



Appeal Decision

Hearing held on 24 October 2023

Site visit made on 24 October 2023

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 January 2024

Appeal Ref: APP/Y3425/W/23/3326519

35 Cannock Road, Stafford ST17 0QE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Care UK against the decision of Stafford Borough Council (the Council).
 - The application Ref 21/34912/FUL, dated 2 September 2021, was refused by notice dated 6 February 2023.
 - The development proposed is the demolition of the existing structures and the construction of a 76no. bedroom care home (Use Class C2) with associated access, parking, landscaping, plant and site infrastructure.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of the existing structures and the construction of a 76no. bedroom care home (Use Class C2) with associated access, parking, landscaping, plant and site infrastructure at 35 Cannock Road, Stafford, ST17 0QE in accordance with the terms of the application, Ref 21/34912/FUL, dated 2 September 2021, subject to the conditions listed in the attached schedule.

Preliminary Matters

2. Following the submission of a Drainage Statement on 5 September 2023 to the Council by the appellant, the Lead Local Flood Authority removed its objection to the scheme after accepting that the development would not lead to unacceptable increase in flood risk both on and off the site from surface water run-off. Thus, the Council has confirmed within the Statement of Common Ground (SoCG) that it no longer wishes to defend refusal reason no.2 on the Council's decision notice, in relation to drainage/flooding.
3. The appellant has submitted amended plans to the Council and County Council as Highway Authority (LHA) prior to the event on 19 July 2023 for consideration. It is agreed in the SoCG that the amendments proposed in drawings: Proposed Site Plan (ref 4979-PL02S) and Landscape General Arrangement Plan (ref 402.40000.00001_19_01 P07) are for consistency purposes and are extremely modest and do not result in any substantive changes. I am satisfied that no one with an interest in the outcome of the appeal would be prejudiced if these drawings were taken into consideration, as they are essentially the same as those considered and consulted upon by the Council at planning application stage. Thus, I accept the revisions proposed in the above drawings, as they do not materially alter the scheme that was originally submitted.

4. The Revised National Planning Policy Framework (the Framework) was published on 19 December 2023, after the appeal was lodged. However, the changes to the Framework are not material to the appeal. Consequently, I have not needed to go back to the parties for comments. Thus, whilst I have had regard to the Framework in reaching my decision, I will not prejudice any party by taking this approach.
5. Following the close of the Hearing, a completed Unilateral Undertaking (the UU) was provided on 26 October 2023, which includes all of the planning obligations sought by the Council. I consider this further below.

Main Issues

The main issues of this appeal are:

- whether the proposed development would result in the unacceptable loss of trees; and,
- whether the proposed development would be acceptable in terms of its transport and highways impacts, with particular regard to vehicular parking, manoeuvrability within the site, and safe access and egress.

Reasons

Trees

6. The appeal site comprises a large residential plot and a paddock area, forming in part a brownfield and greenfield site respectively. The site benefits from a large number of mature trees and landscaped gardens, which form notable features giving the site a verdant, spacious and pleasant quality. Tree Preservation Order No.67 (TPO) straddles the northern boundary.
7. The details of the appellant's tree survey are agreed, which establishes the site to be currently occupied by 42no. trees, 2no. group of trees and 4no. hedgerows. It is agreed that the TPO will be unaffected by the proposed development. It is also acknowledged that the revisions to the scheme have enabled a mature Purple Beech to be retained (T1), whilst also reducing the pressure on a mature Common Yew (T41).
8. Nonetheless, the removal of some 24no. trees is proposed, along with 2no. groups of trees and the full or partial removal of hedgerows to facilitate the proposed development. However, of the 24no. trees identified for removal, only 3no. trees are considered to be moderate or high in value, as T5 (Blue Atlantic Cedar) and T24 (Common Sycamore) are category 'B' trees and T27 (Common Beech) is an 'A' grade tree. The remaining trees to be felled are either considered low in quality or in the case of T2 and T28 poor in quality. The proposed development will retain 17no. trees and 3no. hedges in part, whilst providing 19no. new trees as part of a landscaping strategy.
9. Majority of the trees to be removed are located off the southern site boundary, which includes T24 and T27. T5 is located off the northern site boundary. There is little doubt that removal of the 24no. trees would reduce the level of canopy cover on the site. On a purely numerical basis, a lower number of trees would result on site from the proposed development. However, the majority of trees removed would be low or poor quality. Thus, within the proposed new 19no. trees there is scope to improve the stock and quality of trees on the site. This

cannot be said for T5, T24 and particularly T27. Although, given the respective locations within the site of T24 and T27, set away from both the front and rear boundaries, they are not prominent features within the public realm, particularly along Cannock Road and Wildwood Drive. Although glimpsed views are possible.

10. However, T5 is prominent when viewed from Wildwood Lawns, forming a distinct, mature and attractive feature that could be seen from considerable distances. The tree thus makes an important and positive contribution to the mature and verdant landscape of the locality and to the character and appearance of the area. The other tall trees on the northern boundary of the site and any new tree planting in time would blend into its verdant surroundings.
11. The number and location of new trees and type of soft and hard landscaping could also be secured by condition. There is little doubt that the proposed building would be visible from the street, even with the retention of, and new trees but, this is not an unusual arrangement and, put simply, change does not always equate to harm. Depending on the age of specimens planted, it is likely that the new trees would take a period of time to establish and thus be as notable as those being removed. Whilst I am confident that eventually the loss of the trees contributing to the verdant quality of the site would be mitigated, inevitably in the short term there would be some harm, with particular regard to the loss of T5, T24 and T27.
12. For the reasons given above, I conclude that the proposed development would have an unacceptable effect on trees, albeit the harm would be moderate in the short term, as any future planting scheme would eventually mature. Nonetheless, there is still conflict with Policies N1 and N4 of The Plan for Stafford Borough 2011-2031, adopted on 19 June 2014 (PfSB) in this regard, which require the retention of significant landscaping features and any new development where damage to the natural environment is unavoidable must include measures to mitigate and/or compensate such impacts, through the establishment of replacement habitats or features, including appropriate site management regimes, amongst other things. The scheme would also fail to accord with the requirements of the Framework, particularly paragraph 136.

Highway safety

13. The proposed development would provide 32no. car parking spaces, which would also include 2no. disabled bays, with additional bays for an ambulance and servicing. The LHA confirms in its submission that it requires a total of 59no. parking spaces in accordance with Parking Standards listed in Appendix B of the PfSB.
14. PfSB Policy T1 seeks to achieve a sustainable transport system within the Borough, whilst PfSB Policy T2 requires adequate parking facilities are provided for new development proposals and that development should not materially impair highway safety, amongst other things. However, PfSB Policy T2 states that there may be scope to reduce provision to less than that set out in the parking standards in Appendix B, but this will be dependent upon a number of factors, including the site's relative accessibility by walking, cycling and public transport; the content of a Travel Plan, in particular the targets, measures and the parking management regime and the predicted traffic generation, amongst other things.

15. There is already agreement between the parties in the SoCG that the site has a sustainable location, with convenient access to public transport, cycle routes and shops and services within walking distance. Additionally, it is agreed in the SoCG that the proposed care home would be a low trip-generating use, where the car parking spaces would typically only be used by staff and visitors, as it would be highly unlikely that residents would be able to leave the care home unassisted due to their overall health condition. As such, a more flexible approach to parking requirements can be considered on this scheme.
16. The appellant has provided a plethora of evidence in their Transport Statement to support the level of car parking within the proposed development. Whilst little detail has been supplied, the appellant has also quoted 2no. planning applications for similar development to the scheme before me, which has been approved by the Council. These schemes comprise a 71no. bedroom care home with 28no. parking spaces for staff and visitors; and a 66no. bedroom care home with 33no. parking spaces for staff and visitors. The appellant is of the view that these approved schemes are comparable to the appeal scheme, and whilst the detail is limited, I consider that they demonstrate that the Council has applied a more flexible approach to parking requirements when determining similar development in the borough.
17. The appellant has provided details of how the proposed development will operate, with particular regard to shift patterns and occupancy levels. The appellant has also referred to 15no. other sites that it operates in reaching its estimations/projections. Whilst the LHA has raised concerns surrounding the validity of the other sites operated by the appellant in respect of this appeal, the figures are not disputed. Whilst the full extent of the circumstances surrounding the appellant's other sites is not known, I find this information to provide a valuable insight as to the general operation of their facilities, which in turn provides an ability to reasonably assess car parking demand from expected staff and visitor numbers.
18. Consequently, I find the justification and views of the appellant to reduce the amount of car parking in the proposed development compelling, particularly in the absence of substantive evidence to the contrary. I acknowledge that some off-site parking may arise, but I consider this would have a low probability and be an unlikely occurrence. In the event, that some vehicular parking occurs outside of the site, I also observed that Cannock Road and surrounding roads, particularly Wildwood Drive and Sergeant Way are not the subject of any kerbside traffic restrictions.
19. Given that the probability of off-site parking associated with the proposed development would be low, I do not find that the potential vehicles requiring on-street parking spaces would serve as a restriction on the ability for motorists to navigate the surrounding road network, as these roads are of sufficient width, with general good visibility in both directions of travel. In reaching this conclusion, I have also taken into account the change in speed limit from 30mph to 40mph to the south of the existing site access and the yellow box junction, located directly outside the access on the north bound section of Cannock Road. I have also had regard to the number of recorded incidents of personal injury.
20. The LHA has also raised other issues in respect of the scheme, including manoeuvrability within the site, tandem parking spaces, the dimensions of the

ambulance and disabled bays and foot path dimensions. There was agreement between the parties at the event that the revised plans addressed the concerns surrounding the dimensions of the disabled bays and the proposed footpath widths. Regarding manoeuvrability within the site, this primarily centred around the length of a refuse vehicle. The LHA are concerned that a 11.2m vehicle would not be able to enter and leave the site in a forward gear without running over parking bays. The LHA has cited a development at 'The Crispin', providing a photograph of a large delivery vehicle having to reverse into the site. However, I do not have the full planning history of this development, including any conditions. The appellant has since clarified that they tend to use a smaller 9.0m private refuse vehicle. Whilst the LHA have raised concerns about the enforceability of preventing larger vehicles entering the site by means of condition, I am satisfied that unacceptable development could be made acceptable, through the imposition of a suitably worded condition.

21. I accept that tandem parking spaces is not always a suitable solution to vehicular parking. However, in this instance, given that a travel plan and car park management plan can be secured by means of condition, and the modest number of spaces involved, I am confident that any potential issues could be avoided through proactive management by the appellant. The proposed ambulance bay is 6.0m x 3.6m with 2.4m behind giving a total available length for the ambulance and unloading of 8.4m. Whilst this would not be acceptable in all circumstances, given the expected low number of trip generations at the site, I do not consider that such an arrangement would give rise to vehicular or pedestrian conflict. Additionally, I note that the ambulance can access and egress the bay safely and in one manoeuvre.
22. I am satisfied that electric vehicle charging points and their location could be secured by means of condition. A Travel Plan would also accompany the proposed development, which would be secured by means of condition. Furthermore, an associated monitoring fee is detailed in the completed UU to the satisfaction of the LHA. However, whilst a Traffic Regulation Order (TRO) is also listed in Schedule 2 of the UU, I do not consider that a TRO is required given my findings above.
23. For the reasons given above, I conclude that the proposed development would not give rise to conditions prejudicial to highway safety, including safe access and egress. Therefore, the proposed development complies with the highway safety aims of PfSB Policies T1 and T2, which seek a sustainable transport system and that adequate parking and manoeuvring is provided in all new development, amongst other things. The scheme would also accord with the requirements of the Framework.

Other Matters

Heritage asset

24. Whilst noting a disagreement between the parties on this matter, I find No 35 comprises a non-designated heritage asset (NDHA), and whilst of a lower status than designated heritage assets, the Framework requires that the significance of it should be taken into account and a balanced judgement should be made, having regard to the scale of any harm or loss and the significance of the heritage asset.
25. The proposal includes the demolition of a Victorian villa, which is a good

example of a middle-class Victorian Villa, constructed circa 1881 in a Gothic vernacular style for the Twigg Family. This property was one of the first residences to be built on this stretch of Cannock Road and is one of the few surviving Victorian properties remaining in the Weeping Cross area. It is from these circumstances that I find the significance of No 35. The PPG¹ identifies NDHAs as buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets. However, the PPG acknowledges that only a minority have enough heritage significance to merit identification as NDHA. Thus, even if there is some doubt on this matter, I am satisfied that the evidence merits No 35 being considered as a NDHA.

26. I note the comments from the Council's Conservation Officer and other bodies/interested parties in respect of the loss of No 35 as part of the proposed development, but acknowledge the stance of the Council in its recommendation to Planning Committee and the subsequent decision made by its Members in refusing the scheme. Consequently, I shall expand upon this matter later in the Decision.

Planning obligation

27. The completed UU that has been submitted would provide a mechanism to secure an appropriate monitoring fee for the Travel Plan, which would be secured by a suitably worded planning condition. In view of this requirement and with exception of Schedule 2 regarding a TRO, I consider the obligation set out in the UU is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind. Therefore, the UU meet the tests within CIL Regulation 122 and those set out in paragraph 57 of the Framework. As such, I have taken the provisions of the UU into account in reaching my decision.

Other

28. I have had regard to the considerable number of objections received from interested parties, as part of the original planning application and this appeal. I also note the views expressed by those interested parties who attended the Hearing, expressing a wide range of concerns including, but not limited to the following: pollution (air, light and noise); living conditions; character and appearance; ecology and the need for a care home in this area, amongst other things. However, I note that these matters were considered where relevant by the Council in the determination of the planning application. Whilst I can understand the concerns of the interested parties, there is no compelling evidence before me that would lead me to come to a different conclusion to the Council on these matters.
29. Additionally, interested parties have highlighted the presence of restrictive covenants on No 35. However, the existence of such a contract on the property does not alter my conclusions on the main issues or the planning merits of the case.

Planning Balance

30. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires this

¹ 039 Reference ID: 18a-039-20190723

appeal to be determined in accordance with the development plan unless material considerations indicate otherwise. I accept the lack of harm in respect of highway safety and the absence of other harm arising from the proposed development. There would also be a significant contribution to the Council's supply of specialist care accommodation, general economic and social benefits through the construction phase and subsequent occupation/operation of the scheme, the support of existing local business' and the generation of a notable number of job opportunities, particularly available to those in the local community, amongst other things. These benefits, with particular regard to the provision of specialist care accommodation, where there is an identified need in the borough, collectively attract very substantial weight in support of the proposed development.

31. Against this are the harmful effects resulting from the loss of trees, including 3no. trees that are moderate to high in value and the demolition of the NDHA. The proposal would result in substantial harm to the significance of the NDHA. Therefore, it would conflict with the PfSB Policies N1h. and N9, which seek, among other things, regard to heritage assets and that development which affects the significance of a heritage asset will not be accepted, and that development is expected to sustain the significance and setting of a heritage asset. Collectively, I attribute moderate to substantial weight to these harms in the overall balance.
32. In my view the benefits of the proposed development notably outweigh the conflict with the development plan. I therefore conclude that these are material considerations which mean that in this case the proposed development can be determined other than in accordance with the development plan. I therefore conclude that the proposed development is suitable for the site.

Conditions

33. I have considered what planning conditions would be appropriate in light of the discussion at the Hearing, making amendments and minor corrections, where necessary, to ensure clarity and compliance with the tests contained within Paragraph 56 of the Framework and the PPG. In addition to conditions relating to the time limit for implementation, for reasons of certainty a condition requiring the development to be undertaken in accordance with approved plans/documents is necessary.
34. Pre-commencement conditions relating to the submission of details or samples of materials are reasonable and necessary in the interest of character and appearance. Pre-commencement conditions for drainage; a Demolition and Construction Management Plan; Contamination; Arboricultural Method Statement and other tree works are all reasonable and necessary in the interest of the living conditions of neighbouring and future occupiers, highway safety and the environment.
35. Pre-occupation conditions are reasonable and necessary for the vehicular access/car parking, visibility splays, electric charging points (EV), car park management/ travel plans, refuse/cycle stores in the interest of highway safety and sustainable travel. There was some disagreement surrounding the wording of the travel plan condition, particularly the inclusion of a three-month period of pre-use to enable sustainable travel patterns. I do not consider that additional wording to include a period of pre-use is either reasonable or necessary, so I have not included it. A pre-occupation condition relating to the

implementation of the drainage scheme is reasonable and necessary in relation to the surrounding environment. Pre-commencement conditions for a hard and soft landscaping scheme; external lighting; ecological measures and sustainable technologies are all reasonable and necessary in the interest of character and appearance, biodiversity and renewable energy.

36. Other conditions have been included that define the permission; removal of some permitted development rights; the ventilation system; ecology and replacement planting are all reasonable and necessary to ensure clarification, highway safety, character and appearance, biodiversity and to enable new planting to establish on the site. A condition has been suggested that would prevent HGV deliveries to the site between the hours of 08:30 to 09:00 or 15:00 to 16:00 Monday to Friday. There is disagreement between the parties surrounding this condition. In any event, I consider the scheme and the other conditions that would be imposed upon it, would be sufficient to ensure no circumstances prejudicial to highway safety would arise.

Conclusion

37. For the reasons given above, I conclude that the appeal should succeed.

W Johnson

INSPECTOR

SCHEDULE OF CONDITIONS

Time Limit

1) The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Approved drawings

2) The development hereby permitted shall be carried out in accordance with the following approved drawings: 4979 – LP01C – Site Location Plan; 4979 – PL01B – Block Plan – Existing Site Plan; 4979 – PL02S – Proposed Site Plan; 4979 – PL03B – Proposed Ground Floor Plan; 4979 – PL04B – Proposed First Floor Plan; 4979 – PL05 – Proposed Roof Plan; 4979 – PL06B – Proposed Elevations and Sections – Sheet 1 of 2; 4979 – PL07B – Proposed Elevations and Sections – Sheet 2 of 2; 4979 – PL14 – Proposed Refuse Store; 402.40000.00001_19_001 P07 Landscape General Arrangement Plan and 28875 Topographical Survey.

Pre-commencement

3) Notwithstanding any description/details of external materials in the application documents, no above ground construction works shall commence until precise details or samples of the materials to be used in the construction of the external wall(s) and roof(s) of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details/samples.

4) No development shall commence unless and until temporary arrangements for the control of surface water and pollutants have been implemented as part of any temporary works associated with the permanent development hereby permitted.

5) Notwithstanding any description/details in the application documents, no above ground construction works shall commence until a Demolition and Construction Management Plan (DCMP) is first submitted to, and approved in writing by, the Local Planning Authority. The development shall then be carried out in accordance with the approved DCMP, which shall include, but not be limited to, the following: Details of acoustic screening to protect the occupants of nearby dwellings during development; Damping down facilities; Road sweeping to prevent excessive dust and Hours of works and deliveries.

6) No development shall commence unless and until a further land contamination investigation has been carried out (in accordance with the recommendations contained in section 7 of the Preliminary Land Quality Risk Assessment dated August 2021) and a schedule of remediation measures has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved schedule.

7) 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.

8) A comprehensive schedule of works for tree pruning and removal shall be

agreed in writing by the Local Planning Authority prior to the commencement of any demolition works, ground works or construction activity, including the delivery to site of any materials or equipment. Thereafter the development shall be carried out in accordance with the approved schedule of works.

Pre-occupation

9) The development shall not be brought into use unless and until the vehicular access onto Cannock Road has been fully constructed in accordance with details which shall first be submitted to, and approved in writing by, the Local Planning Authority.

10) The development shall not be brought into use unless and until the car parking, access, servicing and circulation areas have been provided in accordance with the approved plans, hard-surfaced in a uniform paved surface, and marked out. This provision shall thereafter be retained for the lifetime of the development.

11) The development shall not be brought into use unless and until the refuse store has been provided in accordance with the approved plans.

12) The development shall not be brought into use unless and until visibility splays have been provided in accordance with the approved plans. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600mm above the adjacent carriageway level.

13) Notwithstanding any description/details in the application documents, the development shall not be brought into use until secure and weatherproof cycle parking facilities have been provided in accordance with details which shall first be submitted to, and approved in writing by, the Local Planning Authority. The cycle parking shall thereafter be retained.

14) Notwithstanding any description/details in the application documents, the development hereby permitted shall not be brought into use until electric vehicle parking charging points have been installed in accordance with details which shall first be submitted to, and approved in writing by, the Local Planning Authority.

15) The development hereby permitted shall not be brought into use unless and until the approved drainage scheme shown in the reports below has been implemented:

- Cannock Road Care Home, Stafford, Drainage Statement (document ref 402.40000.00025.003 September 2023), as appended by the following drainage drawings: Proposed Drainage Layout 402.40000.00025.003/001 Rev P2; Proposed SW Drainage MH Schedule 402.40000.00025.003/03 Rev P2; Drainage Details Sheet 1 402.40000.00025/004 Rev P0 and Drainage Details Sheet 2 402.40000.00025./003 Rev P1

The drainage system shall thereafter be managed and maintained by the operator of the site in accordance with the maintenance schedule outlined in the Flood Risk Assessment and Outline Drainage Strategy by SLR (reference 402-40000-00001-0019 v1, dated August 2021).

16) Notwithstanding any description/details in the application documents, the development is first occupied a hard and soft landscaping scheme, broadly in accordance with drawing 402.40000.00001_19_001 P07, shall be first be

submitted to, and approved in writing by the Local Planning Authority. The landscaping scheme shall include the following: a) Precise details/specification of

hard surfacing materials; b) Precise details/specification of means of enclosure and retaining structures; c) Precise details/specification of ancillary structures (raised beds, smoking shelters, pergolas, etc.); d) Planting specification (species, size, location, planting methodology, etc.); e) Details of the provision of adequate soil rooting volume for the type of tree specified and f) Landscape maintenance and management schedule.

The elements of the landscaping scheme covered by part a) shall be completed prior to the development first being brought into use; the remaining elements of the landscaping scheme (parts b-d) shall be completed within eight months of the development first being brought into use; the landscaping of the site shall be carried out in accordance with the approved methodology (d-e); and the site shall be managed and maintained in accordance with the approved landscape maintenance and management schedule (part f).

17) All external lighting shall be installed in accordance with a revised 'external lighting and external detailed lighting design' which shall be first submitted to and approved in writing by the Local Planning Authority before the development is first brought into use. The revised lighting scheme shall be designed to avoid light spill on bat boxes and bat commuting areas and be implemented in accordance with the approved details.

18) Before the development is first brought into use, a log pile shall be provided (and thereafter maintained) in accordance with the Ecology and Green Infrastructure Report by SLR (reference 402.40000.00001.0019 v1, dated August 2021) and drawing 402.40000.00001_19_001 P07 Landscape General Arrangement Plan and it shall thereafter be retained.

19) Before the development is first brought into use, two hedgehog holes shall be provided (and thereafter maintained) within the boundary fences in accordance with the Ecology and Green Infrastructure Report by SLR (reference 402.40000.00001.0019 v1, dated August 2021) and drawing 402.40000.00001_19_001 P07 Landscape General Arrangement Plan and they shall thereafter be retained.

20) Before the development is first brought into use, four bug hotels shall be installed in accordance with the Ecology and Green Infrastructure Report by SLR (reference 402.40000.00001.0019 v1, dated August 2021) and drawing 402.40000.00001_19_001 P07 Landscape General Arrangement Plan and they shall thereafter be retained.

21) Notwithstanding any description/details within the application documents, and before the development is first brought into use, eight bird boxes (to include integrated boxes for swifts, house martins, and woodcrete general bird boxes) shall be installed in suitable locations within the application site and thereafter be retained.

22) Notwithstanding any description/details within the application documents, and before the development is first brought into use, ten bat boxes (six integrated within the proposed building(s) and four tree mounted) shall be installed within the application site and thereafter retained.

23) Before the development is first brought into use a scheme of sustainable technologies provision (e.g. solar panels, air source heat pumps, etc.) shall be provided in accordance with details which shall first be submitted to, and approved

in writing by, the Local Planning Authority. The scheme shall include, where necessary, details of their location, design, appearance, materials, colour finish, and acoustic performance. The approved details shall then be implemented within the development.

24) Before the development is first brought into use a Car Park Management Plan shall first be submitted to, and approved in writing by, the Local Planning Authority. The development shall then be occupied/operated in accordance with the approved details.

25) Before the development is first brought into use, a travel plan, broadly in accordance with the Draft Travel Plan (reference 402.40000.00001.0019 v2.1, dated January 2023) has first been submitted to, and approved in writing by, the Local Planning Authority. Consequently, upon first use the approved travel plan shall be implemented and monitored in accordance with the targets and timescales contained therein.

Other

26) The facilities and services provided within the development hereby permitted shall only be used in a manner ancillary to the approved use of the site as a care home and shall not be used, sold, or let separately.

27) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any other subsequent equivalent order, no gates associated with any vehicular access shall be located within 11m of the carriageway boundary and any gates erected shall open away from the highway.

28) Notwithstanding any description/details in the application documents and before any external extract/ventilation system, including external ducting, is installed, details of the location, design, materials and colour finish of the extract/ventilation system and ducting shall first be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

29) All glazing and ventilation specifications and plant noise limits and control measures shall be as specified in sections 6, 7, and 8 of the noise assessment (reference 402.40000.00001.0019 v1, dated August 2021).

30) The development shall be carried out in accordance with the recommendations (section 6.2) of the Ecology and Green infrastructure Report by SLR (reference 402.40000.00001.0019 v1, dated August 2021).

31) Any plants, trees or shrubs which are retained or planted within the landscaping scheme that are removed, die, or become seriously damaged or diseased, within a period of 5 years from the date of planting shall be replaced with others of similar size and species in the next planting season, unless details of alternative provision is first submitted to, and approved in writing by, the Local Planning Authority.

32) Once the development has been brought into use, the servicing vehicles entering the site shall be restricted to no greater than 9.0m in length and shall not access the site outside the hours 09:00 to 17:00.

****End of Schedule****

APPEARANCES

FOR THE APPELLANT:

Mr C Banner of Counsel	Instructed by Miss A Paterson
He called:	
Miss A Paterson BA(Hons) MRTPI (Agent)	Assc.Director at DLBP
Mr A Ryley BA(Hons) MSc MRTPI	Director at DLBP
Mr D Bird	Director at Vectos/SLR Ltd
Mr A Ward MSc	Assc.Director at Vectos/SLR Ltd
Mr W Anstey BSc MSc MIENVSC	Tech.Director at Vectos/SLR Ltd
Mr S Rose BSc(Hons) TECHCERT Arb.a	Principal Consultant at CBE Trees
Mr D Gannon	Care UK

FOR THE LOCAL PLANNING AUTHORITY:

Mr E Hanley	Senior Planning Officer, Stafford Borough Council
Mr D Woodhouse MArborA LG DipArb (ABC) BEng(Hons) NDH(Arb) RFS(Cert)	Tree Officer, Stafford Borough Council
Mr S Hawe	The LHA, Staffordshire County Council
Mrs L Anthony	The LHA. Staffordshire County Council

INTERESTED PARTIES:

Mr M Judson	Local resident
Mr D Strong	Local resident
Mrs N Davies	Local resident
Mr I Preston	Local resident

HEARING DOCUMENTS

- SoCG received 26 September 2023
- Transport Rebuttal from Vectos/SLR Ltd, dated October 2023
- An email dated 24 October 2023 from the Council, received at 09:30 forwarding on 4no. representations from interested parties, including a local Member for Weeping Cross and Wildwood Ward.
- A completed UU received 26 October 2023.