

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

11th November 2021

Application No:	SMD/2017/0497	
Location	Ivy Cottage, Tythe Barn, Alton	
Proposal	Demolition of Ivy Cottage and erection of 1 replacement dwelling and 11 dwellings with construction of new road access	
Applicant	Vital Construction Ltd	
Agent	Sammons Architectural Ltd	
Parish/ward	Alton	Date registered 17/08/2017
If you have a question about this report please contact: Ben Haywood tel: 01538 395400 ex 4924 ben.haywood@staffs Moorlands.gov.uk		

REFERRAL

This is a contentious major application which was considered by committee prior to the adoption of the Staffordshire Moorlands Local Plan 2020. The application is brought back for reconsideration of the Planning Balance in the light of the newly adopted plan.

1. SUMMARY OF RECOMMENDATION

APPROVE, subject to a s106 legal agreement to secure the provision of 3 onsite affordable housing units and conditions

2. DESCRIPTION OF THE PROPOSAL

2.1 Full planning permission is sought for the erection of 11 dwellings. It followed the earlier withdrawn proposal ref. SMD/2015/0151 for 13 properties, which raised issues in respect of the loss of the historic orchard, impact on on-site ecology, including bats and the loss of a non-designated heritage asset in respect of the demolition of Ivy Cottage.

2.2 It follows the Planning Application Committee's resolution to approve the scheme at the 5th July 2018 meeting. This was subject to a s106 legal agreement to secure the provision of 3 onsite affordable housing units, which has not been completed to date.

2.3 The development would involve the demolition of the existing stone Cottage 'Ivy Cottage' to allow the formation of a new vehicular access from Tythe Barn (B5032). A mix of 2, 3, 4 and 5 bedroom dwellings are to be

formed as terraces, semi-detached and detached properties of a two-storey scale.

2.4 The scheme proposes a terrace of 3 cottages to the main road frontage with vehicular site access positioned to the far east of these dwellings adjacent to Rowan House. The remaining layout would take the form of a cul-de-sac with 3 outward facing dwellings culminating in a courtyard accommodating a turning head. Each dwelling would be provided with a rear gardens and parking provision. These would be either in-plot with garaging or within the two parking courts.

2.5 The buildings are to be constructed in a mix of stone and brick with clay plain roof tiles. All windows, doors and external joinery items are to be formed in timber with a painted finish. It is intended that Ivy Cottage will be carefully demolished with the stone set aside for later reuse within the development itself.

2.6 Additional planting is proposed mainly to the boundaries of the site and the materials for the hardstanding areas would include a mix of tarmac and reconstituted paving / setts.

2.7 The application is accompanied by the following documents which members are encouraged to read in advance of the meeting:

- Building for Life Statement
- Certificate of Analysis and Soil Sampling (contamination)
- Drainage Statement
- Energy Sustainability Statement
- Extended Phase 1 Habitat Survey
- Flood Risk Assessment
- Heritage Assessment
- Bat Survey Report
- Replant Disease Report
- Planning / Design and Access Statement

2.8 A Financial Viability Assessment report (confidential) for the scheme had been submitted to the Council to justify the provision of a scheme comprising of market dwellings only.

2.9 More recently, the applicant has undertaken a further bat survey dated 24th July 2019.

2.10 The application and details attached to it, including the plans, supporting documents, representations and consultee responses can be found on the Council's website at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet>

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 The site equates to approximately 0.41 hectares and is broadly rectangular in shape but narrows in width towards the Tythe Barn (B5032) road frontage. Ivy Cottage itself stands within the northern most part of the site, with its principal elevation facing south and therefore away from the main road frontage. The cottage has previously been extended with a flat roof addition to the eastern side of the building. To the west, there is a narrow access drive leading to a farm and is separated from the application site by a dry stone wall.

3.2 Ivy Cottage and its immediate domestic curtilage are located within the Alton Village Development Boundary within this edge of settlement location. Residential development surrounds the site to the north, east and west of Ivy Cottage. The cottage itself represents the brownfield element of the site. The larger, remaining part of the site (including orchard) falls within the open countryside and therefore represents the greenfield element of the site. The southern aspect of the site borders Croxden Parish, which is located within East Staffordshire Borough Council. There are a number of public footpaths within the surrounding area, however, none border or cross the application site. Tree Preservation Order (TPO) no. SM.296 (2015) covering the site was made on 25th June 2015, however, the majority of historic orchard trees have now been removed since the previous application was withdrawn.

4. RELEVANT PLANNING HISTORY

SMD/2015/0151 - Demolition of Ivy Cottage, erection of 13 dwellings and construction of new road – Withdrawn.

5. PLANNING POLICIES RELEVANT TO THE DECISION

In the first instance the application was considered prior to the adoption of the 2020 Staffordshire Moorlands Local Plan, using the Development Plan which comprised:

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

The Council is now in a position to consider this application using the Adopted Staffordshire Moorlands Local Plan (September 2020). The relevant policies are listed together with the Core Strategy policies they replace, and which were originally used for analysis, where appropriate:

Staffordshire Moorlands Local Plan (Adopted September 2020)

Policy SS 1 Development Principles replacing SS1

Policy SS 2 Settlement Hierarchy

Policy SS 3 Future Provision and Distribution of Development replacing SS2

Policy SS 4 Strategic Housing and Employment Land Supply replacing SS4

Policy SS 8 Larger Villages Areas Strategy replacing SS6a
Policy SS 10 Other Rural Areas Strategy replacing SS6c
Policy SS 11 Churnet Valley Strategy replacing SS7
Policy SS 12 Planning Obligations and Community Infrastructure Levy
Policy SD 4 Pollution and Water Quality replacing SD4
Policy SD 5 Flood Risk replacing SD4
Policy H 1 New Housing Development replacing H1, R2
Policy H 2 Housing Allocations
Policy H 3 Affordable Housing replacing H2
Policy DC 1 Design Considerations replacing DC1
Policy DC 2 The Historic Environment replacing DC2
Policy DC 3 Landscape and Settlement Setting replacing DC3
Policy C 1 Creating Sustainable Communities replacing C1
Policy NE 1 Biodiversity and Geological Resources replacing NE1
Policy NE 2 Trees, Woodland and Hedgerows
Policy T 1 Development and Sustainable Transport replacing T1

Supplementary Planning Guidance / Documents (SPG and SPD)

1. Space About Dwellings.
2. Design Principles for Development in the Staffordshire Moorlands.
4. Developer/Landowner Contributions
5. Churnet Valley Masterplan
6. Planning for Landscape Change

Churnet Valley Landscape Character Assessment

Study commissioned by Staffordshire Moorlands District Council to input into the emerging Local development Framework (LDF), in particular the Churnet Valley Masterplan (SPD).

National Planning Policy Framework

6. CONSULTATIONS CARRIED OUT

Press Notice expiry date: 01/11/2018
Neighbours (revised): 10/04/2018
Site Notice expiry date: Expired.

Original Neighbour Consultation:

Neither (3 representations):

- In respect of affordable housing provision and meeting the tests of the vacant building credit, it appears that the agent is attempting to stay within the 10 unit dwelling limit, however, it is queried whether the scheme would meet with the 1000sqm floor space test;
- It is queried whether the cottage is 'truly' vacant for the purposes of the test or has it been kept intentionally vacant;

- An additional test for abandonment are the intention of the owners i.e. was their intent to always demolish it, facilitate an access and create a cleared area for redevelopment;
- The property has not been repaired to show an intent to retain its residential use but has been allowed to decay further;
- Site is brownfield only in relation to Ivy Cottage itself and the status of the agricultural land is considered to be of high environmental quality;
- Following the contamination report submitted for the previous planning submission, the applicant has undertaken a large amount of herbicide and pesticides spraying on the site, which has not been recorded; and,
- This is contrary to regulations and requires further specific testing for contamination testing on the site prior to the determination of the planning application.

Support (11 representations) summary:

- Lack of affordable homes within the village of Alton;
- Would provide houses for young / elderly families with the provision of one and two bedroom dwellings;
- Provides for a mix of semi-detached, detached and a bungalow dwelling;
- Scheme would attract families with young children to Alton, keeping the school and local businesses more viable, as well as community injecting life into the village;
- Ivy Cottage has been derelict for over a decade and is an eyesore;
- Such quality developments should be encouraged;
- Small scale of development would retain the village character;
- Scheme would sit well behind Tythe Barn with the majority of the new building behind the frontage;
- Application site does not fall within a conservation area;
- Site is also one of the Council's preferred SHLAA sites for Alton and is supported by the Parish Council;
- Shirley Drive and Glen Drive were once developments; and,
- Access to the application site does not represent any highway safety concerns.

Objections (18 representations) summary:

- It is alleged that the owners have blatantly cut down the traditional old orchard, planted replacement trees as a business, then claimed that the new trees have failed (which is considered to be false);
- It is further alleged that trees were planted at 2.0m by 2.0m spacing and therefore were set up to fail – despite this it is stated that they continue to thrive with the exception of some limited trees, which are outside of the application site;
- A once beautiful orchard has been destroyed, including many habitats and biodiversity interests;

- The business has been closed to develop the land as a housing estate;
- Plans do not include starter homes or bungalows;
- It is queried whether Alton needs a new estate given the allocation of Saltersford Lane;
- Brownfield sites should be prioritised for new housing development to encourage the effective use of land;
- Neighbouring concern in respect of surface water runoff, which must be contained within site curtilage;
- A full SuDS scheme that meets with greenfield requirements should be sought prior to the approval of the development;
- High volume of traffic along B5032 between Gallows Green and Tythe Barn, especially at peak times and the road is increasingly used by heavy vehicles;
- The village has so many problems with traffic from Alton Towers and JCB and the roads are not designed to accommodate such traffic;
- Speed of traffic is a major concern and there are frequent accidents;
- The design of the access cannot be considered to be safe in respect of the 40mph speed limits recorded (as per a FOI request) and the proximity of the Shirley Drive and Dimble lane junctions;
- Proposed access is on a dangerous bend in the road;
- As well, pedestrians are forced to cross at Rowan House where the pavements ends on the south side, which can be dangerous for mothers taking their children to school;
- Submission does not appear to be materially different to the previously withdrawn submission;
- Site would be located outside of the current and proposed Alton development boundary;
- The two fields at Saltersford Lane have been lost to development and if this application is passed it will make a mockery of the consultation process;
- The application should be deferred until the new village plan has been accepted and finalised;
- Scheme is inappropriate and will have a harmful and irreversible impact on the open, rural and special landscape area to the south of the village;
- This would result in a loss of visual amenity to residents and people using the local footpath network, as well as the amenity of the area as a whole;
- Placement of 2 large dwellings on the south of the site is especially intrusive;
- There is no proposal to screen the site nor would the proposal be able to reduce the visually overbearing impact;
- No consideration of the potential for light pollution from external lighting, including impacts to wildlife;
- The proposed car parking spaces and garage (P1, P2, P3, P4, on the site plan) are immediately adjacent to the rear of Rowan House and would undoubtedly give rise to a nuisance in terms of noise from

vehicle movements particularly during the hours 7pm to 8am exacerbated by the proposed use of surface chippings;

- Proposal would result in the loss of significant drystone walls, which are unique to the village, are a heritage asset and should only be removed in special cases;
- A modest development along the frontage of Tythe Barn would be much more in keeping with the character and appearance of the area and would enable the heritage stone walling to be retained;
- Any development should be constructed of local stone to reflect the loss of Ivy Cottage;
- Scheme is predominantly for large family homes and is contrary to the Government's desire for the prioritisation of affordable housing;
- Scheme does not support the need for low cost homes;
- Permission has been granted for 23 houses at Saltersford Lane (mostly 3-4 bedroom properties) and 14 dwellings have been granted at Capri;
- St Peter's Primary School appears to be at capacity to mitigate against the impacts of further such development;
- There is no bus service in Alton so older children can only rely on the car to attend college, with the additional traffic adding to the congestion on the roads;
- Alton's infrastructure is insufficient to sustain another development of this size;
- It is understood that there are proposals to plant a new orchard on adjacent land to replace the ancient orchard that has been lost, which should be secured, implemented and maintained prior to any commencement of development;
- Clarification has been sought as why the site plan has changed (11th January);
- No publicity site notice has been observed at the application site;
- The Council should disregard letters of support from J Beattie, James Beattie, Denise Beattie and Hanna (also Beattie) as these represent a conflict as they are all related to those who have monetary incentives from the development of the scheme;
- Mr J Beattie is a Director of Vital Construction (UK) Ltd company reference no. 02289367;
- Article 8 of the Human Rights Act is quoted as the proposed development does not afford adequate privacy for the occupants of adjacent residential properties, particularly with regard to their right to the quiet enjoyment of garden amenity, and,
- Space about Dwellings is contradicted in respect of the interface distance between the Hutch and plots 5 and 6, which allows for direct overlooking and therefore a loss of amenity.

Alton Orchard Action Group summary:

- Despite the presence of TPOs on each of the trees, the developers have set out to systematically destroy this important environmental asset;

- Orchard should be retained as part of the heritage of the village;
- Scheme should be considered in the context of a Plantation on Ancient Woodland Site;
- Regarding replant disease, once root systems have become established, it ceases to be a significant issue and many orchards are successfully replanted;
- It is hard to understand why a commercial grower would not be aware of replant disease and would therefore have taken precautionary steps to mitigate against its occurrence when replanting (including meeting organic requirements);
- The Council's Trees Officer states that replant disease would not prevent the reuse of any site as an orchard and site photographs illustrate that a large number of trees have been unaffected;
- The owners herbicide spraying of the orchard seems to be at odds for a future application for organic certification; and,
- There appears to be no biological or horticultural reasons why the newly planted orchard cannot be retained on the site instead of its residential development.

Representation on behalf of Alton Orchard Action Group summary (verbatim conclusion):

- There are a number of substantial and demonstrable conflicts with the adopted policies in the Core Strategy: The failure to provide affordable local need housing – Policy SS6, the failure to protect the quality and character of the area – Policy SS6c and the failure to enhance and protect the landscape and heritage of the Churnet Valley – Policy SS7;
- The proposals are damaging to the conservation value – Policy DC2 & DC3
- The development would represent an inappropriate intrusion into the open countryside and the distinctive landscape zone within the Churnet Valley Master Plan.
- We do not find the Inspector's decision to approve the development of the Bee Cottage site on Saltersford Road as a supporting precedent for this application. Its geography is quite different and the housing supply context has changed.
- Against this background of local and national policy, we reasonably judge that if planning permission were granted "the adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole".
- We also conclude that the adverse impact of the proposal fails the environmental tests for sustainable development, and therefore, despite housing supply and up to date Development Plan issues, the tilted balance of NPPF Para 14 should not be engaged, because housing need does not always override other material considerations.
- This proposal is unsustainable and we ask the Planning Authority to please refuse the application.

Revised Neighbour Consultation (20th March 2018)

Objections (1 representation) summary:

- The proposed site plan for Ivy Cottage does not correctly show the size and position of Rowan House. There is concern that the eastern hedge would be removed and replaced with a number of trees – the latter will cause damage to house foundations. In addition, it is considered that plots 4 and 5 will directly overlook the rear of Rowan House.

NEW CONSULTATIONS

Staffordshire Wildlife Trust (18.09.20): The Bat Survey dated 24th July 2019 by Whicher Wildlife Ltd is adequate. Recommend a pre-commencement condition to secure submission of a method statement for demolition with precautions for bats, and further details/locations of bat features to be included in new dwellings.

27.11.19: I've reviewed the forwarded bat report, dated July 2018. Guidance indicates survey information submitted should be from the survey period before i.e. 2019. However, in this case previous surveys have shown there is very low bat activity so we would suggest that a preliminary roost assessment is undertaken to update the report. This survey can be carried out at any time and would look to confirm signs/evidence of any new bat activity.

- If new evidence is found, updated emergent surveys would be required within the optimal survey season (May - September).
- If no new evidence is found, the development could proceed under conditions for precautionary measures and the recommendations for mitigation /compensation identified in the 2018 report.

PREVIOUS CONSULTATIONS

Alton Parish Council: No objections.

East Staffordshire Borough Council: No objections.

Environment Agency: No comments (low environmental risk).

Staffordshire County Council (SCC) Archaeology: Awaited.

Staffordshire County Council Highways: No objections, subject to conditions including securing visibility splays, surface water drainage, no occupation of the dwellings until works to the site access have been completed, submission of a Method Statement to cover matters such as parking for site operatives/visitors, loading/unloading areas, wheel wash facilities.

Further comments:

Looking at the visibility splay drawing, the splay seems to be comfortably within the carriageway at road gully (which can be seen on the photo) so therefore visibility would not be affected. Connection of the footway may be more difficult, however, this area is included within the red line. It is noted that the first photo seems to show the hedge growing across the footway.

SCC Education: Accounting for the 1 replacement dwelling, the development is scheduled to provide 10 new dwellings. The threshold for calculating education contributions on residential developments is 11 or more dwellings, or a site greater than 0.2 hectares. Therefore no education contribution is requested for this application.

SCC Minerals: No objections.

Lead Local Flood Authority: No objection, subject to a condition securing the approved Soakaway Assessment and Drainage Strategy October 2018 as detailed within the Flood Risk Assessment (FRA) and approval of the maintenance of the surface water system over the lifetime of the development.

SMDC Ecology (revised): Given that the latest bat emergence survey was conducted in September 2016 it would be appropriate for repeat surveys to be carried out. A small non maternity roost of Pipistrelle bats was present in 2016. Given that bats were recorded roosting and the potential of the building to support bats is high. A precautionary approach is advised with respect to survey effort. Three bat surveys between May and September with at least two surveys between May and August (Optimum time to detect if amore significant maternity roost is present) should be conducted and that bat surveys are carried out prior to the determination of the planning application.

The following original comments remain relevant to the scheme. A phase I ecological survey indicated the principal habitat of importance are species rich hedgerows present on site, which a habitat of local and UK biodiversity importance. Given the size and scale of the development, there are opportunities for enhancement via an Ecological Management Plan (EMP). Notwithstanding the requirements for additional bat surveys prior to the determination of the planning application, the following planning conditions are recommended: badger and hedgehog surveys and mitigation during construction; lighting strategy; no disturbance of nesting birds and the submission of an Ecological Management Plan.

Officer: the applicant has committed to the carrying out of further bat surveys as specified above, which are discussed in more detail below.

SMDC Conservation Officer (revised): Overall, the layout is much improved and the frontage building and properties running at right-angles to the main road show sensitivity to the site context and will assimilate well into the surrounding built up area. It will be particularly important to get the detailing

right of the roadside frontage – eaves, verges, chimneys and window detailing, including a good boundary wall – probably stone with decent coping. It is queried whether there is a need for a footpath on both sides of the road, which should be kept as narrow as possible. It is also stated that the boundaries in the site are very important, which should avoid solid boarded fences in preference to stone walls and hedges. Concerns, however, relate to the buildings at the rear of the site where the site extends out into the open landscape and is not shielded by other development. The Council has suggested a farmstead-type arrangement, however, the buildings are neither cottages nor barns, but something in-between. With a farmstead, you would have a principal dwelling, a principal barn (threshing barn) and then buildings of lesser massing, loosely grouped around a courtyard. There is concern that there are several large, bulky buildings all looking like threshing barns from the front which would all appear rather odd. This is an open site and the development would appear very contrived and massive in scale. The rear elevations would appear very odd and very austere. From my point of view, this rear part of the site would not work in design terms. It is considered that it should either look like a Staffordshire Farmstead or a courtyard of cottages and following the design of the buildings at the front or looking at the Caverswall or Waterhouses sites.

SMDC Environmental Health: No objections, subject to conditions securing construction and demolition, unexpected contamination and waste.

SMDC Trees and Woodlands Officer: No objection subject to conditions. All the mature fruit trees have since been felled and removed on the basis of exemption from TPO controls applying to the felling of fruit trees cultivated for the production of fruit in the course of a business or trade where such work is in the interests of that business or trade. The non-fruit trees included in the TPO are still present and still protected and are subject to the terms of the TPO; however they are not prominently visible (and not visible at all in some cases) from publicly accessible viewpoints and therefore do not have significant visual amenity value. They are generally young trees and do not themselves have substantial ecological value. Meanwhile the species-rich grassland was not itself legally protected and has largely been eradicated through herbicide application. Over 150 new sapling fruit trees on dwarfing root-stock have been planted, but these are not protected by the TPO, and currently have no significant public visual amenity or ecological value. The site can no longer be regarded as a traditional orchard and the majority of its previous substantive ecological value has now been destroyed and removed. This has therefore removed a previous constraint to development and the current application must be determined on the basis of the site in its present state.

In my previous consultation response dated 6th December 2017, I noted that substantial amendments to layout would be likely to lead to a requirement for further loss of trees, and this has proved to be the case with the amended layout as now proposed on the “Alternative Layout Plan” Drg. No. 2014-1963-31 Rev C. However, I also noted that following removal of the mature and over-mature old orchard fruit trees, the remaining trees are of no

substantive ecological value and of little, if any, public amenity value. Other planning considerations such as layout, character, appearance and streetscene would in this case correctly take priority over retention of unimportant trees. Consequently, it is considered that the tree loss which would result from the development as proposed would not constitute substantive or a defensible reason for refusal of planning permission and on that basis I raise no objection to the application as amended/currently proposed.

The proposed layout shows the retention of the Norway Maple situated off-site in the adjacent garden to the east (denoted T3 on the applicant's tree survey and not included in the TPO). This is appropriate and the proposed development would have no significant adverse impact on this tree as the indicated access road is shown to be outside the tree's Root Protection Area. Also shown retained is an Ash at the southern boundary of the site (denoted T4 in the applicant's tree survey and protected within Group G1 under TPO No. SM. 296; retention of this tree would be appropriate as it would not be directly affected and would be well clear of the closest proposed new dwelling at Plot 10, and planning permission if granted would not override the protection of the TPO in relation to this particular tree as its felling or pruning would not be required to implement the proposed scheme. By their absence on the proposed layout plan, all other existing trees are implied to be removed, and clearly this would be required to accommodate the proposed scheme in respect of the remaining TPO trees (i.e. not including recently planted sapling fruit trees) – except for a young Ash denoted T9 on the applicant's tree survey and again protected within Group G1 of the TPO. This tree would be at the western end of the rear garden to Plot 5, and planning permission if granted would not authorise its felling or pruning. It would be appropriate to retain this tree if the proposed scheme goes ahead. The amended layout again makes appropriate provision for the full retention of existing hedges to the eastern and southern boundaries of the site. There is an indication of new landscaping on the layout plan, but this is not detailed and so would need to be subject to submission and approval of a suitable landscape scheme under discharge of condition application if planning permission is granted.

Additional Response (Replant Disease):

In summary, Replant Disease is a recognised problem commonly occurring in orchards which can significantly affect the establishment and productive capacity of newly planted fruit trees. Replant disease does not prevent the re-use of a site as an orchard, as there are steps which may be taken to avoid, reduce the effects of, or eradicate the condition at a particular site. However, these may vary in their success, and may involve substantial delay in producing fruit crops and/or expense in implementing, which may be detrimental to short term viability of a small orchard business. Some measures would not be compatible with organic certification.

Additional Response (Hedgerow):

As you are aware, there are no trees protected by TPO situated within this stretch of hedge. As you are also correctly aware, the Hedgerow Regulations specifically do not apply to hedges along or within domestic residential curtilage. Therefore you are quite right: the local planning authority's consent would not be required in order to remove this stretch of hedge.

Depending on the species and structure of the existing hedge, it may be possible, as an alternative to removing it, to heavily reduce or even coppice it as the re-growth from the existing established rootstock may well be quicker than starting again from scratch with brand new plants. However, this decision is left to you/your neighbour.

If you do proceed with removal, your suggested replacement species are very appropriate to the rural/semi-rural locality and would offer good wildlife habitat potential. You could also consider including some Holly in the mix too.

Whether removing or reducing the existing hedge, you need to be very careful from this time of year onwards until mid/late August about the risk of nesting birds being present, as you have noted. The birds, their nests and their eggs are all legally protected.

Severn Trent Water: No objection to the proposed development subject to a condition to secure drainage plans for the disposal of surface water and foul sewage.

Staffordshire Police (submitted layout): No objections. The site will benefit from being self-contained with no through routes and within a low crime area. The positioning of properties at the site entrance is ideal. Generally the layout is one that should give the impression that the site is under the ownership and control of the residents thus deterring negative interaction with it. However, serious consideration should be given to improving the amount of natural surveillance particularly within the northern portion of the site by adding ground windows in the side elevations of plots 2, 6 and 11 to better overlook the access road and some parking provision. The positioning of a stone wall to form the western boundary is noted, although how high this will be is unknown. The presence of an openly accessible track on the other side of this boundary could potentially make the properties along the western boundary more vulnerable. Unless the wall is of a reasonable height, these residents may need to reinforce this boundary internally with appropriate planting to improve its intruder resistance. The proposed thickening of the hedges to reinforce them on other boundaries and the presence of fencing and lockable gating to each property to deny unauthorised access to the private rear gardens are welcome features.

7. POLICY AND MATERIAL CONSIDERATIONS

Planning Policy Context

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 Adopted Staffordshire Moorlands Local Plan 2020.

7.3 The NPPF (National Planning Policy Framework) is considered to be a mandatory material consideration in decision making.

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 LP (Local Plan) 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 The Council can currently demonstrate a 5-year supply of housing. Accordingly, for decision makers this means that when considering development proposals which accord with the development plan they should be approved without delay within the context of NPPF paragraph 11.

7.7 This application was validated and originally considered prior to the adoption of the Staffordshire Moorlands Local Plan (September 2020). A material consideration at the time was the Council's inability to demonstrate a 5 year housing land supply. As a result of this, in accordance with the NPPF, the principle of development was accepted. In the light of the recent adoption of the Local Plan, the Council is now able to demonstrate a 5 year land supply. As a consequence, land supply is no longer a material consideration in this case and it is possible to assess the application against the Council's relevant policies for the supply of housing.

Principle of Development

7.8 In accordance with the settlement hierarchy, LP (Local Plan) Policy SS2, the development strategy of the Staffordshire Moorlands Local Plan (2020) is to concentrate the bulk of new housing in the towns of Leek, Biddulph and Cheadle. Within the rural areas, CS Policy SS8 of the Core Strategy identifies larger villages including Alton as the most sustainable settlements and which are able to accommodate the bulk of rural development after the towns. Under Policy H2 of the Local Plan, which identifies sites allocated for housing development, the preferred site for development in Alton is site number AL012, known as 'Capri'. There was an outline planning permission for approximately 13 dwellings on this site. This expired on the 15 December 2020. A new application SMD/2021/0089 is pending consideration. The application site excepting Ivy Cottage and its curtilage has been excluded from the settlement boundary under LP Policy H2. The application site, other than Ivy Cottage, is situated on open countryside outside of the existing settlement boundary of Alton.

7.9 The application was originally evaluated against Core Strategy Policy SS6a which stated that where development is required to be met on land outside the built-up area, this should only be small scale and on sites which relate well to the built-up area, can be assimilated into the landscape and has good access. This policy has been superseded by Policy SS 8 of the Adopted Local Plan. In addition, a 5-year housing supply can now be demonstrated.

7.10 LP Policy SS 8 states that the Council will give consideration to limited infilling on the edge of settlement boundaries, subject to the criteria set out in Policy H 1, in order to *meet housing requirements*. Policy H1 states that for sites not allocated under Policy H2:

b) Outside of the development boundaries, limited infill residential development of an appropriate scale and character for the Spatial Strategy will be supported, provided that:

- *The development will adjoin the boundary of a larger village and be well related to the existing pattern of development and surrounding land uses, or;*
- *The development is well related to the existing pattern of development of a smaller village and will not create or extend ribbon development or lead to sporadic pattern of development; and*
- *c) In all cases the development will not lead to a prominent intrusion into the countryside or have a significant adverse impact on the character and appearance of the countryside.*

7.11 Alton has a range of services including a primary school, GP surgery, village convenience store, village hall, post office / newsagents, churches, sports pitch / playing field, mobile library and local employment opportunities at the nearby theme park. Consequently, there are a range of services within walking distance of the site to meet the day-to-day needs of future residents. In view of the range of services within the village, it is considered that Alton is a sustainable location for such small scale development.

7.12 The site will adjoin the boundary of Alton and the site frontage relates and can be described as infilling. The application site would most likely be enclosed by future residential development along part of its western boundary with reference to the Capri housing allocation and it is therefore the development of the site for residential use, in principle, is considered to be well related to the existing pattern of development and surrounding land uses. The detail of the design and layout will be considered in more detail in the relevant section of the report below.

7.13 The Churnet Valley Landscape Character Assessment (CVLCA) places the application site within an area identified as 'Dissected Sandstone Uplands.' Key characteristics of the area include strong, well defined field structures; small scale hedged field patterns (with hedgerow trees), narrow lanes with boundary hedgerows. The character strength of this area is defined as "*intact small landscapes with good structures and historic patterns*". Weaknesses include the erosion of field boundaries and opportunities exist to encourage traditional management of the landscape to improve biodiversity.

7.14 Part of the site's eastern and southern boundary would adjoin open countryside. The local plan evidence base 'Landscape, Local Green Space and Heritage Impact Study' (August 2016) noted "*an existing strong, vegetated settlement boundary to the field to the south of the site. Development of the site would not affect this edge and would not be visually*

prominent". In these regards, the site is also considered to be suitable for development in landscape as well as heritage terms.

7.15 Indicative landscaping proposals show that it is proposed to strengthen the existing boundaries of the site, which include the retention of hedgerows and trees to both the site's southern, eastern and western boundaries. The stone wall would also be retained to the west boundary. It is also considered that the development of this site could be assimilated into the landscape subject to an appropriate development form and satisfactory landscaping to accord with LP Policies NE2 and DC1.

7.16 The proposal would contribute to housing land supply at the edge of a larger village through a windfall site and support a local service centre to accord with LP Policies SS8 and is deemed to be acceptable in principle subject to compliance with other relevant local plan policies, especially those relating to design and the relationship with the existing settlement of Alton and surrounding open countryside.

Heritage

7.17 Ivy Cottage is regarded as being a non-designated heritage asset, which therefore triggers NPPF paragraph 203, which states that: *"the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset"*

7.18 Policy DC2 of the Local Plan states that the Council will conserve and where possible enhance heritage assets, including their setting in a manner appropriate to their significance. This will take into account the desirability of maintaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment. Protection will be given to designated heritage assets and their settings and non-designated heritage assets as set out in the NPPF.

7.19 The Council's Conservation Officer has previously set out that the stone and tile building fronting the road 'Ivy Cottage' is a typical Staffordshire Moorlands vernacular cottage which makes a notable contribution to the character of the area. As well, the heavy stone boundary walls are important within the local area where it is considered that this type of construction is distinctive to this area and worthy of protection. Whilst the historic orchard was previously considered to be an important relic of a once more widespread feature, arguments concerning its wider protection have subsequently fallen away given the extensive felling undertaken. As stated above, the stone wall to the site's western boundary would be retained and this could be secured via a suitably worded planning condition. It appears, however, that the need to accommodate and optimise access visibility splays away from the bend and the positioning of the internal access road alongside

the site's long boundary has dictated its position leading to the demolition of Ivy Cottage and its front boundary wall.

7.20 Ivy Cottage is a distinctive feature of the street scene within this area of the District. The building backing onto the road adds to its character by providing a viewpoint on the prominent bend in the road. The frontage drystone walling also provides vital enclosure. To a degree, this enclosed built form would be replicated as part of the scheme proposals, which includes frontage cottage terrace dwellings enclosed by drystone walling, which are acceptable in design and layout terms. In these regards, the scale of the harm is now limited to the proposed demolition of Ivy Cottage itself rather than the wider application site given that the historic orchard has now been felled. Furthermore, bringing this site into residential use will bring economic benefits both during construction and in increased spending power in the local economy once occupied. Significant weight is attached to this. Significant weight is also given to the social benefits that providing additional housing in a sustainable location will bring. Therefore, the scale of harm or loss is found to be limited and on balance outweighed by the public benefits of the scheme in this instance. As a consequence, the scheme would accord with the terms of NPPF para 203 as stated above and LP Policy DC2 in particular.

Layout and Design

7.21 LP Policy DC1 requires all development to be well designed, to contribute positively to the area, create a sense of space and where appropriate provide accessible and safe public and private environments. The Council's Design Guidance for Development in the Staffordshire Moorlands encourages the use of traditional gable designs with the character of traditional Moorlands dwellings having a simple, dominant roof line over the main elevation with the roof spanning the shorter side.

7.22 Previous scheme revisions have achieved an acceptable form of development in respect of the frontage development and those properties running at right-angles to the internal access road. The simple cottage form is appropriate within the site context to result in a scheme that would assimilate well into the surrounding built up area of Alton. The frontage 'roadside' dwellings would need to be appropriately detailed in respect of eaves, verges, chimneys, windows and stone boundary walling. As well, close boarded fencing should be avoided in preference to stone walling and hedging. It is acknowledged that the existing stone wall to the site's western boundary would need to be appropriately strengthened as per Staffordshire Police comments. These are detailed matters that could be secured via appropriately worded planning conditions should Members be minded to approve the scheme.

7.23 Notwithstanding the potential of future development at the Capri housing allocation immediately to the west boundary, concerns, however, remain in relation to the proposed courtyard buildings at the rear of the site where the site extends out into the open landscape and is not shielded by other development. The applicant has followed the Council's suggested

design advice in providing a farmstead-type arrangement within this more rural aspect of the site. However, the Council's Conservation Officer considered that the courtyard buildings appeared as neither a cottage or barn and lack the identifiable building hierarchy of a typical Staffordshire farmstead i.e. principal dwelling, a principal barn (threshing barn) and then buildings of lesser massing, which would be loosely grouped around a central courtyard. As a result, there was concern that this aspect of the scheme appears as several large, bulky threshing barns building from the frontage whilst the rear elevations would appear as an incongruous and austere development form.

7.24 The Applicant has sought to address this by changing the lean to garage on plot 7 to a gable, lowering the eaves on plots 9 and 10 and added some elements of timber boarding to break up the mass. The intention being that the reduction in heights gives the impression that the farmhouse is more dominant when compared to plots 9 and 10, with the plots 7 and 8 somewhere in between. The reduction in the heights of these plots is welcomed and does help to create a hierarchy. It is thus an improvement over the previous proposals. The proposed timber boarding is not a material which is in keeping with the vernacular of Staffordshire farmsteads and appears somewhat contrived. The SMDC adopted design guide discourages the use of timber boarding as a material. The applicant has therefore been asked to remove this from the drawings or it could be excluded by condition if required.

7.25 Overall, the amended plans represent an improvement over the scheme as considered previously by committee by introducing some visual hierarchy. Some concerns remain regarding the scale and layout of the buildings which is somewhat contrived and not truly representative of a Staffordshire farmstead. Nevertheless, the application must be considered in the context of the site, which, whilst on the rural fringe, does adjoin a larger village and allocated housing site. It is not therefore intended to or considered necessary to be a perfect replica of an historic farmstead but rather a modern cul-de-sac residential development which draws references from the vernacular rural architecture of the local area. Therefore, on balance, it is not considered that the design concerns would be sufficient to sustain a refusal of planning permission on appeal and thus the design is found to be acceptable and in broad accordance with Local Plan Policies H1 and DC1, the Council's adopted Design Guide and the NPPF in this regard.

7.26 The Council's Supplementary Planning Guidance 'Space About Dwellings,' Core Strategy policies and the NPPF all require that developments provide for acceptable amenity for existing and proposed users of buildings. The objective of the Council's Supplementary Planning Guidance 'Space About Dwellings' is to provide privacy for existing and proposed residents as well as protecting their amenities. In this case consideration must be given to any potential impact upon existing neighbouring properties as well as the amenity provisions of the proposed development.

7.27 The rear garden space proposed for each dwelling is deemed as satisfactory. The revised design has achieved appropriate separation distances between principal windows and there are no overlooking or overbearing concerns in relation to any existing, surrounding built development.

7.28 It is concluded that there are no amenity objections to the revised application to accord with Local Plan Policy DC1 and relevant guidance contained within the NPPF.

Biodiversity

7.29 Local Plan policies DC1 and DC2 emphasise that new developments should promote the maintenance, enhancement, restoration and re-creation of biodiversity and geological heritage whilst safeguarding historic environments and features.

7.30 The application is supported by a Phase 1 Ecological Survey, which indicates the principal habitats of importance that are species rich hedgerows. These are considered to be a habitat of local and UK biodiversity importance. Given the size and scale of the development, the Council's Ecology Officer advises that there are opportunities for site enhancement via an Ecological Management Plan (EMP), which could be secured via a suitably worded condition. The scheme site plan indicates supplementary boundary hedgerow and tree planting. Other matters to be controlled by condition include lighting and the protection of badgers and hedgehogs during construction.

7.31 The submitted bat survey dated September 2017 indicated that a day roost for common pipistrelle bats of relatively low conservation status was present in the building 'Ivy Cottage'. At the time of comment, the Council's Ecology Officer endorsed the reports recommendations to address this bat presence via a Natural England Low Impact Class Licence as well as the submission of a method statement to the Council. Owing to the passage of time, the applicant was advised to and did agreed to carry out further bat survey work as detailed in the relevant consultee section above.

7.32 Staffordshire Wildlife Trust have confirmed that the Bat Survey dated 24th July 2019 by Whicher Wildlife Ltd is adequate. They recommend a pre-commencement condition to secure submission of a method statement for demolition with precautions for bats, and further details/locations of bat features to be included in new dwellings. Subject to this condition it is concluded that the scheme is in accordance with Local Plan policy NE1 and guidance contained within the NPPF.

Highway Safety

7.33 The NPPF and Local Plan policies DC1 and T1 require that all development proposals secure safe and suitable access to a site whilst making a contribution towards meeting parking requirements and ensuring

that all new development can be satisfactorily accommodated within the highway network. Development should be located within areas that are accessible by sustainable travel modes.

7.34 The scheme proposes a single vehicular access off Tythe Barn leading to a cul-de-sac arrangement, complete with turning head, pavement (at the access) with designated parking spaces and garages throughout. Each property would have either 2 or 3 parking spaces. A variety of surfacing materials are proposed which would demarcate parking and turning areas. Whilst neighbour objections are noted on matters of highway safety, NPPF paragraph 111 advises that *“development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”*.

7.35 With this in mind, SCC Highways raises no objections to the scheme and recommends conditional approval. Recommended conditions include surface water drainage, provision of visibility splays and securing a Construction Method Statement. The applicant is aware that the current proposed layout is not adoptable and therefore would remain private in perpetuity. Technical approval, however, would still be required for the road and highway works agreement to carry out works on the highway.

7.36 Accordingly, the proposal is considered to comply with Local Plan Policy T1 and guidance contained within the NPPF. This matter will be returned to in the balance section below.

Planning Obligations

7.37 Core Strategy policy C1 ‘Creating Sustainable Communities’ only permits new development where the necessary infrastructure is either available or made available. In these regards, and owing to the size of the development, neither education nor open space contributions would be required. On site affordable housing provision would ordinarily be sought in line with Core Strategy policy H2 ‘Affordable and Local Needs Housing’ as the scheme exceeds the threshold of 10 units with reference to the relevant Written Ministerial Statement. The applicant sets out that the scheme seeks market provision dwellings only owing to site viability arguments, which have been latterly supported by a submitted financial viability assessment (FVA). With this in mind, paragraph 58 of the NPPF states that *“It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.”*

7.38 Accordingly, the Council has appointed a qualified independent consultant to assess the applicant’s conclusions on site viability in respect of whether the scheme can justifiably proceed on a market dwelling basis only. The results of the independent assessment have confirmed that the scheme

can provide 3 on site affordable housing units on the basis of a scheme of 10 units given that Ivy Cottage is being replaced. Broadly speaking, the scheme would comply with Local Plan Policy H2 'Affordable Housing' requiring 33% affordable housing onsite provision as well as national planning policy guidance requiring housing that reflects the community's needs. Policy H2 recommends 60% of all affordable dwellings provided on each site will be social / affordable rented housing with the remaining 40% being intermediate / starter homes. The applicant has proposed Plots 1-3 as a 70 / 30 tenure split with Plot 1 and 2 being shared ownership and plot 3 being social rented and will be subject to the comments of the Council's Regeneration Section. Accordingly, Members will be updated at the meeting. This matter will be returned to in the balance section below.

Other Matters

7.39 Local Plan Policies SD 4 and SD 5 outlines the intention to avoid or mitigate development proposals which would have a pollution (air, land, noise, water, light) impact, or present the risk of flooding. In terms of surface water drainage, the Lead Local Flood Authority (LLFA) have confirmed no scheme objections subject to the implementation and confirmed maintenance of the approved Soakaway Assessment and Drainage Strategy over the lifetime of the development. This matter could be secured via a suitably worded planning condition. Similarly, the Council's Environmental Health Department consider matters relating to unknown contamination and construction management can also be suitably conditioned. Accordingly, the proposal is considered to comply with Local Plan policies SD 4 and SD 5 and guidance contained within the NPPF. This matter will be returned to in the balance section below.

8. CONCLUSION & PLANNING BALANCE

8.1 The Framework sets out a presumption in favour of sustainable development. Paragraphs 18 to 219 taken as a whole constitute what this means in practice. In addition, paragraph 8 identifies three dimensions to sustainable development i.e. economic, social and environmental. The Framework makes it clear that these roles should not be undertaken in isolation.

8.2 The site is located in the open countryside on the edge of the larger village of Alton where Policy SS 8 states that the Council will give consideration to limited infilling on the edge of settlement boundaries, subject to the criteria set out in Policy H 1, in order to *meet housing requirements*. The proposal accords with Policy H1 in that it provides for *limited infill residential development of an appropriate scale and character for the Spatial Strategy, which will adjoin the boundary of a larger village and be well related to the existing pattern of development and surrounding land uses. The proposal is therefore deemed to be acceptable in principle subject to compliance with all other relevant local plan policies.*

8.3 There would be harm arising from the loss of Ivy Cottage which is a non-designated heritage asset. However, the scale of harm or loss is found to be limited and on balance outweighed by the public benefits of the scheme in this instance. As a consequence, the scheme would accord with the terms of NPPF para 203 as stated above and LP Policy DC2 in particular.

8.4 Amended plans have been received which help to create a sense of hierarchy between the buildings within the courtyard. However, some concerns do remain with regard to the design, scale and layout of this southern aspect of the scheme. However, having regard to the context, including its situation on the edge of a larger village and alongside an allocated housing site on balance it is not considered that a refusal on design grounds would be sustainable.

8.5 The proposal meets the requirements of the Council's Space about Dwellings Standards and there are no amenity objections to the revised application to accord with Local Plan Policy DC1 and relevant guidance contained within the NPPF.

8.6 Staffordshire Wildlife Trust have confirmed that the updated bat surveys are acceptable and subject to conditions it is concluded that the scheme is in accordance with Local Plan policy NE1 and guidance contained within the NPPF.

8.7 The County Highway Engineer has raised no objections subject to conditions. The scheme will provide for a policy compliant level of affordable housing (subject to confirmation from Regeneration that the tenure mix is acceptable). The LLFA and Environmental Health Officer also have no objections subject to conditions.

8.8 In conclusion therefore, the proposal is found to be acceptable in principle in accordance with Policies SS8 and H1. The harm to non-designated heritage assets are, on balance, outweighed by the benefits of providing housing in a sustainable location in a larger village and the residual design concerns regarding the scale and layout of the Courtyard buildings are not considered to be sufficient grounds alone to sustain a refusal of planning permission. The proposal complies with Local Plan policy in all other respects and in the absence of any other material considerations and, having due regard to all other matters raised it is recommended for approval.

9. RECOMMENDATION

A) APPROVE subject to the satisfactory completion of a s106 agreement securing 3 on site affordable housing dwellings prior to the grant planning permission and subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2. The development hereby approved shall be carried out in accordance with the following submitted plans and subject to the following conditions and/or modifications: *to be specified*.

3. 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), no development as specified in Part 1 Class(es) A, B, E and F other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

4. The development hereby permitted shall not be commenced until samples and details of the types and colours of all roof tiles, facing materials, eaves, verges, headers / cills, chimneys and hard surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, be completed in full prior to first occupation and be retained for the lifetime of the development.

5. Prior to the commencement of development, joinery details of all external windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Details shall include materials, finish, opening mechanisms and recess depth within the aperture. The development shall be carried out in accordance with the approved details, be completed in full prior to first occupation of the dwelling and be retained for the lifetime of the development.

Landscaping / Ecology

6. No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the approved development, unless otherwise approved by the LPA. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (March to August inclusive), unless otherwise agreed by the LPA and in this case only following careful inspection by a competent person to establish that such trees, shrubs or hedgerow are not in active use by nesting birds.

7. Before the commencement of development (including any demolition, site clearance, stripping or site establishment) 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*, and as set out in the Tree Heritage Arboricultural Report reference THL-R17/64, and shall be retained in position for the duration of the period that development takes place, unless otherwise agreed by the LPA. 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 unless otherwise agreed by the LPA.

8. Before the commencement of development (including any demolition, site clearance, stripping or site establishment) a landscaping scheme shall be submitted to and approved by the LPA. Such a scheme shall include full details of all new trees, shrubs and other planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting and all boundary treatments. The landscaping scheme so approved 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 and shrubs 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.

9. No development shall commence until:

- a) A check for the presence of hedgehogs has been carried out to confirm that none are present during the hibernation period 1st November- 31st March.
- b) Creation of sloping escape ramps for badgers/ hedgehogs by edge profiling by placing planks into them at the end of each working day
- c) Open pipework greater than 150mm being planked off at the end of each working day.

10. No development shall commence until a method statement has been submitted to and approved in writing to address for the demolition with precautions of the building 'Ivy Cottage' and mitigation and compensation for the loss of the day roost of common pipistrelle bats including details/locations of bat features to be included in new dwellings.

The content of the method statement shall include:

- a) Purpose and objectives of the proposed work.
- b) Detailed designs and working methods necessary to achieve stated objectives.
- c) Extent of proposed works on appropriate scale plans.
- d) Timetable for works demonstrating that works are aligned with phases of the development.
- e) Persons responsible for implementing works.
- f) Initial aftercare long term maintenance.

The demolition, mitigation and compensation for the loss of the bat roost shall be carried out strictly in accordance with the approved details

11. Any lighting onsite, should use low energy LED lighting to minimize light spill around buildings. Alternatively, low-pressure sodium lamps (SOX) are recommended, which should be fitted with hoods to direct the light below the horizontal plane to minimize light-spill. Any security lighting should be less than 200 lumens (150 watts) and placed on a timer setting and faced down to reduce sky glow. The use of artificial lighting must follow the protocols outlined in the Institute for Lighting Engineers document “Guidance for the Reduction of Obtrusive Lighting” (2005) and Bat Conservation Trust’s “Artificial Lighting and Wildlife Interim Guidance: Recommendations to Help Minimise the Impact of Artificial Lighting” (2014) to minimise disturbance and sky-glow across the site. New artificial bat roosts and bird nesting sites should not be illuminated. A lighting design plan must be submitted, prior to the installation of any lighting to the Local Planning Authority for written approval and shall be implemented in accordance with the approved details.

12. In order that there is no disturbance to nesting birds no ground clearance should be carried out between 1st March and the end of 31st August in any year, unless a survey for nesting birds has been undertaken and it can be clearly shown that birds are not nesting in areas scheduled for vegetation clearance. If birds are nesting work cannot proceed until the young have fledged.

13. No development shall take place until an Ecological Management Plan (EMP) has been submitted addressing ecological enhancement, and has been approved in writing by the LPA:

The EMP shall include:

- a) Purpose and conservation of objectives of the proposed enhancements.**
- b) Detailed designs and or working methods to achieve stated objectives.**
- c) Extent and location of proposed works on appropriate plans and scale maps.**
- d) Type and source of material used where appropriate e.g. native species of local provenance.**
- e) Creation of hedgerows to separate gardens - this can include evergreen species such as privet.**
- f) Garden planting of nectar and berry rich native shrubs providing a variety of habitats for invertebrates should be selected that will benefit foraging birds and bats. Species should be selected that provide structural diversity for wildlife. This may include appropriate climbing species such as cotoneaster, ivy, climbing roses and honeysuckles to create green walls that will further enhance the site and gardens for wildlife. Selected species must be appropriate to prevailing shade, soil and moisture conditions.**
- g) Creation of bird nesting boxes on retained mature trees.**
- h) Creation of colonial nesting opportunities for swifts and methods of attracting them on at least three selected dwellings.**

- i) Creation of colonial nesting opportunities for house martin on at least three dwellings.
- j) Creation of bat roosting opportunities within 5 dwellings/ garages built into the fabric of buildings
- k) Mechanisms to ensure hedgehogs can move between gardens and into the site.
- l) Persons responsible for implementing the proposed works.
- m) Timetable for the implementation of works demonstrating that works are aligned with the proposed phases of the development.
- n) Details of initial aftercare and long-term maintenance post creation.
- o) Details of disposal of any wastes arising from works.

The EMP shall be implemented in accordance with the approved details and all features shall be retained in that manor thereafter.

Highways

14. The development hereby permitted shall not be brought into use until the visibility splays of 2.4mx43m shown on plan ref. no 2014-1983-31C have been provided. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600mm above the adjacent carriageway level.

15. The development hereby permitted shall not be commenced until details of the following highway works have been submitted to and approved in writing by the Local Planning Authority:

- bellmouth access;
- 2m wide footway on Denstone Road frontage extending into the site to a point 2m past the rumble strip;
- details of pedestrian connectivity to the existing footway network including dropped kerbs and tactile paving;

The highway works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.

15. The development hereby permitted shall not be brought into use until details of the surface water drainage interceptor or gullies sited immediately to the rear of the highway boundary, connected to a surface water outfall, have been submitted to and approved in writing by the Local Planning Authority. The drainage works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.

16. 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.

17. No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by the Local

Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) a site compound with associated temporary buildings;**
- ii) the parking of vehicles of site operatives and visitors;**
- iii) loading and unloading of plant and materials;**
- iv) storage of plant and materials used in constructing the development;**
- v) wheel wash facilities.**

18. No individual plot within the development hereby permitted shall be brought into use until the access to that individual plot has been completed.

19. Nothing shall be placed, planted or allowed to remain within 2m of the kerbline of the access that is greater than 600mm in height above the adjacent carriageway level. Anything that is greater than 600mm in height within 2m of the adjacent carriageway shall be immediately removed.

20. 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.

21. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

Environmental Matters

22. No development hereby permitted shall take place until a Demolition and Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

- a) the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday,**
- b) the responsible person (e.g. site manager / office) who could be contacted in the event of complaint, and,**
- c) a scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction.**

All works shall be carried out in accordance with the approved details.

23. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. If after consultation with the Local Planning Authority the contamination is considered to pose a possible risk, to human health, buildings and other property and the natural and historical environment (receptors), development should not commence further until a site investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority. If the contamination investigation and risk assessment indicates that potential risks exists to receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to the receptors has been prepared, and is subject to the approval in writing of the Local Planning Authority.

24. Prior to bringing the development into first use, all soils that are intended to be used for the proposed garden/ soft landscaping areas should be tested for contamination and assessed for their suitability for the proposed use. Prior to sampling, a suitable methodology for testing the soil should be submitted to and agreed by the Local Planning Authority and should include the sampling frequency, testing schedules, and criteria against which the analytical results will be assessed. The results of the soil tests should be submitted and approved in writing by the Local Planning Authority. If soil results indicates that a potential risks exists, development shall not commence until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been prepared and subject to the approval in writing by the Local Planning Authority.

25. The development hereby permitted shall only be carried out in accordance with the approved Soakaway Assessment and Drainage Strategy October 2017 and with the following mitigation measures detailed within the FRA, which shall require the confirmation of the maintenance of each element of the surface water system to an acceptable maintenance standard over the lifetime of the development prior to the commencement of development.

Informative(s)

1. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraph 38 of the NPPF.

Tree Preservation Order

2. It should be noted that remaining existing trees, other than recently planted sapling fruit trees, are protected by Tree Preservation Order. Other than where directly required in order to implement the

development hereby approved, this planning permission does authorise any work to these trees. Specific consent following separate application to the local planning authority under the terms of Tree Preservation Order would be required to carry out any such work other than where specified as exempt under the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

Landscaping

3. It is suggested to the applicant that the landscaping scheme required under Condition 08 above could beneficially include some new tree planting comprising orchard fruit trees on non-dwarfing rootstock, potentially of traditional/heritage varieties, in order to reflect the history and past character of the site.

Highways

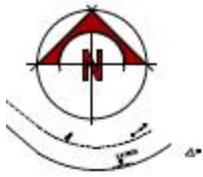
4. This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require exemption under Section 219 - 226 of the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals are secured before commencement of works.

5. The conditions requiring construction of the bellmouth, construction of the footway and pedestrian connections to the existing footway (dropped kerbs and tactiles to provide access to the opposite side of Tythe Barn) 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 including an application form. Please complete and send to the address indicated on the application form or email to (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.

6. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.

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 Head of 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.

Site Plan



KEY
 TREE TO BE RETAINED

TREE RPA

PROPOSED TREE (to later specification)

PROPOSED HEDGE (to later specification)

PROPOSED STONE/BRICK WALL

Principle Window @ Ground And First Floor Level

Principle Window @ Ground Floor Level Only

Principle Window @ First Floor Level Only

Location of existing trees to be retained and to be removed

Location of existing trees to be retained and to be removed

