

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**25<sup>th</sup> January 2024**

|  |   |                                  |
|--|---|----------------------------------|
| <b>Application No:</b>   | SMD/2023/0550   |                                  |
| <b>Location</b>  | Lilac Grove Farm, Folly Lane, Cheddleton, ST13 7DA    |                                  |
| <b>Proposal</b>  | Redevelopment of the site to provide seven dwellings. |                                  |
| <b>Applicant</b>   | Upperdales Developers Ltd                             |                                  |
| <b>Agent</b>   | Sammons Architectural Ltd                             |                                  |
| <b>Parish/ward</b>   | Cheddleton  | <b>Date registered</b> 2/11/2023 |
| <b>If you have a question about this report please contact:</b> Chris Johnston<br>tel: 01538 395400 ext 4123 or Christopher.johnston@staffs Moorlands.gov.uk |   |                                  |

**REFERRAL**

This application is referred to the Committee because the applicant is a relative of Cllr Pointon.

**1. SUMMARY OF RECOMMENDATION**

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| <b>APPROVE, subject to conditions.</b> |
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**2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

2.1 The site is within the development boundary of Cheddleton i.e. excluded from the Green Belt and lies to the south of the main part of the village, between rows of dwellings/ribbon development on the east side of Folly Lane, a country lane attached to A520 to the north-west. It comprises a redundant farm plot which used to have single-storey brick and grey render/pebble-dash clad farm buildings and a single-storey farm dwelling in the north part of the site with similar materials and a tiled pitched roof. However, the site has now been cleared of all buildings. There is an access off Folly Lane. As well as there being housing to the north and south sides which faces Folly Lane, there are also dwellings which face the lane on the opposite side of the road from the site. To the rear of the site (east) lies open fields within the Green Belt. The site has also largely been cleared of trees which were mainly in front of the former farm dwelling, but there are some large front boundary trees remaining. The site and surrounding land rises slightly towards the north also away from the road slightly towards the east before flattening along the fields to the east. The site has an area of 0.4 hectares.

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

3.1 This is a full planning application for a new development of seven detached dwellings over the whole site in the form of a 4-bed 2-storey dwellinghouse which would front the road, four 3-bed chalet/dormer-type dwellings (single-storey with rooms in the roofspace above), two of which would front the road, and two 2-bed single-storey bungalows. A new private cul-de-sac would be formed leading to a turning area in the rear part of the site, with the bungalows and two of the chalet dwellings facing it.

3.2 All of the dwellings would have private off-road parking, with six having a single garage space. Two of the frontage dwellings would have a driveway off Folly Lane leading to a single garage building to the side of the dwelling. The other frontage dwelling would have two outdoor parking spaces at the rear, off the new cul-de-sac. The four dwellings in the rear part of the site would have driveways off the cul-de-sac turning head, leading to garage buildings, with the two bungalows having a private garage space within a larger shared garage building.

3.3 All the dwellings would have a traditional rural design with side and front gables, lbstock Birley Old English red bricks and Staffs Blue clay tiles.

3.4 An orchard with twelve fruit trees and understorey planting would be provided in the field immediately to the rear of the site to achieve a "Net Biodiversity Gain". Native hedging which would also be provided along the site boundaries where there is no existing hedging, except for the frontage boundary along Folly Lane where a new stone wall would be formed (there is an existing short section of stone wall in the middle of the frontage) except in front of Plot 1 where the mature trees are located. New hedging would also be provided along most of the boundaries which separate the plots. All the plots would have private rear garden areas.

3.5 A new field access for the fields to the rear would be placed along the southern boundary of the site, off Folly Lane and would run between the existing hedge on the boundary with the dwelling at No.93 (to the south of the site) and also one of the new boundary native hedgerows marking the boundaries of three of the new plots.

3.6 The application was accompanied by a Planning, Design and Access Statement, Preliminary Ecological Appraisal, Bat Survey Report and Energy and Sustainability Statement.

3.7 The application is a resubmission of a previously approved housing scheme. The rear part of the development remains the same as that previously approved but with a shortened garden to the rear of Plot 4 which previously extended along the rear of nos 79 and 81 Folly Lane to the north. This section of land remains part of the application site but left as open grassland/field. The main changes are the removal of two pairs of 2-bed semi-detached dwellinghouses which were approved as frontage houses for

the previous scheme. These have been replaced by two of the chalet dwellings, which are the same house types as previously approved (as are the 2-bed bungalows) and a new house type, the 4-bed detached dwellinghouse. The previous approval was for six 2-bed units and two 3-bed units whereas the new scheme is for 1 x 4-bed, 4 x 3-bed and 2 x 2-bed units. The private cul-de-sac has also been moved more northward from its previously approved position from the centre of the site frontage. The previous application was approved under delegated powers.

3.8 Further amended plans were received on 15.1.24 to increase the amount of hedgerows either side of the private road/cul-de-sac and to change the parking layout of Plot 2 to increase the mean length of the rear garden of that plot.

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

<http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=175464>

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

SMD/2021/0674: Redevelopment of the site to provide 8 dwellings. Approved.

SMD/2022/0487: Redevelopment of the site to provide 8 dwellings (amended scheme). Approved.

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

5.1 The development plan comprises the new Staffordshire Moorlands Local Plan which replaces the former Core Strategy Development Plan Document and supporting evidence documents. The Local Plan was adopted in September 2020. The relevant policies and guidance in which the scheme has been determined against, are below:

##### Local Plan (September 2020)

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS8 Larger Villages Area Strategy
- SS12 Planning Obligations and CIL
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- H1 New Housing Development
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Hedgerows and Woodland
- T1 Development and Sustainable Transport

##### Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG
- Churnet Valley Masterplan (2014)
- Design Guide (February 2018)
- Developer Contributions (October 2023)

Core Strategy Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

National Planning Policy Framework (NPPF) – updated December 2023

Paragraphs 1 – 14

Section 4 Decision making

Section 5 Delivering a sufficient supply of homes

Section 12 Achieving well designed and beautiful places

Section 15 Conserving and enhancing the natural environment

## 6. CONSULTATIONS CARRIED OUT

|                           |                                      |
|---------------------------|--------------------------------------|
| <b>Neighbour letters</b>  | Expiry date for comments: 29/12/2023 |
| <b>Site Notice Posted</b> | Expiry date for comments: 29/12/2023 |
| <b>Press Notice</b>       | N/A                                  |

6.1 No representations have been received as a result of the above.

### **Cheddleton Parish Council**

6.2 No objection.

### **SCC Highways Authority**

Recommendation Summary: Conditional

Site Visit Conducted on: 22-Nov-2023

6.3 Application proposes replacement of a farmyard and buildings with residential development in a residential area. This has previously been approved under SMD/2021/0674 and SMD/2022/0487.

Visibility at the main access is good. Drawing 2021-2632-40 B states visibility measured at 2.0m setback in the notes but is dimensioned at 2.4m setback. It is this 2.4m setback dimension that is to be used.

Visibility at the proposed access to plot 7 is restricted by the adjacent boundary. Visibility of 2.4m x 23m is available to the near kerbline, which is the secondary direction. In the primary direction, visibility is good.

A turning area is proposed allowing vehicles to exit the driveway in a forward gear. Proposed farm access is shown as being surfaced in a bound material

for approx. 6m rear of the carriageway edge. This is not necessary for a field access track.

Footway to the north of the access narrows from 2.3m to approx. 1.4m for a short distance before widening again to approx. 1.8m. Condition is recommended above to widen this length of footway to 1.8m. This will directly improve facilities for pedestrians from the development. Widening may be restricted directly adjacent to the existing tree but this can be considered at technical approval stage.

Access is stated as being private. Developer is encouraged to consider proposing the access for adoption.

Parking provision is in accordance with SMDC Parking Standards.

The trips generated from an additional seven dwellings in this established residential area will not have a severe effect on the highway.

Current records show that there were no Personal Injury Collisions on Folly Lane within 50m either side of the property accesses in the previous five years.

## **Environmental Health**

6.4 No objection subject to standard conditions normally applied to residential development on former farm sites, including the need for a risk assessment in case of any contamination before works commence and a Construction and Environment Management Plan to be submitted for approval, to protect local residents throughout the construction process.

## **Staffordshire Wildlife Trust**

6.5 As stated within the Planning, Design and Access Statement states that, *"The most recent approval proposed a number of biodiversity enhancements which would be undertaken on part of an agricultural field which adjoins the eastern boundary of the site. The current application does not propose to make any changes to this element of the scheme and given that the overall number of dwellings has decreased the biodiversity enhancement will actually have increased over that previously offered"*.

However, there appears to be an area adjacent the northern site boundary which was included as open area on previous plans (SMD/2022/0487), but not under SMD/2023/0550, with a change of the proposed hedgerow line. We would therefore recommend a revised Biodiversity Metric to ensure that this still results in a biodiversity net-gain, with an indication of proposed habitats in a soft landscape design.

## **Conservation Officer**

6.6 There is no heritage value at this site, the postcode on statmap appears to take us to Park Lodge Farm. Though this is actually a little way to the south of the site. This vicinity is not within a Conservation Area. The only comments I can offer are design oriented. The house types appear to respond well to the area in terms of scale and form, and I would perhaps suggest conditions with regard to finishing and facing materials and to have a hard and soft landscaping plan.

### **Severn Trent Water**

6.7 No objection subject to a condition requiring full details of foul and surface water drainage to be submitted for approval.

### **SMDC Waste Collection Services**

6.8 No issues regarding waste collections.

### **SCC Minerals and Waste Planning Authority**

6.9 No comments to make.

### **Trees and Landscape Officer**

6.10 No objection subject to conditions to secure a landscaping scheme and protection measures for the existing trees throughout construction. The comments are provided below:

*There appears to be no tree report submitted with the application; however, I note that the site has been cleared of all buildings and virtually all trees, leaving just a frontage group at the Folly Lane boundary near the north-western corner of the site. These are individually of somewhat poor structure/form, being distorted and unbalanced as a result of mutual close proximity and previous heavy pruning to provide clearance to overhead electric wires. However, collectively they make a useful landscape contribution to the lane and, assuming reasonable physiological condition with no significant structural defects it would be desirable to retain these trees.*

*The application proposed layout shows these trees as being retained, as does that of the similar previously approved layout under SMD/2022/0487.*

*The proposed new access/drive to serve the detached dwelling at Plot 1 appears identical to that approved under SMD/2022/0487 to serve the semi-detached dwelling (also Plot 1), albeit with a garage now to be provided but well away from any trees. The dwelling itself would also have the same relationship with that of Plots 1 & 2 under the previously approved scheme.*

*The proposed main site access and private road to serve Plots 2 – 6 inclusive is now shown further north compared with the similar element of the previous scheme, and closer to the group of retained frontage trees such that the radius bellmouth would (possibly) slightly encroach within the nominal Root*

*Protection Area of the closest tree. However, this is a suppressed, poor quality tree and anyway the access drive largely corresponds with the pre-existing secondary (northern) farm access and in practice there would be little, if any, additional damaging impact on the tree.*

*The site plan indicates retention and supplementary reinforcement of existing native hedgerows, together with proposed new mixed native hedgerow planting to overall site boundaries and to inter-plot boundaries, which is appropriate. The proposed hedgerow planting specification is included, and appropriate; however, the site plan and accompanying planning statement also indicate hedgerow tree planting and a proposed orchard area to the north-east of the site “to subsequent detail” – both also considered appropriate but without specification/detail at this stage. Therefore a comprehensive landscaping scheme should be required by condition in the event of approval.*

## **7. POLICY AND MATERIAL CONSIDERATIONS AND PLANNING BALANCE**

### **Introduction**

7.1 Paragraph 11 of the National Planning Policy Framework (NPPF, 2023) 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 (2023) 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 (2023).

7.3 The main issues with the proposal are as follows:

- Whether or not the principle of the development is acceptable in this location.
- Community Contributions
- The impact on the character and appearance of the area as a result of the development.
- 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 impact on the ecological value of the site.

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

7.4 Despite being a rural gap between ribbon development and not classed as a “brownfield” or previously developed site (as agricultural land and farm buildings do not fall under the definition in the NPPF), the site is inside the development boundary of Cheddleton and the strategy for the “Large Villages”, Policy SS8 of the Local Plan, allows new housing within the development boundaries of large villages. The principle of housing on this site has already been established by the granting of permission for schemes of eight dwellings under full applications in 2021 and 2022 and those schemes were determined against the Local Plan which is still in place currently. Those approvals are still extant. This new application for seven dwellings is also therefore acceptable in principle. The site remains in a sustainable location with services such as shops, a school and public transport all reached a short distance away via lit footways along the roads.

7.5 The proposal although offering one less dwelling than the previous approvals does provide a greater mix of housing. Whereas the previous proposals were for 6 x 2-bed units and 2 x 3-bed units, the new proposal is for 1 x 4-bed, 4 x 3-bed and 2 x 2-bed dwellings in a range of house types, including a conventional two-storey dwelling, dormer/chalet type dwellings and bungalows. The Local Plan and NPPF encourages a mix of housing on new developments and this is also therefore acceptable.

### **Community contributions**

7.6 Policy SS12 and the recently adopted Developer Contributions Supplementary Planning Document (SPD) require contributions from housing developments of a certain size towards, for example, affordable housing (i.e. social-rented, part-rented/part owned discounted market value starter homes), schools, sport/recreation facilities and play space. However, due to the size of the scheme, particularly as there is less than ten dwellings proposed, there is no requirement for any community related contributions, in line with Policy SS12 and the SPD.



## **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 DC3 aims to protect the landscape. Policy NE2 aims to protect existing trees and hedges where these contribute positively to the sense of place and the appearance of the site.

7.8 With regard to the impact on the character and appearance of the area, Folly Lane which is characterised by rows of mixed house types, modern and traditional, some two-storey detached and semi-detached (especially to the north of the site) and some bungalows (especially to the south of the site) and all in a conventional arrangement facing and addressing the road. There is no consistent characteristic of the dwellings on Folly Lane.

7.9 The proposed development of one two-storey dwelling, chalet dwellings and bungalows, with a traditional rural appearance and design features, is therefore not out of keeping with the area. The frontage development would comprise the largest and highest dwelling and two of the chalet dwellings, screening the bungalows in the back part of the site, to re-enforce the ribbon development character of Folly Lane and avoid it appearing as segregated cul-de-sac development with flank walls facing the road. The rear part of the site with the cul-de-sac and four dwellings remains the same as that previously approved with the exception of the Plot 4 rear garden length.

7.10 It is noted the frontage dwellings would be further forward than the adjacent rows of houses either side of the site, as was the case with the previous approved scheme and the new proposed houses would be a similar distance from the road as those previously approved. There is currently a faint front building line on the east side of Folly Lane but the houses are a mixture of styles and sizes and the building line is not as well defined as a row of identical terraced houses for example. There is no real consistency in the street scene and it is considered the forward siting of those dwellings would not look out of place on this stretch of road, especially given the houses directly opposite on the west side of Folly Lane, which would be just as close to the road than the proposed frontage houses.

7.11 With regard to landscaping, there has been much tree removal but some large mature trees remain on the front boundary and these would be retained to contribute positively to the appearance of the development. The cul-de-sac access road has been moved closer to those trees than previously approved. The trees are mature and large but despite contributing positively to the appearance of the site are poor quality with a limited lifespan. The proposed access and new footpath including any widening of it from what is shown on the plans would not have a detrimental impact on the trees and a condition will be added in any case requiring tree protection measures including fencing to protect the trees throughout the construction process. Elsewhere, hedgerows would be retained and provided along the two side boundaries

and also within the site to separate each individual plot and also along the back edge of the site which is currently open with broken timber post-and-rail fencing. It is considered the scope of landscaping to be provided is acceptable.

7.12 Overall, the new proposal would not harm the character and appearance of the area and would have a sufficient level of landscaping and therefore policies DC1, DC3 and NE2 are deemed to be complied with and the development is in line with the Council's Design Guide.

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

7.13 Policy DC1 'Design Considerations' of the Local Plan states that new development should, inter alia, protect the amenity of the area, including the 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.

7.14 With regard to residential amenity, although the three frontage houses are placed forward of the "building line" on this side of Folly Lane, the 45 degree lines measured from the middle of the front windows of the dwelling to the south would not be broken by the new houses, in accordance with the Council's Space About Dwellings Design Guidance and this therefore demonstrates that the neighbouring dwelling would not experience any significant loss of light provision. There are also no primary windows on the side of that dwellings facing the site. With regard to the dwelling to the north of the site, the 45 degree line from the nearest front window may be clipped by the nearest new house due to its forward siting, but the combination of the distance between the existing and proposed dwelling and the presence of trees close to the side boundary (which affect the amount of light entering that property) is such that the overall light provision to the neighbouring dwelling to the north would not be affected.

7.15 With regard to privacy, the front windows of the frontage houses would be at least 22 metres from the front windows of existing dwellings on the opposite side of the road and this is in accordance with the Space About Dwellings standards which aim to prevent significant overlooking and loss of privacy.

7.16 With regard to the rear part of the site, it is again worth noting that this remains the same as that previously approved and therefore the impacts on the residential amenities of the area remain the same. The dwellings in the rear part of the site comprise either bungalows or chalet bungalows and there would not be any significant overlooking over the boundaries into neighbouring existing gardens. The only windows above ground floor level on the chalet bungalows facing the existing neighbouring gardens would comprise landing and bathroom rooflights and obscured glazing can be inserted into these to prevent any overlooking.

7.17 The upper floor rear windows of the existing dwelling to the north would be visible from the rear ground floor windows of the bungalow on Plot 3. However, overlooking into those windows would be at such an obscure angle that I consider there would be no harmful level of overlooking or loss of privacy.

7.18 The seven new dwellings within the site have been positioned in relation to one another to comply with the Space About Dwellings guidance. For example, a distance of 11.0 metres would be maintained between the back windows of the frontage houses and the flank walls of the dormer bungalows behind them. There would also be no breaches of the 45 degree line rule. A distance of at least 22 metres would be maintained between the opposing front windows of the bungalows and chalet bungalows. There would be no primary windows on the flank elevations of the houses which would cause close-range overlooking into other windows. The only flank primary windows would be on the bungalows and these would face the open land to the east and not other dwellings.

7.19 The new dwellings would exceed the floorspace standards set out in the government's Nationally Described Space Standards and the rear gardens, despite some of them not meeting the length standards, would all significantly exceed the overall outdoor space around dwellings standard of 65 sq.m (including the reduced Plot 4 garden), to the extent that this would fairly compensate for the shortfall in garden lengths. It is not considered the shortfalls in the outdoor space length standards should lead to the refusal of the scheme because, overall, it is considered that this shortfall would not lead to any significant harm to the overall living standards of the future occupants. The Space Standards is guidance rather than a policy requirement and it is not considered that this shortfall could justify the refusal of the application, particularly in the event of an appeal. Overall, the residential amenities and living conditions of both the existing residents of the area and the future occupants of the development would not be harmed.

7.20 Overall the new proposed development would not result in harm to the residential amenities of either the existing residents or the future residents of the development in terms of living conditions and would therefore comply with Policy DC1 in this respect.

### **The Impact on Highway Safety**

7.21 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.

7.22 With regard to highway safety, it is not considered the predicted increase in vehicle movements arising from seven new dwellings in a sustainable village location will have an adverse effect on the road network. Furthermore, the access point is in a safe position and the required visibility splays achievable either side and not blocked by the proposed or existing frontage

stone walls or the trees. The level of visibility from the private road access point along Folly Lane is good. The access to Plot 7 is more restricted but still acceptable in terms of visibility along the road when leaving the access. The visibility at the field access is substandard. However, for farm vehicles only, it is acceptable as the driver on a tractor or truck is likely to be able to see over the obstacles to the south of the access when looking down that direction of the road when leaving the site. The access road and turning head meet the size and width standards that the local highways authority apply and has a safe design. The parking provision also meets the standards for 2, 3 and 4-bed dwellings and would prevent the need for significant numbers of vehicles to be parked on the road which is less safe. There is turning space at Plots 1 and 7 to prevent the need for vehicles to reverse onto Folly Lane.

7.23 It has been noted that a small section of the proposed footway to the north of the main access point has a slightly substandard width but a condition can be added to require its widening to a standard 1.8m, which is achievable. The Tree Officer would be consulted on any Discharge of Condition application to widen the path so that the impact on the tree roots can be assessed. There are digging methods (or “no dig” methods) which can be used to prevent any damage to roots.

7.24 Overall, the proposal would not lead to any highway safety issues. No objection has been raised by the local highways authority (Staffs County Council) with the safeguard of conditions which require the visibility splays to be provided and the parking and turning areas to be provided before the dwellings are occupied. The proposal would therefore comply with the relevant part of Policy DC1 and also T1.

### **The Impact on the ecological value of the site**

7.25 Policy NE1 aims to avoid harm to protected species and protect biodiversity from new development and where possible achieve a Net Biodiversity Gain (NBG) from development proposals.

7.26 With regard to ecological impact, the site is in a rural area with redundant farm buildings and therefore has significant potential for protected species (such as bats) and a high ecological value. In determining the previous applications, Staffs Wildlife Trust concurred with the original survey which found no bats in the buildings (which have now all been demolished) and a PEA was submitted to cover other species (e.g. great crested newts, birds and badgers) and also proposed mitigation and enhancement measures which includes Avoidance Measures for newts during the construction works and also the installation of bat and bird boxes around the site. SWT had also accepted this. All the measures outlined in the PEA can be secured by planning conditions as previously applied. The PEA is dated February 2022 but in response to this new current application, no objection is raised by SWT.

7.27 Policy NE1 and NPPF also require new developments, where possible, to lead to a Net Biodiversity Gain (NBG). An area of biodiversity enhancements, comprising the use of part of the adjacent field for the planting

of 12 fruit trees and other planting, which is in the applicants ownership, has been maintained with this current new application. The previous applications included calculations provided to demonstrate a Net Biodiversity Gain this and were eventually accepted by SWT as resulting in a Net Biodiversity Gain. In response to this new application, SWT recommended that new NBG calculations be provided because of the omission of the rear part of the Plot 4 rear garden from the scheme as this could affect the total amount of NBG. However, it is not considered that this is necessary as whilst Policy NE1 encourages a NBG it is not an actual requirement of the policy. The Council remains satisfied that the new scheme would still protect and enhance the ecological value of the area due to the extensive native hedgerow planting and the provision of the orchard.

7.28 Overall, the new scheme would not harm protected species and would result in an enhanced ecological value with the safeguard of conditions and therefore complies with Policy NE1 and Section 15 of the NPPF.

## **8. CONCLUSION / PLANNING BALANCE**

8.1 There remains less than a five-year housing land supply and the proposal would provide more housing in a sustainable large village location in a gap between rows of houses and is within the development boundary of Cheddleton. The principle of the development is therefore acceptable. The development of the site would provide social and economic benefits but without any environmental harms and is therefore in line with the overarching aims of the NPPF as set out in para.8. The design and layout of development would not result in an overdevelopment in relation to the size of the plot and the building design reflects local styles including more traditional local styles and there is sufficient space for green landscaping and ecological enhancement. There would be no harms to the visual or residential amenities of the area or to highway safety. This new application proposes an acceptable alternative to the two previous approved schemes for eight dwellings which are still extant. The new scheme would remain to comply with the Council's Local Plan and the government planning guidance in the National Planning Policy Framework (NPPF) and is therefore recommended for approval.

## **9. RECOMMENDATIONS**

**A. The full planning application is APPROVED with the following conditions:**

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

**Reason:-**

**To comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.**

**2. The development hereby permitted, including building materials specified, shall be carried out and completed in accordance with the following amended approved plans:**

**2021 2632 40 Revision C**

**2021 2632 41**

**2021 2632 42**

**2021 2632 43**

**2021 2632 44**

**2021 2632 45**

**2021 2632 46**

**2021 2632 47**

**2021 2632 48**

**2021 2632 49**

**2021 2632 50**

**2021 2632 51**

**2021 2632 52**

**2021 2632 53**

**2021 2632 54**

**Reason:-**

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

**3.The development hereby approved shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in exact accordance with the approved details before the development is first brought into use.**

**Reason:-**

**To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution and also in the interests of the ecological value of the site and achieving a Net Biodiversity Gain.**

**4.Before the development is first brought into use, the site shall be landscaped in exact accordance with a landscaping scheme which includes full details of both hard and soft landscape proposals for both the development and the orchard area, which shall include suitable understorey wildflower grassland with establishment and on-going management specification and which shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include: -**

**- Means of enclosure**

**- Hard surfacing materials**

**Soft landscape details shall include: -**

**- Planting plans**

**- Written specifications (including cultivation and other operations associated with plant and grass establishment)**

- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate
- Implementation timetables

**Reason:-**

To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area and also to achieve a Net Biodiversity Gain.

**5.**The implemented planting scheme shall be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.

**Reason:-**

To ensure the appropriate landscape design and in the interests of 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, B, C, D and E or Part 2 Class(es) A to C shall be carried out 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 and to protect the residential amenities of neighbouring residents.

**7.**The proposed upper floor rooflights of Plot 3 on the north elevation and Plot 6 on the south elevation as shown on the above drawings hereby approved shall be fitted with obscure glazing to level 5 (minimum) from the Pilkington range or equivalent. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) those windows shall not be re-glazed with any transparent materials and shall not be enlarged or otherwise altered, nor shall any additional window or other opening be formed in that elevation unless a further planning permission has first been granted on application to the Local Planning Authority.

**Reason:-**

To protect the amenity and living conditions of the adjoining residential property from overlooking or perceived overlooking.

**8.** The first action on commencement of development, prior to any further action (including any further site clearance, site stripping, site establishment or formation/improvement of temporary/permanent access) shall be the erection of temporary tree protection barriers and advisory notices for the protection of all the existing trees within the site, to be retained as shown on the approved drawings, in accordance

with guidance in British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*, and these barriers and notices shall be retained in position for the duration of the period that development takes place, unless otherwise agreed in writing by the local planning authority. 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 in writing by the local planning authority.

Reason:-

In the interests of the character and appearance of the area.

9.The development hereby approved shall be undertaken in accordance with all measures outlined in Section 5 of the Absolute Ecology Preliminary Ecological Report for Lilac Grove Farm dated February 2022.

Reason:-

In the interests of the ecological value of the site.

10.Before the development is brought into use, bat and bird boxes shall be installed within the site in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason:-

In the interests of the ecological value of the site.

11.The development hereby permitted shall not be brought into use until the dimensioned visibility splays of 2.4m x 43m in each direction shown on plan 2021-2632-40 Rev C have been provided. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

Reason:-

In the interests of highway safety.

12.Before the proposed development is brought into use, the access shall be completed.

Reason:-

In the interests of highway safety.

13.The development hereby permitted shall not be brought into use until details of the reinstatement of the existing site accesses to footway with full height kerb, which shall include the access crossings between the site and carriageway edge made redundant as a consequence of the development have been first submitted to and approved in writing by the local planning authority. The existing site accesses made redundant as a consequence of the development hereby approved shall be reinstated as footway with full height kerb in accordance with the approved plans prior to the first occupation of the development.

Reason:-

In the interests of highway safety.



**14.The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plan 2021-2632-40 Rev C. The parking, turning and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing areas for the life of the development.**

**Reason:-**

**In the interests of highway safety.**

**15.The development hereby permitted shall not be brought into use until a surface water drainage interceptor, connected to a surface water outfall, has been provided across the access immediately to the rear of the highway boundary in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.**

**Reason:-**

**In the interests of highway safety.**

**16.Before the proposed development is brought into use, the footway on the site frontage shall be widened to a minimum width of 1.8m. Details of highway works comprising widening of the footway on the frontage to minimum width of 1.8m shall be first submitted to and approved in writing by the Local Planning Authority.**

**Reason:-**

**In the interests of highway safety.**

**17.There shall be no access to any of the residential plots from the farm access shown on the site plan at any time during the lifetime of the development.**

**Reason:-**

**In the interests of highway safety.**

**18. The development hereby permitted shall not be brought into use until details of the 2.4mx43m visibility splays at the access to plot 1 and 2.4mx43m to the north and 2.4mx23m to the south of the access to plot 7 have been submitted to and approved in writing by the Local Planning Authority. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level and be provided in accordance with the approved plan prior to the development commencing/brought into use**

**Reason:-**

**In the interests of highway safety.**

**19.No development hereby permitted shall take place except for works of site clearance and demolition until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-**

- I. 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;**
- II. the method and duration of any pile driving operations (including expected starting date and completion date);**
  - III. pile driving shall not take place outside 09:00 to 16:00 hours Mondays to Fridays, nor at any time on Saturdays, Sundays or Bank Holidays;**
  - IV. the arrangements for prior notification to the occupiers of potentially affected properties;**
  - V. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;**
  - VI. a dust management plan containing the measures to ensure no activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely adjacent residential properties and/or other sensitive uses and/or the local environment. There shall always be the appropriate means and sufficient water resources on site for dust suppression. 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.**
  - VII. a scheme for recycling/disposal of waste resulting from the construction works;**
  - VIII. the parking of vehicles of site operatives and visitors;**
  - IX. the loading and unloading of plant and materials**
  - X. the storage of plant and materials used in constructing the development;**
  - XI. 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;**
  - XII. the details of any generator/s to be used on site. They should be sufficiently attenuated so that any noise generated shall be inaudible inside any nearby noise sensitive premise,**
  - XIII. during construction/demolition phases amplified music and/or radios shall not be audible beyond the site boundary.**

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

**Reason:-**

**To protect the amenities of the area.**

**20. Development shall not commence until:**

**a) a site risk assessment has been undertaken to assess the nature and extent of any contamination on the site, in accordance with a scheme to be agreed in writing with the Local Planning Authority. Once completed, a written report of the findings and recommendations shall be submitted and approved in writing by the Local Planning Authority.**

**b) If the site risk assessment (a) indicates that potential risks exist, development shall not commence, until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been submitted and approved in writing by the Local Planning Authority.**

**c) Following completion of measures identified in the approved remediation strategy and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted and approved in writing by the Local Planning Authority.**

**d) If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.**

**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.**

**21. No top soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material shall be submitted to and agreed in writing by the Local Planning Authority prior to the soils being imported onto site. The methodology shall include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to by 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.**

**21. The external artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing**

**illuminance at the adjoining light sensitive locations when the light (s) is (are) in operation. Details of all external artificial lighting to be installed at the site shall be submitted to and approved in writing by the Local Planning Authority prior to installation**

**Reason:-**

**To protect the local amenities of the local residents by reason of excess of illuminance.**

**22. Before the development hereby approved is first brought into use, an access gate to the area marked ""Orchard"" in the site plan shall be provided in accordance with design and location details to be submitted to and approved in writing by the local planning authority.**

**Reason:-**

**In the interests of the maintenance of the ecological enhancement area.**

**23. The area marked ""Orchard"" on the site plan shall only be used as an ecological enhancement area and shall not form part of the residential curtilage of any dwelling hereby permitted and shall not be used at any time for residential, domestic or any other purpose ancillary to the domestic use or enjoyment of the dwellinghouses hereby permitted**

**Reason:-**

**In the interests of the maintenance of the ecological enhancement area, for the avoidance of doubt and to ensure the openness of the Green Belt.**

**24. Before the development is first brought into use, a dry-stone wall shall be provided in accordance with the application drawings with a height of 1.0 metre.**

**Reason:-**

**In the interests of the character and appearance of the area.**

**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.**

