

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**13<sup>th</sup> July 2023**

Application No:	SMD/2022/0593	
Location	Meadow Place Farm, Brookfields Road, Ipstones, ST10 2LY	
Proposal	Outline application (with details of access) for construction of a single dwelling to the rear of the existing house.	
Applicant	Mr & Mrs Humphreys	
Agent	Ian Ankers Architecture	
Parish/ward	Ipstones	Date registered: 29.11.2022
If you have a question about this report please contact: Chris Johnston tel: 01538 395400 ext. 4123 <a href="mailto:christopher.johnston@staffsmoorlands.gov.uk">christopher.johnston@staffsmoorlands.gov.uk</a>		

## **REFERRAL**

The application is before committee because it has been called in by Cllr Linda Malyon so that the impact on local residents can be assessed.

### **1. SUMMARY OF RECOMMENDATION**

<b>APPROVE</b>
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### **2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

2.1 The site lies within the development boundary of Ipstones and is about 400m to south of the centre of the village. It comprises part of a rear garden to a dwelling, Meadow Place Farm (a Grade II listed traditional stone farmhouse), which is reached via a track/access drive off Brookfields Road to the south. The access goes past the side of modern semi-detached dwellings to the west (which face the road) and the rear wall of a barn conversion to the east (formerly part of Meadow Place Farm) before reaching the property. The track is included within the application site and finishes at a detached garage building for the property which is also included. The garden plot within the site is adjacent to the garage building, to the north-east of it and with the house to the south. At the east end of the plot lies sheds and greenhouses and there is also a summer house close to these.

2.2 Around the site, the backs of modern bungalows lie to the west and east of the site. To the north of the site is open grass meadow flanked to the west and east by dwellings and which reaches the side of Brooklands Road (where it bends westwards and northwards towards the centre of the village) further to the north. The land surrounding the site, including the meadow, is also within the Development Boundary of Ipstones, as designated in the Council's Local Plan. The site is also adjacent to a Conservation Area. This lies immediately to the north of the site and includes the meadow and also includes most of Brooklands Road to the east and

south, including the other traditional stone barns and farmhouse at Meadow Place Farm, drawn tightly around the north of the house itself but excluding the whole of its garden. One of the two barns to the south of the farmhouse is also listed as well as the farmhouse.

2.3 The rectangular garden plot within the site is enclosed by thick 3m high hedgerows to the west and north and by a thick hedgerow/cluster of bushes and trees to the south, which separate it from the farmhouse. There is a shorter hedge along the east boundary. There are also two trees in the middle of the plot and another hedge alongside the summer house.

### **3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL**

3.1 This is an outline planning application for a new dwelling on the garden plot, with details of access to also be determined. The details of layout/siting, scale, design/appearance and landscaping are not included as these are left as “reserved matters” for a future Reserved Matters application in the event of an outline approval being granted. Only the principle of the development and the access would be determined. The original application did have details of the layout included, but this has been removed from the application and the indicative site plan has been amended which removes the proposed “footprint” of the dwelling. The sheds and greenhouses close to the east boundary would be removed.

3.2 The drawings show that one of the three parking bays of the existing timber framed garage/car port would be removed to enlarge a gap into the garden plot to allow access to vehicles. There are parking spaces shown in the retained car port (two), two more spaces to the other side of the track before entry to the garden plot and one further space within the plot itself in the north-west corner where a new “car port” would be provided. It is presumed the spaces in the car port and opposite it would provide the parking for existing farmhouse. The two trees in the middle of the plot would be removed and also the hedge within the plot next to the summer house and some of the cluster of bushes/hedges between the plot and the farmhouse but the boundary hedging would be retained and a new screen hedge provided to separate the plot completely from the curtilage of the farmhouse.

3.3. A Heritage Statement, Structural Survey Report (of the car port to be part removed) and a Preliminary Ecology Assessment report (PEA) have been submitted and also a Design and Access Statement. This explains the access to the plot would remain the same as existing i.e. the track to the west of the barn conversion, off Brookfields Road, and would not be altered. No new access is proposed.

3.4 An email from the applicant’s agent after the application was submitted gives some background to the proposal as follows:

*My clients have still to determine their brief for the final development and much will depend on whether it is to be a self-build for their own occupation or otherwise. The purpose of the outline application is to establish the principle of a dwelling on the site to give them the confidence to invest the necessary time, energy and expense in considering the detail. My clients have asked me to convey their preliminary thoughts on a possible design approach as follows:*

*'What had been envisaged was something more imaginative but subservient to the main farmhouse – a design which reflects the former agricultural use of Meadow Place and gives the impression of agricultural buildings, of varying sizes and shapes, which have been repurposed. Using the natural slope of the land to create different levels this would result in single storey accommodation, at the eastern side of the site, near to the two properties in closest proximity.'*

3.5 The application files including the drawings, reports and other details of the proposal together with consultation and notification responses can be viewed on the Council website at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=166047>

#### **4. RELEVANT PLANNING HISTORY**

None.

#### **5. PLANNING POLICIES RELEVANT TO THE DECISION**

5.1 The Development Plan comprises:

Adopted Staffordshire Moorlands Local Plan - Sep 2020

5.2 The following Local Plan policies are relevant to the application:-

- SS1 Development Principles
- SS2 Settlement Hierarchy
- SS8 Large Villages Strategy
- H1 New Housing Development
- DC1 Design Considerations
- DC2 The Historic Environment
- T1 Development and Sustainable Transport
- NE2 Trees Woodland and Hedgerows

National Planning Policy Framework (NPPF).- July 2021

Para 11: Presumption in Favour of Sustainable Development

Section 5: Delivering a Sufficient Supply of Homes

Section 12: Achieving Well Designed Places

Section 16: Protecting the Historic Environment

#### **6. CONSULTATIONS**

6.1 A site notice was posted and displayed next to the entrance to the access drive/track, facing the road, on 3<sup>rd</sup> January 2023.

## **Public response to consultation**

6.2 Letters of objection were received from 8 nearby households. The points raised and grounds of objection are as follows:

- A two-storey dwelling would lead to overlooking of nearby properties and a loss of privacy.
- Harm to a heritage asset – the new dwelling would be in the curtilage of a Grade II listed building.
- Harm to the historic character and appearance of the area.
- Increased use of the access would lead to further noise and light pollution and fumes.
- The footprint of the dwelling shown could be adapted to become two dwellings causing further amounts of disturbance.
- Existing hedges insufficient to protect privacy and could be easily removed.
- Concerns over a possible use of the new dwelling as two holiday lets which in addition to the current holiday let at the property would exacerbate noise and traffic.
- New development in the green gaps around the Conservation Area would harm its setting.
- Would de-value an adjacent property.

## **Ipstones Parish Council**

6.3 The PC object to the application for the following reasons: -

- That a development would have a major impact on a Grade II listed building
- It is not an infill
- It is only a 'outline' application so if approval was given, the dwelling could end up as a two-storey dwelling
- The development would be unneighbourly
- The development would cause extra traffic onto the already busy narrow Brookfields Road

The PC also state if the application is refused and it goes to appeal members would like to request an 'informal hearing'.

## **SCC Highways Authority**

6.4 No objection subject to a condition requiring the provision of parking and turning areas before the occupation of the proposed dwelling. Full comments as follows:

Site Visit Conducted on: 13-Dec-2022

Personal Injury Collision

Current records show there were no Personal Injury Collisions on Brookfields Road

within 43 metres either side of the access for the previous five years.

### Background

The site is located on Brookfields Road which is a D classification road (Road No. D1123) and is subject to a 30-mph speed limit. Brookfields Road serves residential properties and benefits from footways and streetlighting. There are several bus stops along Froghall Road approx. 0.1mile from Meadow Place Farm, providing a service to Upper Tean.

St. Leonard's C Of E Aided First School is approx. 0.3mile, the nearest high school is The Cheadle Academy Cheadle at approx. 5 miles and Moorside High School, Werrington is approx. 7miles. Local shops in the village centre are approx. 0.4 mile.

### Comments on Information Submitted

The proposed property will have off highway parking and turning for 3 vehicles as detailed on Drw. No. MPF- 01 Rev A. However, the number of bedrooms has not been specified so the applicant will be required to submit sufficient car parking spaces based on Staffordshire Moorlands Parking Standards. Staffordshire Moorlands Parking Standards state: Detached/Semi-detached property up to 3 bedrooms requires 2 spaces (2.4m x 4.8m), a property of 4 or more bedrooms requires 3 spaces (2.4m x 4.8m each space). To be counted towards parking provision, any garage must have minimum internal dimensions of 6m long x 3m wide per vehicle.

Parking and turning for 3 vehicles have been shown for the existing property Meadow Place Farm. It is also noted there is a parking area to the front of the property, directly accessed off Brookfields Road.

Access to the new property will be via the existing vehicular access to the existing garage at the rear of Meadow Place Farm. Access scales at 6.6m wide at its widest point to 3m wide at its narrowest point. Visibility to the north-east and south-west are acceptable to the Highway Authority.

It is considered the proposal would not have a detrimental impact on the highway. I therefore have no objection to the proposal (application number SMD/2022/0593) subject to the following conditions:

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

#### REASONS

To comply with NPPF; to comply with SMDC Core Strategy Policy DC1 and T1; in the interests of highway safety.

Note to planning officer;

This is an outline application with access and layout all other matters are reserved. At REM stage parking provision must be in line with SMDC Local Plan standards. To be counted towards parking provision, any garage must have minimum internal dimensions of 6m long x 3m wide per vehicle.

It was noted that the current access drive's surface is constructed in gravel/stone with 3 rows of blocks, however gravel is being dragged onto the highway. The applicant may consider widening the rows of blocks to a minimum of a 1m wide or constructing a hardstanding to the rear of the kerb edge to prevent this from happening.

## **Environmental Health**

6.5 The Environmental Health Department has no objection subject to standard conditions normally imposed on new dwellings (including in domestic garden plots in residential areas) including during the construction phase.

## **SMDC Trees and Landscape Officer**

6.6 The submitted plans indicate the directly-required removal of 2 existing trees in order to accommodate the proposed development. The application documents include a photograph of these trees, showing them to be 2 mature Birch trees. Sadly, however, they have both previously been crudely beheaded which has adversely affected their natural form and substantially reduced their amenity contribution to the site itself and wider surroundings. It would not be appropriate to object to or recommend refusal of the current application on the grounds of the indicated removal of these trees in their resultant unattractive form. They are not protected by TPO and are not situated within the Ipstones Conservation Area. I would suggest that it would be appropriate for the development, if approved, to be expected/required to make provision for new tree planting in mitigation for the loss of the existing Birch; this should be specifically included with necessary specification detail in the landscaping scheme which would be required under subsequent reserved matters application.

## **Conservation Officer**

6.7 Initially, the response was "No comments" but this was followed up with the following:

*"The scheme is set back quite a distance and looks to be enveloped in greenery. I don't feel the setting of the Listed Building will receive much impact due to this. The footprint seems to note the linearity and therefore character of the vernacular dwellings. I would be interested to see and have input on materials and the like when the time arises to ensure the impact will remain diminutive and not begin to be exacerbated."*

## **Heritage England**

6.8 Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on

the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers.

### **Staffordshire Wildlife Trust**

6.9 There are either minimal ecological issues apparent, or this case is not a high priority within our capacity to respond to the most impactful proposals.

We advise that you check that:

1. Ecology information is adequate. The following checklist should be referred to, along with the relevant Planning Practice Guidance:  
<https://www.staffordshire.gov.uk/environment/Environment-and-countryside/biodiversity/Documents/0030703233Planningapplicationvalidationbiodiversit.pdf>
2. Any surveys have covered all parts and aspects of the proposals/ site and habitats beyond if relevant e.g. ponds within 250m, visibility splays, drainage excavations, spoil disposal.
3. Any further surveys required have been submitted.

Any recommendations and requirements within the ecology reports should be secured via conditions, provided they are not required before determination.

You may wish to seek further details regarding a drainage scheme if not provided, as these can present further impacts or opportunities outside of the application boundary. Detailed drainage plans incorporating sustainable surface water drainage methods should be secured.

Policy NE1 in the Staffordshire Moorlands Local Plan Adopted September 2020, expects that 'all development where possible seeks to deliver a net gain in biodiversity proportionate to the size and scale of the development.'

We recommend securing net gain through a good quality landscaping scheme, which replaces any vegetation lost e.g. hedgerows, and incorporates other native planting and habitats such as flower-rich grassed areas, wetlands and trees suitable to the site, as well as species enhancements such as bird and bat features. Where existing green areas are proposed to be lost to hard development, an adequate area of retained land should be enhanced. If a clear gain is not shown, consider requesting a biodiversity net gain metric.

### **SMDC Waste Collection Service**

6.10 No issues regarding waste collections.

## **7. OFFICER COMMENT AND PLANNING BALANCE**

### Introduction

7.1 Paragraph 11 of the National Planning Policy Framework (NPPF, 2021) promotes a 'presumption in favour of sustainable development'. For decision takers this means:

(c) approving development proposals that accord with an up-to-date development plan without delay; or

(d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless:

i) the application of policies in the 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 the Framework taken as a whole.

7.2 Paragraph 8 of the NPPF (2021) identifies three dimensions to sustainable development as being economic, social and environmental. In accordance with policies SS1 and 1a of the Staffordshire Moorlands Local Plan, the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protect, and where possible, enhancing the environment. When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF (2021).

7.3 The main issues with the proposal are as follows:

- Whether or not the principle of the development is acceptable in this location.
- The impact on the character and appearance of the area, including the setting of a nearby listed farmhouse and an adjacent Conservation Area.
- The impact on the residential amenities/living conditions of nearby residential properties and the future residents of the site.
- The impact on highway safety.

### **The principle of the development**

7.4 The site is within the development boundary of the village of Ipstones, defined as a "Large Village" for the purposes of the Council's Local Plan. It is considered to be within a sustainable location within a 1km walking distance from the centre of the village (approx. 400m away), a food/convenience store with post office, a school, a pub and a bus service to larger settlements. town centre, shops, supermarkets and services such as public transport and schools. These can all be reached via lit footways along roads, adjacent to the site entrance (in this case going west along Brookfields Road) which connects onto B5053 (Froghall Road) a short distance away.

7.5 A proposed new dwelling in this location complies with the Large Villages Strategy in the Local Plan (policy SS8) and the overall housing strategy for the District (policies SS2 and H1) and is therefore acceptable in principle, subject to



other policies in the Local Plan which would include policy DC1 'Design Considerations' which looks to protect the visual and residential amenities of the area and the surrounding environment in general and DC2 which looks to protect the historic environment.

7.6 With regard to the demand for new housing and meeting the housing targets for the District, although the Council's current Local Plan was adopted in September 2020, demonstrating a five year housing supply of land, the supply of housing land has since slipped to below five years and as a result of the policies in the government's NPPF, the Local Plan is now deemed to be "out of date" (including policies SS2, SS8 and H1 in terms of the strategy for new housing). Therefore paragraph 11 of the NPPF applies, which is copied above in this report (in para 7.1) meaning that the Council should grant permission for the new dwelling unless there are any "adverse impacts" identified which are deemed to outweigh the social and economic benefits of providing one additional dwelling in a sustainable location. Whether or not such adverse impacts would arise as a result of this proposal is discussed below in this report.

### **The impact on the character and appearance of the area**

7.7 Policy DC1 'Design Considerations' of the Local Plan states that new development should, inter alia, be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, height, density, layout, siting, landscaping, character and appearance. Policy DC2 states that the Council will conserve and where possible enhance heritage assets, including their setting in a manner appropriate to their significance and that protection will be given to designated heritage assets and their settings and non-designated heritage assets.

7.8 This is an outline planning application which does not give details of the size or height of the dwelling or its siting (the details of layout originally submitted including the footprint shown on the site plan were removed from the application) as these are matters reserved for a future Reserved Matters application in the event that outline permission for the principle of the development (and access) is granted. However, consideration needs to be given as to the likely impact of placing any dwelling on the setting of the listed farmhouse and the adjacent Conservation Area. Although the garden plot is not in the Conservation Area, views from within the Conservation Area looking out of it do need to be taken into account.

7.9 The garden plot is very well screened from the public realm. Only the north boundary 3m high hedges would be visible, from the section of Brooklands Road to the north of the site to the other side of the meadow. Both the meadow and this section of road are within the Conservation Area. The hedge effectively screens the current development within the plot including the sheds, summer house, greenhouses and car port. Only the roof of the listed farmhouse is visible from this section of road as the house is largely blocked by the boundary screening and also higher trees and hedges within the property to the rear of the house which are also to be retained with only some cutting back and replanting (as indicated on the site plan). It is considered that a two-storey dwelling would harm views of the farmhouse and harm its setting, from this part of the Conservation Area. However, there is potential to place a single-storey structure within the plot which would be

very well screened by the boundary hedges to be retained. If this included a pitched roof this would be visible above the north boundary hedges but would be seen against the backdrop of higher vegetation which is currently seen against the farmhouse. It would not compete with or significantly harm the views of the farmhouse given the current level of visibility of the farmhouse from the north of the site as a single-storey building placed anywhere on the plot would be seen as being significantly of lesser height than the farmhouse. The Council's Conservation Officer notes that the farmhouse setting would not be harmed and raises no overall objection to the application.

7.10 It is unfortunate that the two trees within the site are damaged and proposed for removal but these are not protected by Tree Preservation Orders and are not within the Conservation Area. There is ample space within the site to accommodate a dwelling of appropriate size together with replacement planting of similar specimens and this can be decided at the Reserved Matters stage as landscaping is a reserved matter. Replacement planting can also compensate for the loss of the hedge within the site adjacent to the summer house. The cluster of hedges/bushes of similar height on the south boundary of the plot, separating the plot from the immediate rear garden of the farmhouse would be retained but cut-back. These provide some screening of the farmhouse when viewed from the north and it is considered these should be retained (including their height) and that the amount shown to be removed or replanted appears excessive but this can be determined at the Reserved Matters stage and a condition added to the outline permission to retain all vegetation shown on the site plan to be retained.

7.11 It is therefore considered that subject to the details of scale, siting and particular form and design, there is the potential for a single-storey dwelling on the plot without significant harm to the overall character and appearance of the area and that the site is large enough to potentially accommodate such a dwelling and therefore without conflict with policies DC1 and DC2. A condition can be imposed on an outline permission requiring the dwelling to be single-storey and on this basis, no adverse harm to the character and appearance is identified.

### **The impact on residential amenity**

7.12 Policy DC1 'Design Considerations' of the Local Plan states that new development should, inter alia, protect the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution.

7.13 The plot lies between groups of modern bungalows/chalet bungalows to the west and east. The ones to the west are well screened by the hedgerows of minimum 3m height but the ones to the east and south-east (which face Brookfields Road) are on lower ground and the boundary hedges adjacent to those properties are significantly lower. Those bungalows would be most affected by a new dwelling on the plot. A number of objection letters received from nearby residents raise concern that a two-storey dwelling on the plot would lead to overlooking of those bungalow properties (particularly into the rear gardens which back onto the plot) and therefore a loss of privacy. Although details of scale, height, form and design

(including window positioning) are not to be determined at this outline stage, as these are reserved matters, it is considered that a two-storey dwelling, regardless of the siting or orientation would lead to high potential for overlooking or appear overbearing, particularly to the properties to the east. However, it is considered that a single-storey dwelling, of similar form and height as the adjacent bungalows could be accommodated within the plot and in accordance with the Council's Space About Dwellings standards (which sets out minimum distances between existing and proposed dwellings and other thresholds aimed to protect residential amenity) without leading to such overlooking or visual intrusion concerns, subject of course to the eventual scale, height, form and design matters, even with the lower east boundary hedge although screening along this boundary can be improved if necessary at the Reserved Matters stage (as landscaping is a Reserved Matter).

7.14 With regard to the residential amenities of the future occupants, the plot is large enough to be able to accommodate a dwelling in accordance with the government's Nationally Described Space Standards and there would be sufficient remaining space to provide private outdoor garden area in accordance with the Council's Space About Dwellings standards space even in consideration with the required vehicle parking and turning arrangements. Some of the letters raise concern over noise, disturbance and other forms of pollution from increased vehicle movements along the access drive/track. However, there would not be a significant increase from one further dwelling in relation to current movements and in any case, properties to the west are well screened by a thick 3m high hedgerow along the west side of the access. The closest dwelling to the west would be a semi-detached dwelling facing the road but it is the flank wall (with no main windows) and not a primary elevation which faces the access track. With regard to the adjacent barn dwelling to the east of the track, this is within the ownership of the farmhouse and not a separate residential property (and is alleged this is being used as a holiday let). There has been no objection raised by the Environmental Health Section with regard to noise or other residential amenity impacts.

7.15 Overall, it is considered a proposed new dwelling can be accommodated on the plot without leading to any significant harm to the residential amenities of the area or living conditions of neighbours, subject to the eventual details of scale, height, design, form and window positioning, providing that it is a bungalow, as similar to most of the adjacent existing dwellings and without conflict with policy DC1. No adverse harms to the residential amenities of the area have been identified with this proposal.

### **The impact on highway safety**

7.16 Policy DC1 'Design Considerations' of the Local Plan states that new development should, inter alia, provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use.

7.17 As stated, the provision of one additional dwelling in this location within a large village would not lead to a significant increase in vehicle movements and the site is in a sustainable location where shops, services and workplaces can be reached by transport modes other than the car. The roads in the area can accommodate any increase without harm to highway safety. The access onto Brookfields Road

benefits from a decent level of visibility for drivers in both directions. The site is large enough to accommodate parking spaces in line with Council parking standards and turning areas to serve both the existing farmhouse and the proposed dwelling. The local highways authority (Staffs County Council) raises no objection to the proposal.

7.18 Overall, the proposal would not lead to any highway safety issues and the proposal would therefore comply with the relevant part of Policy DC1 and also T1. No adverse harms have been identified in this respect.

### **Other Points**

7.19 With regard to ecological considerations, a Preliminary Ecological Assessment has been undertaken and a report submitted and Staffs Wildlife Trust consulted. In summary, no protected species were identified at the site (and no bats roosting in the garage or other buildings and no suitable roost features present elsewhere) and the impacts of the proposal on the ecological value of the area were deemed to be “very low to nil”. A Net Biodiversity Gain (NBG) via new ecology measures should be achieved “where possible” in accordance with Policy NE1 of the Local Plan but this is not an actual policy requirement. Nonetheless, the PEA report states this can be achieved (because of the current insignificant ecological value of the site) via the installation of sparrow nest terraces and swallow nest cups which can be easily incorporated into the site. The requirement for ecology measures to achieve a NBG can be dealt with via a planning condition. A condition can also be imposed requiring that no vegetation be removed during bird nesting season. Staffordshire Wildlife Trust has not raised any concerns with the application.

7.20 There have been concerns raised by local residents regarding a possible use of the proposed dwelling as a holiday let (it is alleged the barn dwelling within the same property to the south of the farmhouse is used for this purpose). There is nothing in the application information suggesting it will be used for this purpose. Whilst a condition could be imposed to restrict the use of the dwelling purely to residential use only and not a commercial holiday let, it is not considered that such a condition is necessary as a single holiday let use is not considered to lead to a greater impact on the surrounding environment (including residential amenity impacts) than a single dwelling and could potentially be less as the impacts arising from a holiday let use are seasonal only and not permanent. The devaluation of neighbouring properties is not a material planning consideration.

## **8. Conclusion and Planning Balance**

8.1 The proposal is acceptable in principle in this location. The proposal would comply with the relevant policies of the Council’s Local Plan. Due to there being a less than a 5-year housing land supply in the District, the governments planning guidance contained in the National Planning Policy Framework (NPPF) requires that permission be granted unless any adverse harms have been identified which would outweigh the benefits of the proposal. The “tilted balance” is therefore activated. In this respect, it is considered that although the provision of just one new dwelling in a sustainable location would provide only limited social and economic benefits, these would not be outweighed by any adverse environmental harms (to the character of the area, residential amenity, highway safety or the environment in general) arising

from the new dwelling, but only on the basis that the dwelling be single-storey as anything higher would cause the potential for adverse impacts to the visual and residential amenities of the area and that this can be controlled by way of a planning condition. The planning balance is therefore tilted towards the approval of the application in line with paragraph 11 of the NPPF. Therefore, the application is recommended for approval.

## **9. RECOMMENDATION**

**A. That the application be APPROVED subject to the following conditions:**

**1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved.**

**Reason:-**

**To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (As Amended).**

**2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**

**Reason:-**

**To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (As amended).**

**3. The approval of the Local Planning Authority shall be obtained in writing with respect to the plans and particulars of the following reserved matters (hereinafter called "the reserved matters") before any development is commenced:**

- Scale**
- Siting**
- Appearance**
- Landscaping**

**Reason:-**

**The application is an outline application under the provisions of the Town and Country Planning (Development Management Procedure) Order 2015 and no particulars have been submitted with respect to the matters reserved in this permission.**

**4. The development hereby approved shall be carried out in complete accordance with the submitted plans and specifications as follows: -**

**MPF-LP Location Plan  
MPF-01B Site Plan  
MPF-03B Access Plan**

**Reason:-**

To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

**5. The dwelling shall be a single-storey dwelling.**

**Reason:-**

In the interests of protecting the visual and residential amenities of the area.

**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), no further development as specified in Part 1 Class(es) AA, A to H or Part 2 Class A shall be undertaken without express planning permission first being obtained from the Local Planning Authority.**

**Reason:-**

To enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area, including the adjacent conservation area and to protect the residential amenities of neighbouring residents.

**7. No trees, hedges or bushes shall be removed, including the trees/hedges/bushes adjacent to the south boundary of the red line application site, unless shown to be removed on the MPF-01B Site Plan unless otherwise approved by the Local Planning Authority. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (nominally March to August inclusive), unless otherwise agreed in writing by the Local Planning Authority and in this case only following careful inspection by a competent person immediately prior to removal in order to establish that such trees, shrubs or hedgerow are not in active use by nesting wild birds.**

**Reason:-**

To protect the visual and residential amenities of the site and the ecological value of the area.

**8. The development shall be undertaken in accordance with the measures and methods outlined in Section 5 of the Haslam Ecology Preliminary Ecological Assessment Report dated 1<sup>st</sup> June 2023 accompanying the application.**

**Reason:-**

In order to protect the ecological value of the site.

**9. Before the development is first brought into use, ecological enhancements including the installation of three swallow nest cups and three sparrow terrace nest boxes shall be provided in accordance with details to be submitted to and approved in writing by the local planning authority.**

**Reason:-**

In order to enhance the ecological value of the site.

**10. All construction works and deliveries shall take place between the following times:**

- 08:00 - 18:00 hours (Monday to Friday);
- 08:00 - 13:00 hours (Saturday)

- **No working is permitted on Sundays or Bank Holidays.**

**Reason:-**

**To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.**

**11. The development shall be undertaken in accordance with the following measures:**

- I. 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. All waste transfer records should be retained for inspection by officers of the Local Planning Authority;**
- II. No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely affect adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These should be made available for inspection when required by officers of the Local Planning Authority**

**Reason:-**

**To protect the amenities of the area during construction**

**12. 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. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exist to any identified 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 human health, buildings and other property, and the natural and historical environment has been prepared, and is subject to the approval in writing of the local planning authority.**

**Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.**

**Reason: -**

**To ensure that the proposed development meets the requirements of the National Planning Policy Framework in 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.**

**13. The development hereby permitted shall not be brought into use until the**

parking and turning areas for the existing dwelling adjacent to the application site within the blue edge line and the proposed dwelling have been provided in accordance with details to be submitted to and approved in writing by the local planning authority. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

Reason:-

In the interests of highway safety.

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/in formatives/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.

### Location Plan

