (b) Landscaping.
  - (c) Layout.
  - (d) Scale.

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

3. The development hereby permitted shall be begun before the expiration of two years from the date of the final approval of the last reserved matters to be approved.
4. The development hereby approved shall be carried out in accordance with the following approved plans, except insofar as may otherwise be required by other conditions to which this permission is subject:

Site Location Plan: Drawing No: 10397-FRCR-XX-XX-DR-L-0001 PO1 8 December 2021

Access and Visibility Splays: Drawing No: CBO-0710-001

Access and Visibility Splays: Drawing No: CBO-0710-002 Rev. A

Surface Water and Foul Water Drainage Layout: Drawing No: 01c100990.01 Sheet 1 of 1 (Rev.C) Avison Young 15 December 2023.

5. The details submitted pursuant to condition 02 of this planning permission shall include full details of existing and proposed ground levels and finished floor levels of all buildings relative to the proposed ground levels. Thereafter the development shall be constructed in strict accordance with approved details.
6. The existing railings, low stone wall and columns along the Stone Road frontage shall be retained.
7. No dwelling shall be occupied until an interpretation board of the sites' history is provided, details of the size, design and location of which shall be submitted for the prior written approval of the local planning authority. Thereafter, the interpretation board shall be erected in strict accordance with the approved details and retained for the lifetime of the development.
8. No development shall commence until a scheme to manage surface water in accordance with guidance contained in Staffordshire County Council's SuDS Handbook has been submitted to, and approved in writing by, the local planning authority. The surface water drainage scheme shall contain the following mitigation measures:
  - (a) Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 years, 1 in 30 year, 1 in 100 year and 1 in 100 year plus 40%\* climate change return periods.
  - (b) Surface water drainage system(s) designed in accordance with the Non-technical standards for sustainable drainage systems (DEFRA, March 2015).
  - (c) Limiting the surface water run-off generated by the 100yr + 40%\* climate change critical storm so that it will not exceed 10.3l/s split by the following and as demonstrated on plan 01C100990, 01 Surface Water and Foul Water Drainage Layout Sheet 1 of 1 (Rev C), Avison Young, 15 December 2023
    - 6l/s at manhole 2307 in Oulton Road
    - 3.2l/s into the 225mm network in Cross Street and a second connection into the eastern part at 1l/s
  - (d) All surface water shall be contained within the surface water network in all events up to and including the 100yr + 40%\* climate change event plus a 10% allowance for urban creep.
  - (e) All storage provided shall be above ground multi-benefit SuDS in line with the Guidance on Flood Risk and Coastal Change (GOV.UK, August 2022) or subsequent updated guidance.
  - (f) All SuDS features shall be lined to prevent contamination leaching into to water.

- (g) Provision of supporting information to demonstrate that sufficient water quality measures have been incorporated into the design. This should be in accordance with the CIRIA SuDS Manual Simple Index Approach and SuDS treatment design criteria.
- (h) All road runoff shall have two levels of water treatment.
- (i) Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system demonstrating:
  - Finished floor levels shall be a minimum of 150mm above surrounding ground level.
  - All ground levels shall be profiled away from building entrances.
  - Any exceedance flows shall be contained within green spaces.
  - How surface water ponding due to site profiling is to be rationalised through ground profiling of the development.
- (j) All non-adoptable hard paving areas shall utilise permeable or porous surfacing.
- (k) Rainwater harvesting systems shall be used on all plots.
- (l) Provision of a finalised management and maintenance plan to ensure continued performance of the system for the lifetime of the development. Details of the maintenance arrangements should be provided, to include a schedule of activities with frequencies, together with the name and contact details of the party or parties responsible for ongoing maintenance.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

9. Satisfactory arrangements for the control of surface water shall be made and carried out as part of any temporary works associated with the permanent development, to ensure that flood risk is not increased, and water quality is managed prior to the completion of the approved drainage strategy.
10. The development hereby permitted shall not commence until a scheme for the disposal of foul and surface drainage have been submitted to and approved by the local planning authority. The scheme shall thereafter be implemented in accordance with the approved details before the development is first brought into use.
11. The development hereby permitted shall not be brought into use until the access points have been constructed in accordance with the details shown on drawing number CBO-0710-001 and drawing number CBO-0710-002 Rev A. The site access arrangements shall thereafter be retained for the lifetime of the development.

12. The development hereby permitted shall not be brought into use until the visibility splays shown on plan ref. CBO-0710-001 and CBO-0710-002 Rev A have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.
13. The development hereby permitted shall not be brought into use until the access to the site within the limits of the public highway has been completed in accordance with the approved drawing.
14. The development hereby permitted shall not be brought into use until the existing site access, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development hereby permitted is permanently closed and the access crossing reinstated as verge/footway.
15. No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out measures (including a timetable) to promote travel by sustainable modes. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary, for a period of five years from first occupation of the development permitted by this consent.
16. No dwelling shall be occupied until car parking and turning areas and cycle and bin storage for that dwelling have been provided in accordance with details that shall have had the prior written approval of the local planning authority. The car parking and turning areas and cycle and bin storage shall thereafter be retained for duration of occupancy.
17. No dwelling shall be occupied until a scheme for external lighting has been submitted to and approved in writing by the local planning authority. The lighting scheme shall thereafter be implemented as approved and retained for the lifetime of the development.
18. No development shall commence, including demolition, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The approved CEMP shall be adhered to throughout the construction period and shall provide details of:
  - (i) the method to be used and undertaken to control the emission of dust, noise, vibration from works
  - (ii) a scheme for dust deposition monitoring
  - (iii) measures (including wheel wash facilities) to control the deposit of mud and similar debris on adjacent public roads
  - (iv) site management arrangements, including on-site storage of materials, plant and machinery, temporary offices, contractor's compounds and other facilities, on-site parking and turning provision for site operatives, staff,

visitors and construction vehicles and provision for the loading/unloading of plant and materials within the site.

- (v) site fencing and security
  - (vi) details of the use of generators
  - (vii) a program of works (including measures of traffic management)
  - (viii) routes for construction traffic and proposed temporary traffic restrictions
  - (ix) delivery and construction working hours.
19. No development, including demolition or site works, shall begin until full details of protective fencing and/or other protective measures to safeguard existing trees and hedges on the site shall be submitted to and approved in writing by the local planning authority. The agreed tree and hedge protection measures shall thereafter be provided in accordance with the approved details and retained for the duration of construction (including site clearance works). No fires, excavation, change in levels, storage of materials, vehicles or plant, cement or cement mixing, discharge of liquids, site facilities or passage of vehicles, plant or pedestrians, shall occur within the protected areas. The approved scheme shall be kept in place until all parts of the development have been completed, and all equipment; machinery and surplus materials have been removed.
  20. No development shall commence, including demolition works, ground works, construction activities and deliveries to the site of any materials or equipment, unless and until an Arboricultural Method Statement covering all aspects of development that are within the root protection areas of retained trees, or that have the potential to result in damage to retained trees, has been submitted to and approved in writing by the local planning authority. The measures within the approved Arboricultural Method Statement shall be implemented and maintained until the completion of all construction related activity, unless alternative details are otherwise first submitted to and approved in writing by the local planning authority.
  21. Works to hedgerows and trees shall not be undertaken in the bird nesting season (March to August) unless it can be demonstrated that breeding birds will not be affected, through the submission, approval in writing by the local planning authority and subsequent implementation in accordance with the approved details of a method statement for the protection/avoidance of nesting birds. This may include timing of work, pre-work checks, avoiding nesting areas.
  22. A comprehensive schedule of works for tree pruning and removal shall be approved in writing by the local planning authority prior to the commencement of any demolition works, ground works and construction activity in each phase, including the delivery to site of any materials or equipment. Thereafter no tree removals or pruning of any kind shall be carried out except as prescribed in the approved schedule of works, unless agreed in writing with the local planning authority.

23. If within a period of 5 years from the completion of any phase of development any of the trees, plants or shrubs that are to be retained or planted in accordance with an approved landscaping scheme are felled, uprooted, removed, destroyed, or in the opinion of the local planning authority die, become seriously damaged or defective, another tree, plant or shrub of the same species and size shall be planted at the same location in the next available planting season.
24. Prior to the submission of reserved matters, an Ecological Mitigation and Enhancement Scheme shall have been submitted to and approved in writing by the local planning authority, in accordance with the recommendations set out in the Ecological Appraisal June 2022 (FPCR Environment and Design Ltd) detailing in full the future habitat creation works and sustained goof management thereof. The Ecological Mitigation and Enhancement Scheme shall include biodiversity net gain and seek to retain existing mature trees and hedgerows with any losses compensated with native tree planting. Bird and bat boxes should be provided within the site and landscaping should consider the passage of hedgehog across the site. The development shall thereafter be implemented in accordance with the approved Ecological Mitigation and Enhancement Scheme.
25. No development shall commence until a detailed scheme for the investigating and recording of any contamination has been submitted to and approved in writing by the local planning authority. The contamination scheme shall identify any contamination on the site, the subsequent remediation works considered necessary to render the contamination harmless and the methodology used. The approved remediation shall thereafter be carried out and a validation report submitted to and approved in writing by the local planning authority within one month of the approved remediation being completed.

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 92 of The Town and Country Planning Act 1990 (as amended).
2. To comply with the requirements of Section 92 of The Town and Country Planning Act 1990 (as amended).
3. To comply with the requirements of Section 92 of The Town and Country Planning Act 1990 (as amended).
4. To define the planning permission.
5. To safeguard the character and appearance of the area and in the interests of residential amenity (Policy N1 of The Plan for Stafford Borough).
6. In the interest of visual amenity and to safeguard the character and appearance of the area (Policy N1 of The Plan for Stafford Borough).
7. To acknowledge the history of the Stonefield Works sit and loss of the non-designated heritage asset, the former Lotus Ltd shoe factory (Policy N9 of The Plan for Stafford Borough).



8. To ensure the site is appropriately drained and to minimise the risk of flooding (Policy N2 of The Plan for Stafford Borough).
9. To ensure the site is appropriately drained and to minimise the risk of flooding (Policy N2 of The Plan for Stafford Borough).
10. To ensure an appropriate method of disposing foul water from the development which will not pose a risk to the water environment (Policy N2 of The Plan for Stafford Borough).
11. To ensure a safe access is provided to serve the development in the interests of the safety and convenience of users of the highway (Policy T2 of The Plan for Stafford Borough).
12. To ensure a safe access is provided to serve the development in the interests of the safety and convenience of users of the highway (Policy T2 of The Plan for Stafford Borough).
13. To ensure a safe access is provided to serve the development in the interests of the safety and convenience of users of the highway (Policy T2 of The Plan for Stafford Borough).
14. To ensure a safe access is provided to serve the development in the interests of the safety and convenience of users of the highway (Policy T2 of The Plan for Stafford Borough).
15. To promote sustainable modes of transport (T1 and T2 of The Plan for Stafford Borough).
16. To ensure adequate parking and turning facilities are provided to serve the development and to encourage sustainable modes of transport (Policies T1 and T2 of The Plan for Stafford Borough).
17. In the interests of visual and residential amenity and to safeguard the character and appearance of the area (Policy N1 of The Plan for Stafford Borough).
18. In the interests of highway safety, residential and visual amenity and to ensure the provision of a safe environment during and following construction works (Policies T1, T2 and N1 of The Plan for Stafford Borough).
19. To protect trees to be retained in the interests of visual amenity and to safeguard the character and appearance of the area (Policies N1 and N5 of The Plan for Stafford Borough).
20. To protect trees to be retained in the interests of visual amenity and to safeguard the character and appearance of the area (Policies N1 and N5 of The Plan for Stafford Borough).
21. To safeguard existing habitats and biodiversity (Policies N1, N4 and N5 of The Plan for Stafford Borough).

22. In the interests of visual amenity and to safeguard the character and appearance of the area (Policies N1 and N5 of The Plan for Stafford Borough).
23. To ensure that any initial plant losses are overcome in the interests of visual amenity and to safeguard the character and appearance of the area and enhance biodiversity (Policies N1 and N4 of The Plan for Stafford Borough).
24. To safeguard and enhance existing habitats and biodiversity, and in the interest of visual amenity and the character and appearance of the area (Policies N1, N4 and N5 of The Plan for Stafford Borough).
25. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours, and other offsite receptors. (Policies N1, N2 and N4 of The Plan for Stafford Borough).

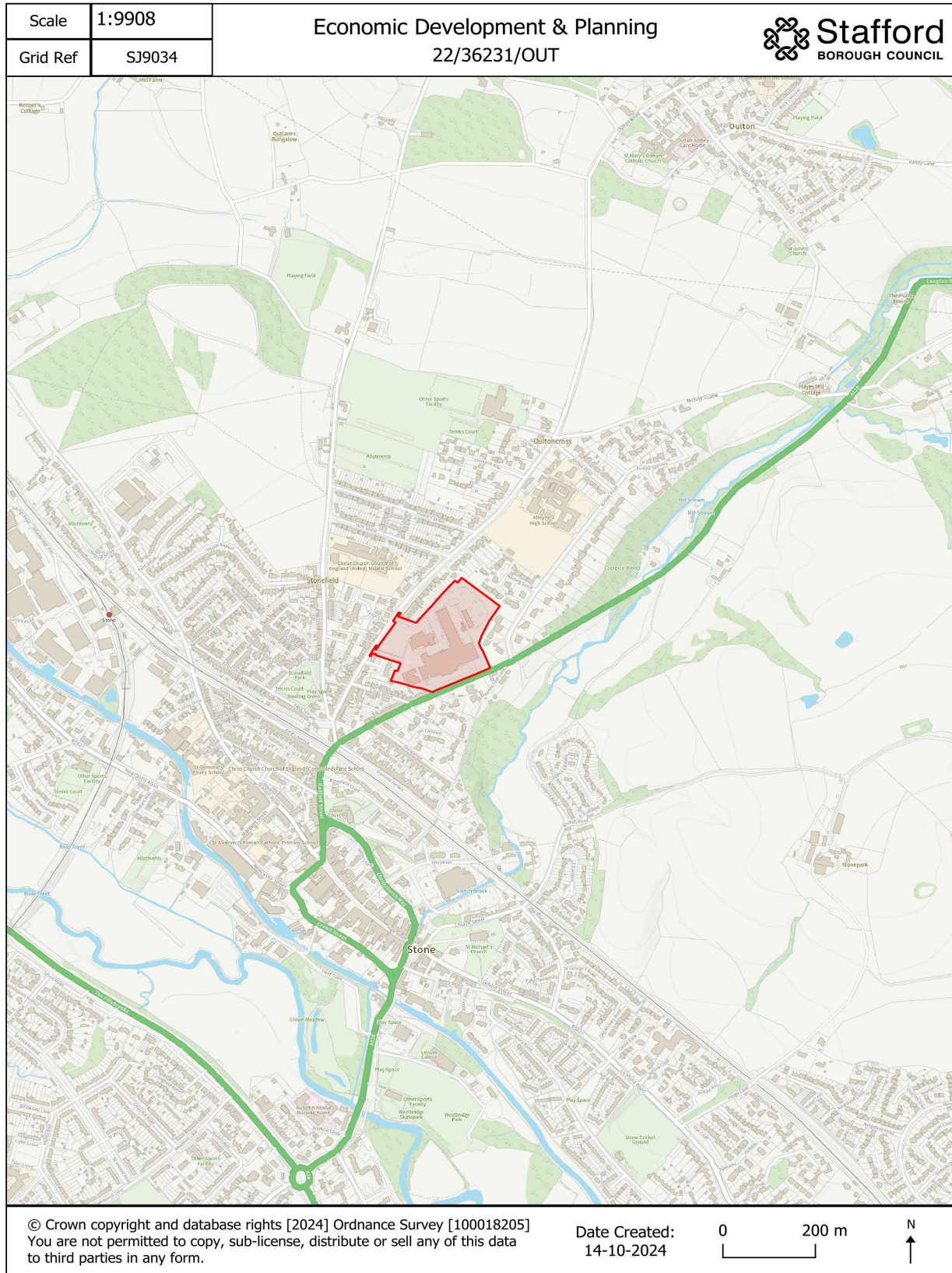
#### Informatives

- 1 The conditions requiring off-site highway works shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack and an application form for the agreement. Please complete and send to the address indicated on the application form, which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire ST16 2DH. (Or email to [nmu@staffordshire.gov.uk](mailto:nmu@staffordshire.gov.uk)). The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales.

[www.staffordshire.gov.uk/Highways/highwayscontrol/HighwaysWorkAgreements.aspx](http://www.staffordshire.gov.uk/Highways/highwayscontrol/HighwaysWorkAgreements.aspx)

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

**22/36231/OUT**  
**Stonefield Works**  
**Oulton Road**  
**Stone**



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PLANNING COMMITTEE - 25 JUNE 2025

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**Ward Interest - Nil**

**Planning Appeals**

*Report of Head of Economic Development and Planning*

**Purpose of Report**

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

**Notified Appeals**

Nil

**Decided Appeals**

Application Reference	Location	Proposal
<b>25/40179/NHPD</b> <b>Appeal Dismissed</b>	5 John Street Littleworth	Rear extension- total length beyond rear wall of the original dwelling 5.0m, maximum height 3.0m and eaves height 3.0m

**Previous Consideration**

Nil

**Background Papers**

File available in the Development Management Section

**Officer Contact**

John Holmes, Development Manager, 01785 619302



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## Appeal Decision

Site visit made on 10 June 2025

**by Rachel Hall BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 12 June 2025**

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**Appeal Ref: APP/Y3425/D/25/3363827**

**5 John Street, Littleworth, Stafford, Staffordshire ST16 3PJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
  - The appeal is made by Mrs Jane Kilinc against the decision of Stafford Borough Council.
  - The application Ref is 25/40179/NHPD.
  - The development proposed is single storey flat roof extension to existing kitchen.
- 

### Decision

1. The appeal is dismissed.

### Background and Main Issue

2. Paragraph A.4.(7) of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) requires that where an owner or occupier of adjoining premises objects to the proposed development, consideration is given to its impact on the amenity of any adjoining premises. In this instance, a neighbour representation was made in response to the proposed development. As that raised concerns it is taken as an objection under paragraph A.4.(7) of Class A of the GPDO.
3. In this context, the Council refused prior approval in light of its effect on the occupants of No 6 John Street. Therefore, the main issue is whether or not the proposed extension would be acceptable with respect to its effect on the amenity of the occupants of No 6, with particular regard to outlook and light.

### Reasons

4. At No 6, the closest ground floor side and rear facing windows to the proposed development are already situated relatively close to the two storey outrigger of No 5. As such, their outlook and natural light is already constrained to a certain extent, as is typical with this traditional terraced layout. However, the proposed extension would result in a solid brick wall along the adjoining boundary with No 6. Whilst single storey, it would project above the existing boundary wall, in close proximity to the nearest side and rear facing windows at No 6. One of those side facing windows likely relates to a habitable room such as the kitchen. The ground floor rear facing window also appears to be for a habitable room. As such, these are likely to be important for providing an outlook and natural light to those rooms.
5. Given the proximity of the proposed extension to those habitable room windows, the proposed extension would appear oppressive. Positioned alongside the rear facing window, it would also diminish natural light to that room to an unacceptable

degree. No substantive evidence indicates otherwise. Although the occupants of that house did not object to the proposal, the appeal is determined having consideration to its effect on existing and future occupants of that house. For the reasons given, the proposed extension would not be acceptable with respect to its effect on the amenity of the occupants of No 6, with particular regard to outlook and light.

### **Conclusion**

6. Therefore, the appeal is dismissed.

*Rachel Hall*

INSPECTOR