

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

15th August 2019

Application No:	SMD/2019/0080	
Location	Endon Riding School, Moss Lane, Stockton Brook	
Proposal	Approval of reserved matters of appearance, landscaping, layout and scale relating to SMD/2017/0470.	
Applicant	Humphrey Builders Ltd	
Agent	Rob Duncan Planning	
Parish/ward	Bagnall	Date registered 15/02/2019
If you have a question about this report please contact: Rachael Simpkin tel: 01538 395400 ex 4122 rachael.simpkin@staffsmoorlands.gov.uk		

REFERRAL

This application is to be determined at the Planning Applications Committee as it relates to a locally controversial major application, which was allowed on appeal.

1. SUMMARY OF RECOMMENDATION

APPROVE with planning conditions.

The application has been time extended to the 15th August 2019 to account for scheme negotiations in respect of design and layout matters.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The approved outline red edge application site is 0.62ha in area and is located on land / buildings associated with the former Endon Riding School. The application site is designated as open countryside and Green Belt as contained within the 1998 Adopted Local Plan. These boundaries remain in force until such time as they are reviewed and adopted through the site allocations process. The larger village of Endon is located some 2km away.

2.2 It includes previously developed areas of land with reference to the existing riding school buildings, including a large indoor school, stables and associated hard curtilage. Previously, the extent of the western boundary had been reduced by omitting the open fields to the west of the site. The site is bordered to the west by a pair of semi-detached dwellings. The south-eastern quarter of the site accommodates a three-storey dwelling house and a separate two-storey staff accommodation building, which were associated with the operation of the riding school. Beyond the eastern tree belt is a small enclosed area of land associated with storage. The northern boundary of the site is characterised by an existing mature band of trees beyond which the land levels fall markedly to an area (outside

of the application site) which accommodated a manege, horse walker and an informal parking area for cars and horseboxes etc. Vehicular access is taken from Stanley Moss Road which defines the southern boundary of the site.

3. DESCRIPTION OF THE PROPOSAL

3.1 This application comprises reserved matters for all remaining scheme matters, including layout, scale, landscaping and appearance for nine new 2-storey dwellings in accordance. This is sought in association with the approved, varied outline planning permission ref. SMD/2017/0470, which secured an alternative means of access into the site and demolition of all buildings as an alternative to outline planning permission ref. SMD/2014/0838 as was allowed at appeal.

3.2 The scheme further the refusal of planning permission ref. SMD/2018/0373, which sought consent for the construction of eight new detached 2-storey dwellings as follows:

- 1. The proposed development by reason of its layout, scale and appearance would be to the significant detriment of the character and appearance of the site and its immediate surroundings by introducing a suburban building form and layout which would be at odds with the local architectural vernacular in the context of a rural settlement. The application is therefore contrary to policies SS1, SS1a, SS6c, H1 and DC1 of the Core Strategy Development Plan Document (26th March 2014), Staffordshire Moorlands Design Guide and the National Planning Policy Framework (July 2018) section 12.*

3.3 The application, the details attached to it, including the plans, any comments made by residents and the responses of consultees can be found on the Council's website at:-

<http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=128237>

4. RELEVANT PLANNING HISTORY

SMD/2018/0373 Application for approval of reserved matters relating to SMD/2017/0470 for eight dwellings. Refused 25th October 2018.

SMD/2017/0470 Variation of Conditions 4, 5 and 7 and non-material amendment to application description of planning permission ref. SMD/2014/0838 to allow for different access positions to the site and to remove reference to 'part demolition' and 'retained buildings' so that a reserved matters application can be made that includes demolition of all of the existing buildings and incorporates access positions that vary from the previously approved positions. Approved with conditions 11th December 2017.

Annex 1 contains the planning conditions associated with the above s.73 planning permission.

A non-material amendment also agreed the change of the development description to the 'full demolition of existing buildings and provision of up to 10 no. dwelling houses with ancillary facilities and associated infrastructure'.

SMD/2014/0838 Outline planning application with all matters reserved (save access) for part demolition of existing buildings and provision of up to 10 no. dwelling houses with ancillary facilities and associated infrastructure. Allowed at appeal on the 12th May 2016.

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The Development Plan comprises of:

- Saved Local Plan Proposals Map / Settlement Boundaries (Adopted 1998)
- Core Strategy Development Plan Document (Adopted March 2014)

Staffordshire Moorlands Local Plan (1998)

5.2 Development boundaries within the 1998 Adopted Local Plan are still in force until such time as they are reviewed and adopted through the site allocations process.

Adopted Staffordshire Moorlands Core Strategy DPD (26th March 2014)

5.3 The following Core Strategy policies are relevant to the application:-

- SS1 Development Principles
- SS2 Future Provision of Development
- SS3 Distribution of Development
- SS1a Presumption in Favour of Sustainable Development
- SS6 Rural Areas
- SD1 Sustainable Use of Resources
- SD3 Carbon-saving Measures in Development
- H1 New Housing Development
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- NE1 Biodiversity and Geological Resources
- T1 Development and Sustainable Transport

Emerging Local Plan

5.4 The existing development plan document for the Staffordshire Moorlands does not include any allocations for housing and other types of land uses. The new plan will include sites for developments and boundaries. It will be a single document that will take a fresh look at the development needs of the district for the next 14 years to

2031. As well as early public engagement, the Council have undertaken public consultations on the draft plan site allocation options during 2015, preferred options and boundaries in 2016 and preferred options in 2017. The comments received in response have been used to prepare, publish and consult upon the final Local Plan draft 'submission' version, which was examined by the Inspector during sessions held in October 2018.

5.5 In summary, the Inspector has requested that the Council draws up a schedule of main modifications to the Local Plan which reflect his recommendations, including those regarding the removal of the LGS designation from the proposed Local Plan as is set out above.

5.6 A full schedule of main modifications to the Local Plan is expected to be subject to consultation this autumn. The schedule will consist of modifications that the Inspector has so far deemed necessary to make the Local Plan sound. Following the consultation, the Inspector is expected to consider the responses before issuing his final report. Depending on the recommendations in the report, the Council may then be in a position to adopt the Local Plan.

5.7 In this context, the Council's position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is as follows:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as discussed above.
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question.
- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

Emerging Policies

5.8 The following policies (including their weighting) are considered to be relevant to this application:

- SS1 Development Principles (Moderate)
- SS1 a Presumption in Favour of Sustainable Development (Significant)
- SS10 Other Rural Areas Strategy (Limited)
- SD1 Sustainable Use of Resources (Limited)
- SD3 Carbon-saving Measures in Development (Moderate)
- H1 New Housing Development (Limited)
- DC1 Design Considerations (Moderate)
- DC3 Landscape and Settlement Setting (Significant)
- NE1 Biodiversity and Geological Resources (Moderate)
- NE2 Trees, Woodlands and Hedgerows (Significant)
- T1 Development and Sustainable Transport (Moderate)

Supplementary Planning Document

Space about Dwellings (1996)

Supplementary Planning Guidance

Staffordshire Moorlands Design Guide (2018)

National Planning Policy Framework (NPPF) revised.

National Planning Policy Guidance

6. CONSULTATIONS CARRIED OUT

6.1 A Site notice has been displayed, a press notice published and neighbouring properties notified. The revised neighbour consultation period ends on the 10th August 2019.

6.2 Three representations have been received as a result of Council publicity undertaken and are summarised as follows:

- There is no in principle objection to the development of the brownfield site;
- Concerns about the layout of the development attracting on street car parking leading to highway safety concerns;
- This is because the occupiers of the 4 houses fronting the road will park on Stanley Moss Lane therefore reducing the already narrow lane to a single file;
- It will also encourage visitors, delivery trucks and the refuse collection service to also park on the road frontage;
- This also raises particular highways concern in respect of the acute angle of the junction from Stanley Moss Lane when approaching from Stockton Brook;
- It is suggested that the houses could be set further back in their plots to enable parking within the plot frontage;
- Double yellow lines are suggested to prevent this from occurring, including the frontage of the adjoining land to the east;
- A restriction of 8 dwellings would allow a service road wide enough to take a delivery / refuse vehicle or passing car;
- The Insurance Companies should be advised that the Officers and the Committee were warned of the danger of accidents occurring near the junction of Stanley Moss Lane should these plans be passed and should, to some extent, be held responsible for whatever damage or injury is caused;
- The development should be in keeping with the area and blend in with the surrounding countryside;
- Only two types of dwellings are proposed and as roadside houses will be visually overbearing within the area;
- Whilst the height of the dwellings have been reduced to 7.8 metres, the roadside location and higher ground would still result in an urban effect;
- It is recalled that a motion was passed by the Planning Applications Committee to only permit 8 dwellings on the site to prevent shoe horning;
- A ninth dwelling appears to be crammed into the site therefore spoiling the overall effect; and,

- It is requested that confirmation is required from the developers that they will redevelop the area between the agricultural road and the site's western boundary, which divides our property and the riding school;

Bagnall Parish Council:

No objections provided that the residents within the vicinity have been consulted on this application.

Local Highways Authority (SCC):

There are no objections on Highway grounds to the proposed development subject to the following conditions being included on any approval:-

1. The dwellings hereby approved shall not be occupied until the access to the site has been completed. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans. The parking, turning and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing areas for the life of the development.

2. The garages indicated on the approved plan shall be retained for the parking of motor vehicles and cycles. They shall at no time be converted to living accommodation without the prior express permission of the Local Planning Authority.
REASONS:

To comply with NPPF paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

IMPORTANT INFORMATIVE TO BE INCLUDED ON DECISION NOTICE:

This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 219 - 226 exemption of the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

NOTE TO PLANNING OFFICER:

Following SMD/2018/0373, a swept path of refuse vehicles has been submitted. Response of AES Waste Collection Services is that there is no objection to this proposal. If the waste collection contractor is prepared to access the site, collection day bin storage is not required.

SMDC Waste:

No objections.

SMDC Arboricultural Officer:

Comments 01.08.19: The landscaping scheme is now fully and well specified, comprising mixed native species hedgerow (also incorporating some new standard hedgerow trees) to boundaries of Plots 1, 2, 3, 8 and 9 as indicated, together with some additional amenity tree planting and a few shrub beds in "public" areas within

the site. Planting is appropriately specified in terms of species, numbers/densities, plant sizes, and hedgerow spacing pattern, and also post-planting aftercare/maintenance. This landscaping scheme is suitable for approval as reserved matters landscaping against the outline planning permission. A further condition is required in the event of approval, to secure implementation and maintenance of landscaping, as follows:

1. The planting scheme shown on David Tatton Architect "Location, Site Plan and Site Sections" Drg. No. 113/30B and hereby approved as reserved matters shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees, shrubs, herbaceous plants and grass planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

Comments 01.08.19: In terms of impact on trees, the revised proposed layout shown on Drg. No. 113/30A would have little or no additional impact on trees compared with the layout submitted under the previous reserved matters application SMD/2018/0373 – although that reserved matters application was refused, I had no objection on tree impact related grounds, and I again have no such objection in relation to the current application.

The current application includes an updated arboricultural report. This again confirms the poor condition of 2 of the mature Ash trees (denoted T21 and T22 in the applicant's tree survey) situated at the NE boundary of the site, and the loss of these 2 trees is again accepted as appropriate due to their condition.

The report demonstrates that the detached garages to Plots 7 and 8 would be located within the Root Protection Area of a mature Beech denoted T23 situated just off-site on raised ground. However, these garages would be within the extent of existing concrete base associated with the yard/buildings of the former riding school, and would be unlikely to cause significant damage to the roots of the Beech.

Conditions 13, 14 and 15 of the appeal decision outline planning permission already make suitable provision for: retention of trees shrubs etc other than where removal is directly needed in order to implement the permission; any tree or shrub removal to avoid harmful impact on nesting birds; and provision of temporary tree protection barriers to avoid damage to retained trees during construction. Therefore, as long as any reserved matters approval is explicitly tied in to the existing outline planning permission conditions, further conditions in this regard are not necessary in the event that reserved matters approval is now granted.

The reserved matters application form states that approval of landscaping as a reserved matter is sought. However, other than a few general drawing annotations referring to fences, walls and hedges on the proposed layout plan Drg. No. 113/30A, there appears to be no submitted detail or specification for any proposed hard or soft landscaping provision. Therefore at present level of detail/information it would not be appropriate to approve landscaping as a reserved matter at this stage; this

would need to be subject either to the submission of a fully detailed and specified landscaping scheme prior to determination of the reserved matters application, or to the imposition of a further condition requiring submission and approval of such a scheme prior to an appropriate trigger point. Whichever, we would also need to include an appropriate condition securing implementation and subsequent maintenance of a landscaping scheme once approved.

SMDC Ecology Officer:

Awaited.

Environment Agency

No objection to the reserved matters submission.

LLFA (Lead Local Flood Authority)

No objection to the scheme subject to the imposition of a condition concerning surface water drainage.

Staffordshire Police (Crime Prevention Design Advisor)

In summary, the layout appears to be generally sound in crime prevention terms with properties addressing the lane and good natural surveillance within the heart of a small development. It is recommended that the properties should meet the minimum physical security standards as contained within the Secured by Design Homes 2019 Design Guide.

7. OFFICER COMMENT

Policy

7.1 The determination of a planning application should be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.

7.2 Section 38(6) requires the Local Planning Authority to determine planning applications in accordance with the development plan, unless there are material considerations which 'indicate otherwise'. Section 70(2) provides that in determining applications the Local planning Authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan currently consists of the Staffordshire Moorlands Core Strategy.

7.3 The NPPF (National Planning Policy Framework) as revised was issued in February 2019. The NPPF is considered to be a mandatory material consideration in decision making. The applicable contents of the NPPF will be referenced within the relevant sections of the officer report as detailed below.

7.4 As before achieving sustainable development sits at the heart of the NPPF as referred to within paragraphs 10 and 11. This requires the consideration of three overarching and mutually dependant objectives being: economic, social and environmental matters where they are to be applied to local circumstances of character, need and opportunity as follows:

- a) *an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) *a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of the present and future generations; and by fostering a well designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well being; and,*
- c) *an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making the effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

7.5 Core Strategy policy S1a establishes a presumption in favour of sustainable development as contained within NPPF paragraph 11. It requires decision makers to apply a presumption in favour of sustainable development. For decision makers this means that when considering development proposals which accord with the development plan they should be approved without delay or where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless:-

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear 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.*

7.6 It is acknowledged that the Council cannot demonstrate a five year supply of deliverable housing land and as at 31st March 2018 the figure was 1.8 years. Case law has established that the application of the test in paragraph 14 (now paragraph 11) is a ‘tilted balance’ which is predisposed in favour of granting planning permission unless adverse scheme impacts are outweighed by scheme benefits (11i) or NPPF policies protecting areas or assets of particular importance apply (11ii).

7.7 The policies contained in the NPPF are supplemented by the National Planning Practice Guidance (NPPG), which is also a material consideration in the

determination of applications. A list of key policies, guidance and other material considerations is provided above (section 5).

Principle of Development

7.8 In this case, the principle of residential development of up to 10 dwellings has been established in respect of the outline planning permission as allowed on appeal on the 12th May 2016. Such matters of Green Belt, locational sustainability, flood risk, the Stanley Pool Reservoir inundation zone, site contamination, highway safety and affordable housing provision amongst other matters were assessed and found to be acceptable.

7.9 Reserved matters consent is sought in association with the approved, varied outline planning permission ref. SMD/2017/0470, which secured an alternative means of access into the site and demolition of all buildings as an alternative to outline planning permission ref. SMD/2014/0838 as was allowed at appeal. In these circumstances, the main issues in this case relate to whether the proposal comprises appropriate development in respect of detailed form and layout including landscaping matters, having regard to the design based policies of the Adopted Development Plan and the NPPF.

Green Belt

7.10 The reserved matters scheme for the proposed dwellings would need to comply with the relevant conditions of the outline planning permission controlling scale. This is with particular reference to Condition 4 'development plan parameters' matters, which requires that the combined volume of the proposed residential properties should not exceed 10,257 cubic metres, including domestic garages. The applicant has been requested to confirm overall development volume and Members will be updated at the meeting. Subject to the scheme not exceeding the volume threshold, there would be scheme compliance with Part 6 of CS Policy SS6c and the NPPF concerning appropriate development within the Green Belt. A planning condition removing relevant permitted development rights in respect of domestic extensions and outbuildings is deemed to be both reasonable and necessary to preserve Green Belt openness within the site once developed.

Layout, Scale, Landscaping and Appearance

7.11 The reserved matters scheme is pursuant to varied outline planning permission ref. SMD/2017/0470, which has secured an alternative means of access into the site and demolition of all buildings as an alternative to outline planning permission ref. SMD/2014/0838 as was allowed at appeal. Relevant highway conditions to this permission require the relocation of the existing gully, implementation of visibility splays and closure of redundant access points.

7.12 The applicant has set out that the provision of a 5 metre wide carriageway is necessary in order to facilitate access and turning by emergency vehicles and refuse collection vehicles and to allow vehicles to pass one another on access/egress. This is shown on the submitted vehicle tracking plan. The Local Highways Authority has been consulted on the reserved matters submission. No

objections to the scheme layout are raised subject to the imposition of planning conditions in relation to implementation of the layout and retention of garaging for the parking of motor vehicles and cycles only. According, scheme compliance is achieved in respect of CS Policy T1 and the NPPF.

7.13 In consideration of the appeal proposal, the Inspector shared the reservations of the Council in relation to the suburban layout and house types as shown on the illustrative plans submitted and could see no reason why a more appropriate, high quality scheme, that had more affinity and resonance with its rural context and the local architectural vernacular could not be secured at a detailed design stage. The Inspector went on to say that there would be scope for a significant improvement in terms of the character and appearance of the area, given the bulky, utilitarian buildings currently on the site.

7.14 Whilst the principle of development and volume has been set by the outline planning decision from the Inspectorate; the form, scale, layout and design of any future development is clearly open for negotiation and needs to be reflective of the context and character of this rural area. The suburban layout comprising of eight detached dwellings as was submitted with the reserved matters scheme raised character and appearance concerns leading to its refusal as is detailed above. Particular concerns related to the regimented alignment of 8 large detached dwellings around a cul de sac arrangement. In particular, its layout, scale of units and their appearance would introduce an edge of town suburban type development within an area that retains a stronger rural character and context. Other scheme criticisms related to the lack of frontage development and the large detached dwellings, which should be replaced with smaller scale units.

7.15 The resubmitted scheme has attempted to address these fundamental design concerns, which led to the refusal of the previous proposal. In particular, the dwellings located towards the site frontage with Stanley Moss Road have been orientated to front the highway. A more robust built frontage has clearly addressed this key concern. A looser arrangement of dwellings has led to a more organic and rural layout, which is further enhanced through the retention and proposed native hedgerows boundaries. The amount of hard surfacing proposed has been narrowed at either end of the two spurs as much as possible whilst complying with highway access requirements. The proposed house types have also been revised to reflect a rural style of design that is more in keeping with the character of the site. Whilst some of the dwellings remain detached in nature, they are now smaller in scale than those previously proposed. This is in respect to a narrower gable widths (between 6m and 7m), reduced ridge heights (between 7.5m – 7.8m) and reduced overall floor areas.

7.16 The applicant's confirmed design approach has been to incorporate gabled roofs, a palette of facing brickwork, render and Staffordshire blue tiles. Windows would be appropriately proportioned with header detailing. Together with exposed rafter eaves and timber front porches these features would more closely reflect the rural character of the surrounding area and constitute an appropriate design solution for this site. The applicant has been advised to omit the render to the frontage of the scheme and Members will be provided with an update on the late letters sheet.

7.17 The scheme would result in a development which would offer good standards of amenity for the future occupants of the scheme as well as neighbours.

7.18 The Council's Arboricultural Officer has confirmed that the landscaping scheme is now fully and well specified, comprising mixed native species hedgerow and also incorporates some new standard hedgerow trees to the boundaries of Plots 1, 2, 3, 8 and 9 as indicated. This is together with some additional amenity tree planting and a few shrub beds in "public" areas within the site for the landscaping reserved matters to be deemed acceptable in principle. The Council's Ecology Officer has been invited to comment on the landscaping proposals and an update will be provided on the late letters sheet.

7.19 In these circumstances, and subject to the imposition of appropriately worded planning conditions, there would be scheme compliance with CS Policies H1 and DC1 in particular, the Space about Dwellings Guidance, the Staffordshire Moorlands Design Guide and the NPPF.

8.0 CONCLUSION & PLANNING BALANCE

8.1 The scheme for a total of 9 dwellings would clearly contribute to housing delivery with associated economic and social benefits as was recognised by the Planning Inspector at the outline planning application stage.

8.2 Previous concerns regarding the scheme's suburban and regimented building form within the context of a rural settlement have been overcome to be considered as sustainable development within the context of the NPPF.

8.3 Accordingly, the scheme would comply with the development plan as a whole and also demonstrates compliance with the NPPF. Accordingly Members are recommended to approve the scheme without further delay and subject to recommended conditions as is detailed below.

9. OFFICER RECOMMENDATION

A. APPROVE subject to planning conditions as follows:

Approved Plans

1. The development hereby permitted shall only be carried out in accordance with the following approved plans: to be specified.

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

Materials

2. No development shall commence until the facing materials to be used in the construction of external walls and roofs of the dwellings and garages has been submitted to and approved in writing by the Local Planning Authority.

Development shall be carried out in accordance with the approved details.

Reason:- In the interests of visual amenity.

Appearance Details

3. No development shall commence until details, including finish of all eaves, verges, windows (including head and sill details), doors (including garage) and hard surfacing within the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:- In the interests of visual amenity

4. All external doors (including garage) and windows shall be set back from the face of the building by a minimum of 70mm (new build).

Reason:- In the interests of visual amenity.

5. No development shall commence until a scheme of the boundary treatments has been submitted to and approved in writing by the Local Planning Authority. The boundary scheme shall be implemented in accordance with the approved scheme prior to the first occupation of the dwelling to which they relate and shall be maintained for those purposes at all times thereafter.

Reason:- In the interests of visual amenity

Removal of Permitted Development

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification):-

a) No development as specified in Part 1 Class(es) A, B, C, D and E other than those expressly authorised by this permission, shall be carried out on any plot without express planning permission first being obtained from the Local Planning Authority.

b) No development as specified in Part 1 Class F other than those expressly authorised by this permission, shall be carried out on any plot without the express planning permission first being obtained from the Local Planning Authority, and,

c) No development as specified in Part 2 Class A other than those expressly authorised by this permission, shall be carried out on any plot without the express planning permission first being obtained from the Local Planning Authority.

Reason:- In the interests of visual amenity and Green Belt planning policy.

Highways

7. The dwellings hereby approved shall not be occupied until the access to the site has been completed. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans. The parking, turning

and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing areas for the life of the development.

Reason:- In the interests of highway safety.

8. The garages indicated on the approved plan shall be retained for the parking of motor vehicles and cycles. They shall at no time be converted to living accommodation without the prior express permission of the Local Planning Authority.

Reason:- In the interests of highway safety.

Landscaping

9. The planting scheme shown on "Location, Site Plan and Site Sections" Drg. No. 113/30B and hereby approved as reserved matters shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees, shrubs, herbaceous plants and grass planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

Reason:- In the interests of visual amenity and ecological mitigation and enhancement.

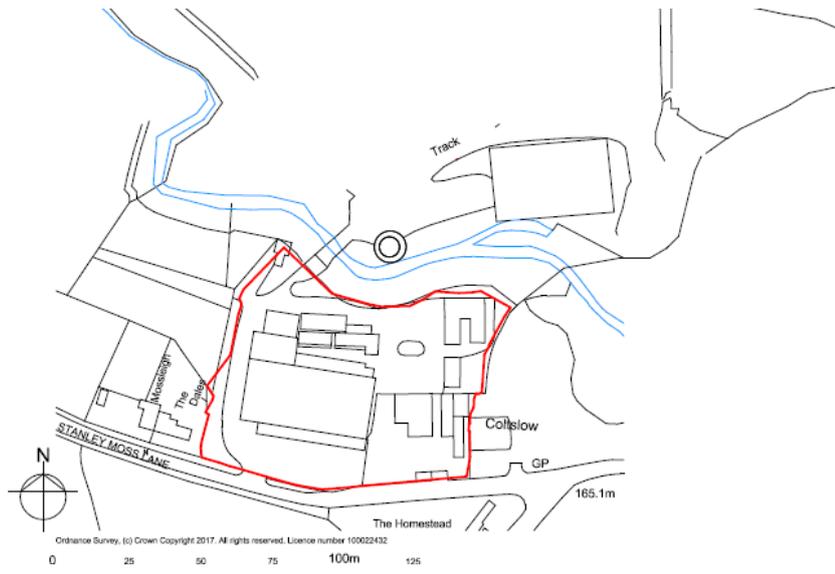
Informatives

1. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

2. This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 219 - 226 exemption of the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Operations Manager - Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Location Plan



Site Plan (current scheme)



Site Plan (refused scheme ref. SMD/2018/0373)



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Annex 1

Planning Permission ref. SMD/2017/0470 'Variation of Conditions 04, 05 and 07 and non-material amendment to application description of planning permission ref. SMD/2014/0838 to allow for different access positions to the site and to remove reference to 'part demolition' and 'retained buildings' so that a reserved matters application can be made that includes demolition of all of the existing buildings and incorporates access positions that vary from the previously approved positions'.

Reserved Matters

1. Details of appearance, landscaping, layout, and scale, (hereinafter called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason:- The application is an outline application under the provisions of the Town and Country Planning (General Development Procedure) England Order 2015 and no particulars have been submitted with respect to the matters reserved in this permission (excepting access).

2. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of planning permission ref. SMD/2014/0838 dated 12th May 2016. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason:- The application is an outline application under the provisions of the Town and Country Planning (General Development Procedure) England Order 2015 and no particulars have been submitted with respect to the matters reserved in this permission (excepting access).

Development Parameters

3. No more than ten dwelling houses shall be provided on the site.

Reason:- For the avoidance of doubt and in the interests of proper planning.

4. The combined volume of the proposed residential properties shall not exceed 10,257 cubic metres.

Reason:- For the avoidance of doubt and in the interests of proper planning.

Access/Parking

5. Notwithstanding any details shown on the approved plans, no development shall be commenced until revised access details indicating the relocation of the existing gully within the proposed site access to a point just outside of the proposed site access with a connection to the surface water drainage network has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied unless and until the vehicular accesses to the site from the highway has been

completed, including the connection to the surface water drainage network and removal of redundant gully pot.

Reason:- In the interests of highway safety.

6. No dwelling shall be occupied until the visibility splays to both accesses as shown on plan ref. no 113-03C have been provided for all direct accesses onto Stanley Moss Lane. The visibility splays shall thereafter be kept free of all obstructions to a visibility over a height of 900mm above the adjacent carriageway level.

Reason:- In the interests of highway safety.

7. No dwelling shall be occupied until the existing site accesses (including the access crossing between the site and carriageway edge), which are made redundant as a consequence of the development hereby permitted have been permanently closed and the access crossings reinstated as verge in accordance with the approved drawings.

Reason:- In the interests of highway safety.

8. No wall, hedge, fence or vegetation that exceeds a maximum height of 0.6 metres above the adjacent carriageway level shall be placed on any plot frontage within 2.0 metres of the carriageway edge.

Reason:- In the interests of highway safety.

9. No dwelling hereby permitted shall be occupied until associated parking, turning and servicing space has been provided in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. Once provided, the spaces shall be retained thereafter and shall be used for no other purpose.

Reason:- In the interests of highway safety.

Sustainable Drainage

10. No development shall take place, including works of demolition and site clearance, until details of a sustainable surface water drainage scheme, based on an assessment of the hydrological and hydrogeological context of the development site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details and timetable. The scheme to be submitted shall:

- I. demonstrate the ability for on-site accommodation of surface water run-off up to the critical 1 in 100 year event plus 30% allowance for climate change, based upon the submission of drainage calculations;
- II. provide information about the design storm period and intensity, and the method employed to delay and limit surface water discharged from the site to greenfield run-off rates;
- III. demonstrate measures taken to prevent pollution of the receiving groundwater and/or surface waters, including measures to attenuate any discharges into the Stanley Feeder Channel to appropriate rates, together with details of the installation of interceptors to minimise the risk of contaminated surface water run-off entering the Stanley Feeder Channel;
- IV. include a timetable for implementation of the scheme; and,

- V. provide a management and maintenance plan for the scheme, for the lifetime of the development, which shall include the arrangements for adoption of the scheme by any public authority or statutory undertaker, and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason:- In the interests of achieving sustainable surface water and preventing potential flood issues.

Construction Management Plan

11. The development hereby permitted shall not begin (including any works of demolition and site clearance) until such time as a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CMP shall be implemented in accordance with the approved details throughout the construction period. The CMP shall include, but is not restricted to:

- I. site management arrangements, including on-site storage of materials, plant and machinery; on-site parking and turning provision for site operatives, visitors and construction vehicles; and provision for the loading/unloading of plant and materials within the site;
- II. wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the site does not carry mud or deposit other materials onto the public highway, and,
- III. details of measures to minimise construction waste and to maximise recovery and recycling.

Reason:- In the interests of highway safety.

Ecology/Trees

12. No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the development and has previously been approved as part of the details to be submitted pursuant to Condition 01 of the outline permission ref. SMD/2014/0838 of the approved outline permission.

Reason:- In the interests of nature conservation.

13. No development (including any works of demolition and site clearance, and removal of trees, shrubs and hedgerows approved pursuant to condition 12 above) shall begin during the bird nesting season (1 March – 31 August inclusive) unless it has been demonstrated, following inspection by a suitably qualified ecological consultant, that affected buildings, trees, shrubs or hedgerow are not in active use by nesting birds. If nested birds are located, work shall cease on that part of the site until nesting is completed and fledged young have departed the site.

Reason:- In the interests of nature conservation.

14. Before development begins (including any works of demolition and site clearance) temporary protective fencing and advisory notices for the protection of the existing trees to be retained, shall be erected in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations. Such measures shall be retained in position for the duration of the construction period. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing,

passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires.

Reason:- In the interests of tree protection.

15. Development shall not begin (including any works of demolition and site clearance) until such time as an Ecological Management Plan (EcMP) including a timetable for its implementation, has been submitted to and approved in writing by the Local Planning Authority. The approved EcMP shall be implemented in full in accordance with the approved timetable. The EcMP shall include, but is not restricted to:

- I. hours during which works of construction (including works of demolition and site clearance) can take place;
- II. all aspects of habitat creation and ongoing management, including avoidance, mitigation and compensation measures to address potential impacts on legally protected species;
- III. a scheme for the erection of 'wildlife fencing' around the proposed development boundary during the construction period;
- IV. a scheme to manage appropriately Indian Balsam during pre-construction, construction and post-construction periods in order to prevent its spread;
- V. no plastic sheeting or mesh shall be used on any scaffolding erection during the construction period, in order to prevent potential snaring and entanglement of volant bats in the surrounding landscape;
- VI. best practice with regard to mammals shall be followed for the duration of works, with any footings/holes to be covered at night, or a suitable method of escape provided;
- VII. the provision of a buffer zone of at least 10.0 metres in width alongside the adjacent watercourse, in order to reduce potential impact on aquatic/riparian species including otter and water vole. No waste materials or contaminants shall be deposited within the buffer zone. No heavy machinery is to be used within the buffer zone. Any works that may affect the buffer zone /river corridor should be carried out under ecological supervision. If any evidence of otter or water vole is found during works, then all works shall cease and a suitably qualified ecologist shall be consulted to advise on how best to proceed;
- VIII. details of methods to be employed during all construction works, including earthworks, to limit silt mobilisation into and pollution of nearby water channels, and storm water run-off, in accordance with the Environment Agency guidelines: EAPPG5 measures to be employed during construction (including works of demolition and site clearance) for any on-site storage of chemical and/or fuel storage; for on-site re-fuelling of machinery and vehicles; and for dealing with fuel spillage incidents; and,
- IX. measures to minimise dust emissions during the construction process (including works of demolition and site clearance).

Reason:- In the interests of nature conservation.

16. Development shall not begin until details of a wildlife sensitive lighting scheme for any external areas to be illuminated (to be informed by an assessment of areas on the site that are particularly sensitive in terms of wildlife interest) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out only in accordance with the approved details.

Reason:- In the interests of nature conservation.

Contamination

17. Other than as may be required by an approved scheme of remediation, no development shall take place (including works of demolition and site clearance/preparation) until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site, has been submitted to and approved in writing by the Local Planning Authority, and has been implemented in accordance with the approved details:

a) A preliminary risk assessment which has identified:

- I. all previous uses;
- II. potential contaminants associated with those uses;
- III. a conceptual model of the site, indicating sources, pathways and receptors; and,
- IV. potentially unacceptable risks arising from site contamination.

b) A site investigation scheme based on (a) above, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

c) The results of the site investigation and the detailed risk assessment referred to in (b) above and, based on those, an options appraisal and remediation strategy giving full details of any remediation measures required and how they are to be undertaken. The approved remediation strategy must be carried out in accordance with its terms prior to the commencement of development.

d) Following completion of the measures in the approved remediation scheme, a validation report that demonstrates completion of the remediation strategy referred to in (c) above is complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

18. No top soil or fill material is to be imported onto the site unless and until it has been tested for contamination and assessed for its suitability for the proposed development in accordance with a testing methodology that has previously been submitted to and approved in writing by the Local Planning Authority. The methodology shall include arrangements for the submission and approval of validation results.

Reasons (17 and 18):- To ensure that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.