

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE
15th August 2024**

Application No:	SMD/2024/0103	
Location	The Grange Clay Lake Endon Staffordshire ST9 9DD	
Proposal	Demolition of existing dwelling and redevelopment of the site to provide 22 dwellings with means of access and associated works	
Applicant	SAL C/O Sammons Architectural Ltd	
Agent	Sammons Architectural Ltd	
Parish/ward	Endon	Date registered 3/1/24
If you have a question about this report please contact: Jane Curley jane.curley@staffsmoorlands.gov.uk.		

REFERRAL

This is a major application which is locally contentious

1. SUMMARY OF RECOMMENDATION

REFUSE

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The site comprises of The Grange a large dwelling sat in spacious grounds with paddocks adjoining. It lies to the south of Clay Lake from where it takes access and is just within the Development boundary of Endon. Levels falls appreciably from the road in a south westerly direction to a water course in the valley bottom. Surrounding the site to the south west and west is a substantial area of woodland known as Stoney Wood a large part of which is scheduled Ancient Semi-natural Woodland (ASNW). There is also an area of woodland covered by Tree Preservation order adjacent to the site in the south west and west extending to within the site to the north. In addition there are a number of individual trees which are protected by TPO's on the north and east boundaries.

2.2 The Grange is a fine and substantial building. It is not Listed and whilst it has some local social historic interest, understood to have been built by the Heaton family who were local benefactors, there is no evidence that it has any degree of heritage significance which would suggest it should be considered as a Non designated heritage asset.

3. DESCRIPTION OF THE PROPOSAL

3.1 This is a full application for the demolition of The Grange and the redevelopment of the site for 22 dwellings. It comprises of 12 detached all 4 bedroom houses apart from Plot

6 which is 3 bedroom, 5 pairs of semi detached houses (10 in total) of which two are 2 bedroom homes, six are 3 bedroom homes and two are 4 bedroom homes giving an overall mix as follows:-

13 X 4 bedroom units
7 X 3 bedroom units
2 X 2 bedroom units

3.2 Documents provided

FRA
Building for life assessment
Transport assessment
Planning, Design and Access Statement
Energy and Sustainability Statement
Ecological Report
Arboricultural report

3.3 The applicant did not seek any pre application advice.

4. RELEVANT PLANNING HISTORY

None of relevance

5. PLANNING POLICIES RELEVANT TO THE DECISION

Staffordshire Moorlands Local Plan (adopted September 2020)

- SS1 Development Principles
- SS5 Leek strategy
- SD1 Sustainable Use of Resources
- SD3 Carbon-saving Measures in Development
- SD4 Pollution
- SD 5 Flood risk
- DC1 Design Considerations
- DC3 Landscape
- NE1 Biodiversity and Geological Resources
- NE 2 Trees, Hedges and woodland

National Planning Policy NPPF

National Planning Policy Guidance

6. CONSULTATIONS CARRIED OUT

Site Notice expired.

Neighbours notified by letter. Representations received are summarised below:-

Neither: 2 comments received

- The development would exacerbate flooding
- Additional traffic
- Additional strain on local services and infrastructure

Support: 3 comments received

- Will help with housing crisis
- Need for homes in the area

Objection: 111 comments received

- Congestion, road safety, access, and parking issues
- Impact on the environment, wildlife and biodiversity
- Design – plans are not in keeping with existing grain, density and pattern of development
- Contributing to urban sprawl
- Pollution
- Trees, TPOs and woodland – proposal contrary to Policy NE2
- Overdevelopment of the site
- Destruction of non-designated heritage asset
- Impact on Green Belt
- Flooding, drainage and surface water runoff
- Loss of residential amenity
- Sustainability of location, walkability and public transport issues
- Loss of local character
- Proposal does not conform with Policy DC1
- No affordable housing

Town Council

Object - The proposal for 22 dwellings on the site of Grange House is considered an overdevelopment of the site when taking into account the topography, services, it's setting in the village and the impact it will have on environmental, ecology and highway aspects.

While acknowledging Local Plan Policy H3 and the need for new housing in the District as a whole, we believe the proposals do not adequately take into account the wider impact that this scale of residential development will have on the surrounding area for while we accept that the site is developable a scheme that retained the existing dwelling while supporting a much reduced number of dwellings would be more appropriate.

The quality of the existing dwelling and it's historic standing on Clay Lake raises concerns as to why the development cannot retain and incorporate the dwelling as part of a reduced scheme offering a conversion The Grange into multiple dwellings which could support any First Home requirements while the balance of the site would more sensibly accommodate in the region of 6 dwellings to reflect the generous proportioned dwelling of the surrounding residential area.

The current proposals raise strong concerns on the expected increased impact the scheme will have on the foul and storm water drainage capacities available within the current system. While we acknowledge the site itself sits in Flood Zone 1 the wider impact is of concern. Flood water is already a major concern within the area and these proposals offer nothing to satisfy local fears at a time when the Parish is working hard to alleviate future flood impact such that the belief is this scheme will counteract all the good work being undertaken to date between the local resident representatives and various government agencies.

The high volume of proposed dwellings does not support a healthy co-existence with the current ecological system. A reduced scheme retaining larger areas of undeveloped land could improve this. Highways matters along Clay Lake, B5051, have continuously been of major concern to residents of the Village and the scheme proposals do not ease these concerns and in fact impact on them. The B5051 is 30mph road and it is acknowledged that the visibility from the site onto the B5051 is achievable however concerns are raised when

considering the crossing of pedestrians in and out of the site at this location and the manoeuvring of vehicles into the site off Clay Lake for the angle of the bend does not support safe visibility in these instances. Clay Lake forms a major route for Children accessing each of the three Schools in the Village and any development in this area needs to take on board the need for a safe crossing point. The site will require to provide for 59 residential parking spaces as well as visitors, which compared to the existing numbers of residential properties along Clay Lake will provide a significant increase in the percentage of local traffic movements on a road where campaigners have been working alongside the County Council for Highway Safety improvements.

In addition to the Highway Safety concerns the Parish Council is also gravely aware of the pressures on the local highway network coinciding with morning and evening commuters, school traffic on the B5051 to A53 Leek Road junction. This again has been of concern for many years and the problem on the local network at this location needs addressing with urgency. This development raises concerns that it's impact on the flow of traffic will be negative and consideration should be made as part of the application to take this opportunity to address the traffic management of the junction as part of the wider scheme

Environmental Health Officer

No objection subject to conditions.

Advise a condition to secure a contamination risk assessment and remediation prior to commencement of development given the sites location adjacent to the site of historical brick works and associated kilns and thus may have some associated contamination (hydrocarbons, lead, chemicals / asbestos from old buildings/ fuel tanks etc). This is in order to ensure that the site is suitable for its proposed use.

Also advises a CEMP to protect the amenity of existing residents during construction.

Finally as the site is in close proximity to a busy main road the B5051, the EHO advises that road traffic noise should be a consideration. A condition is recommended to ensure that a Noise Assessment is undertaken and sound insulation scheme is submitted in compliance with BS5233:2014 Sound insulation and noise reduction for buildings (Code of Practice) and the Professional Practice Guidance on Planning & Noise: Residential Development (IOA and ANC 2014)

Trees and Woodland Officer

Object due to the proposal:

- constituting over-development of the site beyond what the site constraints would reasonably and acceptably accommodate;
- being in conflict with standing advice on Ancient Woodland and likely to lead to deterioration of Ancient Semi-Natural Woodland;
- being likely to create unacceptable living conditions for occupiers due to the extent and proximity of development in relation to significant and protected trees;
- having a detrimental impact on the appearance and character of the area.

Ancient Woodland

There is a substantial area of woodland, marked as "Stoney Wood" on OS and Statmap base mapping, but referred to as "Stonehay Wood" in the Ancient Woodland register, to the west of the application site. The large majority of Stoney Wood is scheduled Ancient Semi-natural Woodland (ASNW); the ASNW boundary in so far as it relates to the application site is indicated on the attached plan. The ASNW boundary does not correspond fully with the existing extent of woodland, with a narrow strip and then wider area of existing woodland adjacent to the west and south-west boundary of the application site lying outside the extent of the scheduled ASNW (but still protected by TPO – see below and also indicated on the

attached plan). Nevertheless, the ASNW and the non-ASNW woodland are a continuous wooded habitat with no immediately obvious distinction as viewed from the application site, and in many ways it would seem appropriate to regard their combined extent as a single homogenous unit in terms of potential impacts of and relationship with the proposed development. Indeed the combined ASNW and non-ASNW extent of Stoney Wood is also collectively identified as Priority Habitat – Deciduous Woodland in the DEFRA inventory. Strictly, however, planning policies and guidance in respect of Ancient Woodland could only formally be applied to the indicated extent of scheduled ASNW along with any Ancient Trees and Veteran Trees. Ancient Woodland is regarded as an irreplaceable, priority habitat. SMDC Local Plan Policy NE2 provides that development proposals will be resisted if they would directly or indirectly damage existing ancient woodland, veteran trees and ancient or species-rich hedgerows. Government guidance on development in relation to Ancient Woodland is set

out in the Natural England and Forestry Commission standing advice “Ancient woodland, ancient trees and veteran trees: advice for making planning decisions” and is a material consideration for local planning authorities. The standing advice states that LPAs should refuse planning permission if development will result in the loss or deterioration of ancient woodland, ancient trees and veteran trees unless both of the following applies:

1. there are wholly exceptional reasons; and
2. there is a suitable compensation strategy in place (this must not be a part of considerations of wholly exceptional reasons).

The scheduled ASNW is not mentioned in the application’s arboricultural report, but is noted in the ecological surveys report along with advice about how the proposed development should respond to this.

The arboricultural report does not directly identify individual trees situated within the ASNW (given its slight set-back of a few metres beyond the application site boundary), with the trees that are identified being edge trees in the intervening strip of non-ASNW woodland or in a few cases within the application site itself. Nevertheless, it is apparent that no built development (including new dwelling footprints, roadways and drives, new drainage services or the pumping station compound) would encroach within the BS 5837- derived Root Protection Areas (RPAs) of trees within the Ancient Woodland, other than subdividing garden boundary fences between Plots 9 – 14 inclusive which would potentially encroach into RPAs of some larger ASNW trees close to the application site boundary. Whilst in practice intermittent fence post positions would be unlikely to have substantial harmful impact, there are anyway concerns over garden proximity to ASNW as noted below. However, assuming no changes in ground levels in the south-western halves (approx.) of the rear gardens to Plots 9 – 14 (either during development, or subsequently by occupiers eg by garden terracing etc), and given compliance with appropriate temporary tree protection measures during construction, it is fair to conclude that the proposed development as indicated would not lead to the loss of Ancient Woodland nor directly lead to deterioration of Ancient Woodland through physical impact of construction/development.

However, the standing advice on ancient woodland advises that a buffer zone of minimum 15m width should be respected around the boundary of ancient woodland. The approximate alignment of the corresponding buffer zone boundary for Stoney Wood ASNW, in so far as it relates to the application site, is also indicated on the attached plan. The standing advice recommends that LPAs should not approve development proposals, including gardens (my emphasis), within buffer zones, and that buffer zones should be managed and maintained as semi-natural habitats. The rear gardens of Plots 9 – 14 inclusive all encroach into the buffer zone – in some case very substantially so, by almost 50% of the total rear garden area; this would be in conflict with the standing advice and with Local Plan Policy NE2 and is not considered acceptable. The minimum buffer zone, at the very least, should be fully excluded from the planning application site, and a secure boundary established to physically define the limit of gardens – ideally this boundary would itself also comprise complementary semi-

natural habitat i.e. mixed native hedgerow and trees. This would clearly affect the size of these gardens, which may have implications for amenity space standards in relation to the proposed dwelling sizes.

NB it is noted there appears to be some inconsistency between the site location plan which identifies the red-edged site as running up to the existing watercourse along the south-west side, and the planning proposal site plan/layout which appears to show gardens extending a good few metres across/beyond the watercourse and therefore into the TPO woodland – and even further into the ASNW buffer zone.

Impact on Existing Trees

There is a mature multi-stemmed Alder situated immediately on the south-west bank of the watercourse approximately 6m to the south-east of the stem position of tree T19 as marked in the arboricultural report. (Incidentally, T19 is no longer present, quite possibly having naturally collapsed given its recent poor condition and leaning state as described in the report survey schedule). However, the multi-stemmed Alder is not shown/identified in the arb report at all, but is clearly a notable tree, comprising an old coppice stool base of c.1.5m diameter, with a number of relatively more recent but still long-established and substantial stems arising from the stool and collectively forming the tree's crown. It may well be that notwithstanding the DEFRA delineation of the ASNW boundary, this old Alder in practice marks a more realistic and appropriate Ancient woodland boundary (Sycamore tree T47 further to the north-west is also of multi-stemmed form on a clearly long established coppice stool). Whilst the Alder stems are themselves perhaps of insufficient age since last coppiced to have developed cavities, decay pockets, major dead wood, split/broken limbs and other characteristics of veteranisation (and therefore, depending on any veteranisation features which may be present in the stool/base itself, it may be stretching a point to formally denote this Alder as a "veteran tree") it should nonetheless be fully taken into account as a significant tree in terms of potential impact of development – but has not been, due to lack of inclusion in the arb report. The RPA of this Alder could well be approaching or even at the BS 5837-capped maximum of 15m radius, and the indicated installations and drain runs of the proposed pumping station and treatment tank compound would significantly encroach into such an RPA with potential for substantial root damage. The position of the compound is therefore not considered acceptable and should be relocated clear of all tree RPAs in the event that the development goes ahead.

The proposed new foul drain from the existing manhole in the rear garden of what would be Plot 22 cuts through the RPA of tree T5 (TPO-protected and in decent condition – Retention Category B); whilst this encroachment is not by a great amount, it appears that it would be readily avoided completely by a minor re-positioning of the next proposed new foul manhole "F2".

Other than these points above, the application arb report demonstrates that all new built development including dwelling footprints, access road, private drives and parking bays and drainage installations would be located outside the RPAs of existing trees, and therefore assuming compliance with temporary tree protection measures and no alteration of ground levels within RPAs during or after development the proposed scheme would not have other direct harmful impact on existing trees.

However, I have serious concerns regarding the relationship between the proposed plots/dwellings and the surrounding trees, many of which are protected by TPO either as individual Trees (along the south-east boundary), within an Area-designation (north-east and north-west boundaries) or as Woodland (west and south-west boundaries). Generally, tree canopy extent within/over the site has not been shown on the site layout plan, only RPAs (although canopy extent is in fact shown on the arb report plans); however, my own observations suggest that in a number of cases the crown radii appear to be somewhat understated compared to actual maximum spread. I have added my estimation (based on pacing out, where practical) of key canopy spreads on the attached sketch-annotated plan (along with the approx. position of the ASNW buffer zone boundary and the approx. RPA of

the notable multi-stemmed Alder coppice adjacent to the pumping station compound).

Specific areas of concern are:

a) Plots 1 – 5 incl: rear gardens heavily over-dominated by mature trees to the north along the Clay Lake boundary, creating heavily over-bearing effect due to continuous canopy along the combined group of trees with significantly limited outlook from the gardens and principal windows in rear elevations, and little reasonably useable garden areas.

b) Plots 6 & 7: similar situation to Plots 1 – 5, in relation to combined group of tall mature trees along the north-west edge of the site.

c) Plots 8 – 14 incl: the outlook from the principal rear elevations and from the gardens would be significantly affected by the presence of largely continuous mature woodland of tall trees and dense understorey on rising ground immediately to the south-west, leading to substantial shading, restricted outlook, over-bearing impact etc. This sense of restricted enclosure would be exacerbated by the presence of the virtually continuous mass of 3 – 4 storey new dwellings along the north-east side of the private gardens, parallel to the woodland edge. Furthermore, as noted above much of the proposed garden areas to Plots 9 – 14 inclusive would encroach within the ASNW 15m buffer zone and should not be available as garden area, consequently greatly reducing the garden areas for these plots for the dwelling positions as currently indicated.

These issues arising from dwelling proximity and orientation to existing mature trees would create a poor living environment for occupiers, likely to create problems of excessive shading, substantially restricted outlook from principal windows and from gardens, heavily over-dominating impacts and perceptions of danger from falling trees/branches and leading to pressure for premature felling and/or substantial reduction of trees which, notwithstanding their protected status, would be more difficult to resist if an inappropriate development layout is approved.

Development Character and Visual Impact

Clay Lake is generally characterised by large detached individual dwellings in generous and well-wooded plots. The proposed development would create a cul-de-sac of 22 new dwellings of similar architectural style creating a suburban estate-type layout and appearance, which would be a departure from the prevailing character. Within the site, the scheme would create an enclosed streetscene dominated by near continuous built form, hard surfacing and vehicles.

Currently, views into the site from Clay Lake are mainly limited to those at the existing drive entrance to The Grange and adjacent field gate, with the majority of the highway boundary being well screened by a continuous belt of mature canopy and understorey trees and shrubs. Particularly at this time of year when deciduous species are in full leaf, this creates an effective screen of some depth/density such that the existing dwelling is not readily visible. The Grange is set back behind this screening vegetation along a curving drive, such that the existing views into the drive access point and gateway are largely of undeveloped, semi-wooded landscape. The proposed development would, inevitably, create a more formal, engineered, suburban character at the access/entrance point off Clay Lake, with more open views along the cul-de-sac and several new dwellings, the roadway and numerous parked vehicles in more prominent if relatively fleeting view. The gardens to new Plots 1 to 6 inclusive are shown running up to the Clay Lake highway boundary; much of these proposed garden areas are presently occupied by the dense vegetation screen of trees and understorey, which creates its own potential problems as noted above. Whilst most of the established trees are protected by TPO, the understorey shrubs and saplings are not, and it would be conceivable that residents may wish to remove much of this in attempt to admit more light to gardens and dwellings and to create more usable garden areas. This could substantially reduce the existing natural screening along Clay Lake, bringing the concentrated development of new dwellings into more prominent view from a greater length of the highway, along with associated domestic paraphernalia of garden sheds, washing

lines, play equipment etc. In addition, any new garden boundary structures to demarcate plot boundaries and increase privacy and security such as timber panel fences and/or walls would be visually intrusive if located on or near the highway boundary of the plots/application site.

There is probably only one other publicly accessible external viewpoint giving views towards/into the site, this being from public footpath No 14 (Endon with Stanley Parish) leading off Brookfield Avenue in Endon, some 120m or so to the south-west of the application site boundary. From here, due to the filtering and screening effect of layered existing vegetation, the existing dwelling at The Grange together with its surrounding gardens and paddock is barely visible even when zoomed in using telephoto camera lens. The proposed development would create a substantially larger extent and concentration of built form, with associated features of domestic and garden illumination, across the application site including nearer to its southern boundary. However, the proposed development would not directly require or lead to loss of existing boundary vegetation, and off-site vegetation between the boundary and the public footpath would remain. Therefore, whilst autumn/winter leaf-fall from intervening trees and hedges would no doubt increase visual permeability to some extent, it is probably fair to conclude that although probably more readily visible than the existing dwelling etc, the proposed development is unlikely to be prominently or intrusively visible from the public footpath.

Conclusion

Whilst I have no objection in principle to some residential development on the site or redevelopment of the site, the scheme as currently proposed is not considered appropriate or acceptable and I object to the application as it stands for the following reasons:

- Overdevelopment of the site beyond what the site constraints would reasonably and acceptably accommodate;
- Failure to comply with Natural England and Forestry Commission standing advice “Ancient Woodland, Ancient Trees and Veteran Trees: advice for making planning decisions” with consequential likelihood of deterioration of Ancient Semi-Natural Woodland” and conflict with Local Plan Policy NE2;
- Likely harmful direct impact on the roots of a notable mature Alder tree arising from the location of the indicated pumping station/treatment tank compound and associated drains, also in conflict with Local Plan Policy NE2;
- Inappropriate proximity and relationship between existing trees and proposed new dwellings/gardens, likely to create problems of excessive shading, substantially restricted outlook from principal windows and from gardens, heavily overdominating impacts and perceptions of danger from falling trees/branches and leading to pressure for premature felling and/or substantial reduction of trees, again in conflict with Policy NE2;
- Adverse effect on the character and appearance of the area due to the incongruous nature and layout of the proposed development with likelihood of intrusive and harmful visual impact.

Local Highway Authority

Recommendation Summary: Refusal

Site Visit Conducted on: 30-Jan-2024

Personal Injury Collisions

Current records show that there were not any Personal Injury Collisions on Clay Lake within 43 metres either side of the property access for the previous five years.

Background

Clay Lake is a classified road (Road No. B5051) with a speed limit of 30 mph. Clay Lake has footway on development side of the carriageway. The road is lit.

Description of Proposal

Proposed erection of 22no. dwelling houses. Including 2no. 2 bedrooms, 5no. 3 bedrooms and 15no. 4 bedrooms plus dwellings.

Comment on Information submitted

The existing access will be upgraded as required to provide a 5m wide entrance with 6m radius curves to either side and a 1.8m wide pavement to the southern side and a 1m wide service strip to the northern side. Footway should be 2m wide.

Visibility sight lines from the new access shall be provided to give visibility of a minimum of 50m with any vegetation in advance of the sight lines being reduced to a maximum of 600mm. A turning head will be created at the top of the main spine road to enable delivery and refuse vehicles to turn and exit the site in a forward gear.

Visibility has been shown on drawing no. 2022-2755-06 Revision F and an improved access. However, there are no tracking provided for the refuse vehicle. I request a 11.9m refuse vehicle tracking is provided to show all movements in/out of the access and at the turning head. I would also request car tracking is also provided to show all movement in/out of the access to show that both movements can be accommodated simultaneously.

All dwellings are to be served by a mix of private drives and garages. Parking spaces are to be 2.5m wide x 5.0m long and have a 6.0m road width behind for manoeuvring. All garages will be a minimum of 3m wide x 6m long. All 2 and 3 bedroom properties will be provided with 2 off road parking spaces whilst the 4 bedroom units will have 3 spaces as required by the Council's Parking Standards.

Car parking is proposed in line with the Staffordshire Moorlands Parking Standards. The following plots also include single garages which are in line with the guidance.

- Plot 5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20 at a minimum of 3m x 6m each.

Plots with no garage should provide for cycle parking which shall be secure, covered, and weatherproof.

No waste bin location has been provided which shall be shown on any revised plan for each dwelling.

Recommendations

This application should be refused for the following reasons:

- Lack of information

Note to Planning Officer

1 Clarification if the internal road is to be adopted

2 A revised plan to show a 11.9m refuse vehicle tracking for all movements in/out of the access and at the turning head.

3 A revised plan to show car tracking for all movement in/out of the access to show both movements can be accommodated simultaneously.

4 Waste bin location to be shown on any revised plan.

5 Cycle parking for each dwelling with no garage.

Local Lead Flood Authority

Object

Advise that the submitted information has been reviewed and there is insufficient detail to fully demonstrate that an acceptable drainage strategy is proposed. Please provide a drainage strategy to include all the documents required to obtain FUL permission as outlined in Appendix A of the Staffordshire SuDS Handbook.

Specific points are listed below:

- Investigate daylighting existing culverts within the site associated with the unnamed ordinary watercourse.

- There should be a 6m easement associated with the ordinary watercourse for access and maintenance. Please show this easement on the drainage plan and remove any obstructions to the watercourse flow e.g. fences.

- Multi-benefit SuDS shall be provided on site in line with the August 2022 Guidance on Flood and Coastal Change.

- Given the known flood risk please reduce your discharge rate down to 5.8l/s (5l/s/ha).
- Can we see an overlay of the SW flood map on the overall plan to show that all new infrastructure can be located outside of these zones if possible.
- Provide an acceptable management and maintenance plan for surface water drainage and the ordinary watercourse within the site boundary to ensure that surface water drainage systems shall be maintained and managed for the lifetime of the development.
 - Provide ground levels on the exceedance plan and demonstrate:
 - FFLs 150mm above surrounding ground levels
 - Ground levels sloping away from property entrances.
- Provide supporting information to demonstrate that sufficient water quality measures have been incorporated into the design. This should be in accordance with the CIRIA SuDS Manual Simple Index Approach and SuDS treatment design criteria.

Forrestry Commission

Advise that Ancient woodlands are irreplaceable. They have great value because they have a long history of woodland cover, with many features remaining undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS).

It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, unless “*there are wholly exceptional reasons and a suitable compensation strategy exists*” (National Planning Policy Framework paragraph 186).

Particularly refer to further technical information set out in Natural England and Forestry Commission’s Standing Advice on Ancient Woodland – plus supporting Assessment Guide and Case Decisions.

As a Non Ministerial Government Department, we provide no opinion supporting or objecting to an application. Rather we are including information on the potential impact that the proposed development would have on the ancient woodland.

Staffordshire Wildlife Trust

Comments awaited

Severn Trent Water

Object to the proposals due to the uncertainty if capacity is available to accommodate this development.

Therefore the Developer/Applicant will need to make contact with STW to submit a Development Enquiry for this development site; this will discuss the drainage proposals for site, and if any issues, look to resolve them. It is best to visit our website:

<https://www.stwater.co.uk/building-and-developing/overview/new-site-developments/developerenquiries/> and follow the application form guidance to begin this process.

School Organization Team – Staffordshire CC

Advise that an education contribution is not being sought in this instance. Based on the location of the proposed development we have considered the impact on school places at the following school(s)/planning areas:

St Luke’s CE (VC) Primary School, Endon and Endon planning area

Endon High School and Endon & Moorside High planning area

To understand the impact of this development on education infrastructure analysis has been undertaken using:

- Pupil Number on Roll;
- Net capacity/funding agreement of the schools;
- Pupil projections which include housing allocations in an emerging Local Plan.

In determining whether there is a need for the developer to mitigate the impact of this development it was calculated that 22 dwellings would be expected to generate 4 primary school pupils, 3 secondary school pupils. These are based on a pupil product ratio (PPR) 0.03 per dwelling per year group and uses 7 year groups for Primary and 5 for secondary. Where appropriate 1 bedroom dwellings have been deducted from the dwellings numbers in line with our Staffordshire Education Infrastructure Contributions Policy. While it is expected that places at local schools may be limited, our analysis concluded that we would not seek an education contribution from this development for primary or secondary school provision at this time.

Staffordshire and Stoke on Trent integrated Care board

The application site is situated within the influence of the Whitfield PCN within Stoke-on-Trent with over 80% of the patients from within the same LSOA as the application site registered with practices from this network, namely the Orchard Surgery and Baddeley Green Surgery. The branch site to the Orchard Surgery is situated within 800m of the application site.

Further to an assessment of spatial capacity and sufficiency, analysis shows that clinical and administration space is challenged across the PCN with the majority of premises insufficient when benchmarked against current standards and it is clear that recruitment and retention is impacted by a lack of suitable estate capacity

Having reviewed the application details and after considering key facets associated with practices that fall within influencing distance of this site the ICB would request a contribution which would support the development of primary care services within the PCN.

Relevant calculations for the sum requested to support local health infrastructure in this case are aligned to the costs of providing additional clinical rooms with the requested sums to be utilised within the Whitfield PCN to mitigate for additional patient population arising from housing growth.

The total sum (£18,828) would be targeted towards supporting the future adaptation/refurbishment/expansion of premises within the Whitfield PCN and would be informed by strategic estates plans, which will enable the ICB to work towards the aim of tackling inequalities in outcomes, experience, and access for patients.

Natural England

No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes

7.

OFFICER COMMENT AND PLANNING BALANCE

7.1 Planning law requires that applications for planning permission be determined in accordance with the Development plan unless material considerations indicate otherwise.

Principle

7.2 This site comprises of The Grange, a substantial house and its large garden together with adjoining 'paddock' land. The garden and paddock are 'greenfield' albeit that the whole site lies just within the Development boundary of Endon which is a Larger village in the Local Plan. Policy SS8 sets out the strategy for the Larger villages and confirms that amongst other matters they shall provide for the bulk of the housing requirement of the rural areas of the District and that this will be achieved amongst other ways by supporting the development of housing windfall sites within village boundaries, such as this, with the important caveat, '*..subject to wider Local Plan policies*'.

7.3 In principle therefore housing on this site is acceptable. The '*wider Local Plan policies*' are considered under the various sub headings below

Housing Land supply

7.4 The most recently published 5-year Housing Land supply statement confirms that the District has a supply of 3.58 years on 1st April 2023

7.5 7.9 Para 11 of the NPPF says that decisions should apply a presumption in favour of sustainable development. For decision taking it says this means:-

- c) *Approving development proposals that accord with an up to date development plan without delay or:-*
- d) *where there are no development plan policies, or the policies which are most important for determining the application are out of date, granting planning permission unless:*
 - i) *The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or*
 - ii) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole;...*

7.6 Footnote 8 to Para 11 confirms that out of date policies includes, for applications involving the provision of housing, situations where the LPA cannot demonstrate a 5 year supply of deliverable housing sites.

7.7 The NPPF was revised in December 2023. Paragraph 76 says that LPA's do not have to identify a minimum supply of 5 years' worth of housing provided their adopted plan is less than 5 years old and that plan identified a 5 year supply at the time its examination was concluded. Footnote 40 and 79 however clarifies the transitional provisions relating to para 76. Footnote 79 says, '*As an exception to this, the policy contained in paragraph 76 and the related reference in footnote 8 of this Framework should only be taken into account as a material consideration when dealing with applications made on or after the date of publication of this version of the Framework*'.

7.8 The Council's Local Plan was adopted in September 2020. It is less than 5 years old and at the time demonstrated a 5 year supply of housing land. Although this application was submitted on 7th November 2023, it was not validly made application until the 3rd January 2024 when the final outstanding documents, Transport Assessment and Building for Life Assessment were provided. Accordingly, the 'tilted' balance of para 11 is not engaged in this case. This matter is returned to in the conclusion and planning balance below.

Access

7.9 The existing access from Clay Lake is to be upgraded to provide a 5.0m wide carriageway with 6m radius curves to either side. A footpath is provided on the internal access road which will connect to the existing provision on the southern side of Clay Lake. A minimum visibility of 50m can be achieved by reducing vegetation to a max of 600mm. A turning head is shown for delivery and refuse vehicles.

7.10 Clay Lake is subject to a 30 mph speed limit. It has a footway on the southern side of the road. Footways on both sides of Clay Lake are available approx. 50m to the east and 90m to the west. The road is lit.

7.11 A Transport Assessment dated 8th December 2023 supports the application. It assesses trip generation and concludes that the development will not have a significant impact on the highway network.

7.12 The Local Highway Authority have carefully considered the application. Their full response is provided in the Consultation section above. In essence they recommend refusal of the application due to the lack of sufficient information to make an informed view. In particular they request details of:-

1. Clarification if the internal road is to be adopted
2. A revised plan to show a 11.9m refuse vehicle tracking for all movements in/out of the access and at the turning head.
3. A revised plan to show car tracking for all movement in/out of the access to show both movements can be accommodated simultaneously.
4. Waste bin location to be shown on any revised plan.
5. Cycle parking for each dwelling with no garage.

7.13 This information has not been forthcoming and because of this there is conflict with relevant parts of Policy DC1 and T1. It has not been demonstrated that a safe and suitable access can be achieved

Accessibility

7.14 The site is in a relatively sustainable location albeit on the edge of the settlement. The generally accepted view, confirmed in Manual for Streets is that walking offers the greatest potential to replace short car trips, particularly those under 2km; for cycling the distance is 5km.

7.15 The sites accessibility is discussed in the Transport Assessment which says that it is well located with services and facilities within 800m walking distance including shops, healthcare, nursery, bus stops, parks and a church. A little further afield within 2km walking distance there are primary and secondary schools, post office, village hall and it adds additional options for many of the facilities within the 800m walk distance. The 5 km cycling area also offers good access to services and facilities not only in Endon but further afield too. In addition to walking and cycling, there is a regular bus service on Clay Lake (8A operated by D and G Bus) and the No 18 operates along the A53. The submitted Building for Life Assessment similarly scores 'green' for 'Integrated neighbourhood'.

7.16 The conclusion is that the site is in an accessible location and offers sustainable travel modes in line with Policy T1 and the NPPF.

Affordable housing and self-build/custom build housing

7.17 Policy H3 requires that 33% of the total number of dwellings proposed should be delivered as affordable homes

7.18 In this case no affordable homes are proposed on site with the applicant confirming in the DAS that he would prefer to rely upon a financial off site contribution for the following reasons :-

- a) Firstly, the proposed site due to its layout, topography and current condition will require a significant financial investment.
- b) The adjacent protected woodland and the requirement to provide a significant ecological buffer between means that the developable site area is significantly reduced.
- c) This area of Clay Lake is characterised by generous proportioned dwellings set within large mature grounds. The provision of affordable housing would be difficult to assimilate into the development as it would run counter to this and would be out of character with the grain of surrounding development.
- d) Whilst the application site lies wholly within the village development boundary it is located on the periphery of it. All of the village's functions and services are located some distance away within the centre of the village. Provision of affordable housing on this site is therefore not considered to be appropriate having regard to the proximity of the established shops and services from the site.

7.19 This position is not accepted and is not acceptable. Policy H3 confirms that affordable housing should normally be provided on site. It says that provision off-site or through a commuted sum payment in lieu will only be considered where it will be of broadly equivalent value to on-site provision and it can be robustly justified in delivering affordable homes through mixed and balanced communities.

7.20 As discussed above and confirmed in the applicants Transport Assessment this is an accessible location. Clay Lake is well lit, has footways from the site linking to services and facilities in the village and there are bus stops nearby. It therefore offers realistic sustainable travel modes other than the car and is close to services and facilities. The matter of dwelling mix is considered elsewhere but there is no evidence that this is the only scheme available; the application is not supported by a viability assessment.

7.21 The Regeneration Officer (Housing) has considered the application. She is also of the view that the location is acceptable for affordable housing and that in line with Policy H3 the scheme should include for much needed affordable homes. She says that the road adjacent to the site, Clay Lane has adequate footways, is well lit and bus stops are located close by, therefore residents would not be dependent upon private transport.

7.22 For all of these reasons and in the absence of any robust justification, there is conflict with Policy H3 and the NPPF.

Dwelling mix

7.23 Policy H1 states that the final mix should be negotiated with the developer based on housing needs as informed by the SHMA and other factors such as available supply and market demand.

7.24 The mix proposed in the application is as follows:-

13 X 4 bedroom units
7 X 3 bedroom units
2 X 2 bedroom units

In other words 91% of the proposed units are larger 3 and 4 bedroom houses, with just 9% 2 bed units.

7.25 The 2021 ward based census data for Endon and Brown Edge shows the housing stock as follows:-

28% 1 and 2 bedroom properties
72% 3,4 or 5 bedroom properties

The SMHAA on the other hand recommends the following split:-

60% 1 and 2 bedroom properties
40% 3 and 4 bedroom properties

7.26 The application does not really explain why the mix is put forward, other than reference to larger houses in the area and need to reflect the character. However there is no evidence that this is the only scheme available and that an alternative scheme could not be provided which included for a greater mix of units and respected the character and appearance of the area. In the absence of any clear justification there is conflict with Policy H1 and the NPPF.

Impact on trees including Ancient woodland

a)Ancient woodland

7.27 Adjacent to the site to the south west, west and party into the north of the site is a substantial and continuous area of woodland, part of which is scheduled Ancient Semi-Natural Woodland (ASNW) and part woodland protected by a Tree Preservation order (TPO).

7.28 Interestingly the scheduled ASNW is not mentioned in the application's Arboricultural report, albeit it is noted in the ecological surveys report. However the Trees and Woodland Officer has carefully considered the application and undertaken a detailed site visit and he is satisfied that the proposed development as indicated would not lead to the loss of Ancient Woodland nor directly lead to deterioration of Ancient Woodland through physical impact of construction/development.

7.29 However as members will be aware Standing advice on ancient woodland advises that a buffer zone of minimum 15m width should be respected around the boundary of Ancient Woodland. The standing advice recommends that LPAs should not approve development proposals (including gardens) within buffer zones and that buffer zones should be managed and maintained as semi-natural habitats.

7.30 In the case of the application the rear gardens of Plots 9 – 14 inclusive all encroach into this buffer zone, in some case very substantially so, by almost 50% of the total rear garden area. This would be in conflict with the Standing advice and with Policy NE2 and is not considered acceptable as it is likely to lead to the deterioration of the ASNW.

b) Impact on existing trees

7.31 The Trees and Woodland Officer's extensive comments are provided in the Consultation section above. He draws attention to two areas where the proposed scheme would have a direct harmful impact on existing trees. Firstly, he refers to a mature multi-stemmed Alder situated immediately on the south-west bank of the watercourse which is not shown/identified in the Arboricultural report. He says it is a notable tree and should be fully taken into account as a significant tree in terms of potential impact of the development but has not been, due to its omission from the Arboricultural report. He has considered the tree and advises that its RPA could well be approaching or even at the BS 5837-capped maximum of 15m radius, and that the indicated installations and drain runs of the proposed pumping station and treatment tank compound would significantly encroach into such an RPA with potential for substantial root damage. The position of the compound is therefore not considered acceptable. Secondly he points to the proposed new foul drain from the existing manhole in the rear garden of Plot 22 which cuts through the RPA of tree T5 (TPO-protected).

7.32 The conclusion is that the proposal would have an unacceptable impact on significant and protected trees contrary to Policy NE2 and the NPPF.

Design

7.33 This is a sensitive site. It lies on the settlement edge, adjacent to substantial woodland, much of which is ASNW, others protected by a TPO as are a number of individual trees on the site boundary. It is part of a wooded, streamlined valley. Clay Lake has a strong character defined largely by detached individual dwellings in large, spacious often well wooded plots. It has a verdant character and appearance and the application site contributes positively to this. The demolition of The Grange is very regrettable and not really explained in the application. Land slopes steeply from the road south westerly towards a watercourse in the valley bottom and provides a challenging site.

7.34 The scheme proposed is considered to be a very poor design response to the site and its context. The rationale seems to be an attempt to maximise development on the site rather

than any consideration of the site itself, its constraints/opportunities or an detailed understanding of its context. The DAS says for example at para 5.10 following a very brief analysis of character that '*...there is no strong or prevailing character within the street scene*'. Whilst that perhaps explains the approach taken it is not considered to be an accurate assessment. The applicant's assessment in the Building for Life makes similar rather sweeping statements about the scale, form, massing, layout in the 'Distinctive places' section, but none are justified.

7.35 The layout is considered to be too dense, overdeveloped and suburban in appearance. Generally, tree canopy extent within/over the site has not been shown on the Site Layout plan as would be expected although canopy extent is shown on the Arboricultural report plans. The Trees and Woodland Officer advises however that based on his on-site observations and in a number of cases the crown radii appear to be somewhat understated compared to actual maximum spread. He advises that in many areas gardens are heavily over dominated by mature trees creating an overshadowing and over bearing effect, significantly limited outlook from principal windows and gardens, excessive shading, little reasonably useable garden areas and perceptions of danger from falling trees/branches and leading to pressure for premature felling and/or substantial reduction of trees which, notwithstanding their protected status, would be more difficult to resist if an inappropriate development layout is approved (see for example Plots 1-7). The impact of Plots 9-14 on the ASNW is noted elsewhere.

7.36 In addition to the above the treatment of the significant level change leads to houses of poor form, some unfortunate elevations with excessive blank areas of brickwork, poor detailing (UPVC fascia's and soffits for example) many three storey, 11m or greater in height, uniform in appearance, poor internal areas which are engineered, dominated by almost continuous building form, hard surfacing and vehicles which lacks spatial quality and green infrastructure. Road and footpaths are confirmed on the plans to be tarmac with concrete kerbs and edging. There is no evidence that SUDS has been an integral part of the design. The Pumping station and treatment tank adjacent to Plots 14, 15, 16 is ill thought through giving rise to issues of visual amenity.

7.37 The site entrance is not well defined in the scheme and the proposal will inevitably, create a more formal, engineered, suburban character at the access/entrance point off Clay Lake, with more open views along the cul-de-sac and several new dwellings, the roadway and numerous parked vehicles in more prominent if relatively fleeting view. The gardens to Plots 1 to 6 inclusive are shown running up to the Clay Lake highway boundary, turning their back on the street scene. There is presently a fairly dense screen of TPO's trees and understorey planting on this boundary. Whilst TPO protects the established trees, the understorey shrubs and saplings are not protected and it is conceivable that residents may wish to remove much of this in attempt to admit more light to gardens and dwellings and to create more usable garden areas. This could substantially reduce the existing natural screening along Clay Lake, bringing the concentrated development of new dwellings into more prominent view from a greater length of the highway, along with associated domestic paraphernalia of garden sheds, washing lines, play equipment etc. In addition, any new garden boundary structures to demarcate plot boundaries and increase privacy and security such as timber panel fences and/or walls would be visually intrusive if located on or near the highway boundary of the plots/application site.

7.38 For all of these reasons the conclusion is that the scheme does not meet the design expectation of Policy DC1, the Councils Design Guide or the NPPF. Para 139 of the NPPF says that development that is not well designed should be refused. The proposal does not respect the site or its surroundings or create a positive sense of place and fails to reinforce local distinctiveness.

Drainage and Flood Risk

7.39 The site lies within Flood Zone 1 which is land which is at least risk of flooding. However owing to the size of the site a Flood Risk Assessment has been provided. It is prepared by Keytech Development Design Ltd and is dated August 2023.

7.40 The FRA concludes that the site is not at risk from groundwater flooding or fluvial flooding. It says that surface water will discharge into the watercourse to the south east and will be restricted to mimic greenfield run off rates. It refers to permeable paving beneath the proposed parking bays which will it says provide temporary storage. It further refers to tree planters (unclear where these are) adding to the biodiversity of the drainage system. The drainage plan shows an attenuation tank within the shared drive in front of plots 15 and 16

7.41 Foul drainage it is said will drain to an existing manhole located to the east of the site in the rear garden of plot 22. It goes on to say that due to the proposed site levels approx. 2/3rds of the proposed foul drainage system will need to be pumped. Land for a pumping station and treatment plan is shown reserved on the Site Layout plan.

7.42 The Local Lead Flood Authority have carefully considered the application. They object to the application on the basis that insufficient information has been provided to demonstrate that an acceptable drainage strategy is available. Severn Trent Water also object to the application owing to uncertainty as to whether capacity is actually available to accommodate the development.

7.43 The application does not demonstrate that an acceptable drainage strategy is available or that the development has been designed to be flood resilient and resistant and safe for its users for the lifetime of the development. As such there is conflict with Policy SD5 and the NPPF

Biodiversity

7.44 The application is accompanied by a report, 'Ecological Surveys' dated October 2023 prepared by Apex Ecology. It makes a number of recommendations including the need for the proposal to take account of the ASNW – which it doesn't as discussed elsewhere. It refers to the presence of rhododendron and a likely seedbank in the soils on site, particularly in the vicinity of the woodland, which it says will pose a constraint to any works that would result in disturbance and/or transport of plant material around the site and potentially off site. It confirms that common pipistrelle bats use the existing house for day roosting and that a License will be required from Natural England. To obtain this the three tests will need to be satisfied (which is not evidenced in the application). Precautionary measures are recommended for reptiles, badgers and birds. It also refers to Biodiversity Net Gain but no calculation is provided to demonstrate a net gain. To clarify the application is not caught by the mandatory 10% net gain as it was submitted before this requirement came into effect.

7.45 Staffordshire Wildlife Trust advise the Council on ecology matters. Their formal comments are awaited and will be reported at the meeting.

Other Issues

7.46 No issues are raised in respect of contamination or noise which are either acceptable or can be made so through the imposition of conditions – see full comments of the Environmental Health Officer in the Consultation section above.

7.47 The loss of The Grange is regrettably as it is a fine building which contributes positively to the character of the area. However, it is not Listed and there are no policies to resist its demolition. As noted above in terms of social history it does have interest but there is no

evidence that it has any degree of historic significance to suggest that it could be regarded as a Non designated heritage asset (ref advice in the PPG)

Developer Contributions

7.48 Policy SS 12 provides the overarching framework for collecting developer contributions, including the requirement for new development to agree to the provision of necessary on-site and off-site infrastructure before permission is granted. The Local Plan policies are supported by an Infrastructure Delivery Plan (IDP), to set out the specific infrastructure requirements needed to support the growth needs of the District.

7.49 The Council adopted a Developer Contributions SPD on 18 October 2023. The SPD sets out details regarding the Council's approach to planning obligations and the types of contributions that will be required.

7.50 The NPPF confirms that it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The applicant in this case has not submitted a viability assessment. He has not provided the required provision of affordable housing.

Open space

7.51 Policy C2 expects that residential developments of 10 dwellings or more will make provision or a contribution towards provision of open space, sports and recreation facilities where necessary.

7.52 The comments of the Service Commissioning Officer are awaited and will be reported at the meeting.

7.53 The applicant's Building for Life assessment refers to the provision of extensive areas of open space, however not such extensive areas are shown on the Site Layout plan.

Education

7.54 Policy C1 expects all new development to either incorporate the infrastructure required as a result of the scheme or to make provision for financial contributions and/or land to secure such infrastructure or service provision at the time it is needed. In this case the School Organisation Team have confirmed that no education contribution is being sought

NHS

7.55 Policy SS1 outlines the requirement to provide necessary local services including healthcare and associate facilities to promote community wellbeing

7.56 The Staffordshire and Stoke on Trent Integrated Care Board advise that the site lies within the influence of the Whitfield PCN within Stoke-on-Trent and that there is an overall shortfall in clinical capacity for current patient numbers across the practices within the Whitfield PCN and accordingly proportionate mitigation is sought for this development. Calculations for the sum requested to support local health infrastructure in this case is aligned to the costs of providing additional clinical rooms with the requested sums to be utilised within the Whitfield PCN to mitigate for additional patient population arising from housing growth. The total sum requested is £18,828.

7.57 With a Section 106 Agreement in place to secure this contribution and a monitoring fee in line with the Developer Contributions SPD there would be compliance with Policy SS1, C1 and the NPPF

Conclusion and Planning balance

7.58 The proposal does not comply with the Development Plan for the reasons outline above. There are no other considerations which indicate that a decision should be made other than in accordance with the Development Plan. The Councils view is that the tilted balance of para 11 of the NPPF is not engaged in this case. However even if it were to be applied the harm identified above and policy conflict is considered to be significant and demonstrable and outweighs the benefits when assessed against the policies in the NPPF taken as a whole

7.59 The proposal does not deliver sustainable development. A recommendation of refusal is made

8. RECOMMENDATION

That planning permission be refused for the following reasons:-

1.The scheme does not meet the design expectation of Policy DC1, the Councils Design Guide or the NPPF. Para 139 of the NPPF says that development that is not well designed should be refused. The proposal does not respect the site or its surroundings or create a positive sense of place and fails to reinforce local distinctiveness. The layout is considered to be too dense, overdeveloped and suburban in appearance. It would lead to a poor relationship with existing and protected trees likely to create problems of excessive shading, substantially restricted outlook from principal windows and from gardens, heavily over dominating impacts and perceptions of danger from falling trees/branches and leading to pressure for premature felling and/or substantial reduction of trees. Furthermore the treatment of the significant level change leads to houses of poor form, some unfortunate elevations (many 11m or greater in height), poor internal areas which are engineered, dominated by almost continuous building form, hard surfacing and vehicles and lacking in space for green infrastructure including street trees. For all of these reasons the development would result in harm to the character and appearance of the area contrary to Policies DC1 and NE2 of the Staffordshire Moorlands Local Plan, the Council's Design Guide and the NPPF.

2. The scheme fails to provide an appropriate mix of units as required by Policy H1 and no evidence is provided to justify the mix put forward. The housing stock in Endon and Brown edge is already out of kilter with the SMHA and this site represents an opportunity to bring the housing stock closer to that of the SHMA recommendations. There is as such conflict with the Policy H1 of the Staffordshire Moorlands Local Plan and the NPPF.

3. The proposal does not include for affordable housing. Policy H3 confirms that affordable housing should normally be provided on site. It says that provision off-site or through a commuted sum payment in lieu will only be considered where it will be of broadly equivalent value to on-site provision and it can be robustly justified in delivering affordable homes through mixed and balanced communities. No such robust justification is put forward. The applicant's own Transport Assessment confirms that this is an accessible location and offers realistic sustainable travel modes other than the car and is close to services and facilities in Endon. It is a suitable site for affordable housing and in the absence of any justification for not providing on site there is conflict with Policy H3 of the Staffordshire Moorlands Local Plan and the NPPF.

4. Insufficient information has been provided to demonstrate that a safe and suitable access can be achieved including the ability of refuse vehicles and cars to access the site and turn within the site. Cycle parking would be expected for all dwellings with no garage. There is a lack of information about the location of waste bin collection and uncertainty as to whether

the internal road would be adopted or private. As such there is conflict with Policies DC1 and T1 of the Staffordshire Moorlands Local Plan and the NPPF.

5. The proposal fails to comply with Natural England and Forestry Commission standing advice "Ancient Woodland, Ancient Trees and Veteran Trees: advice for making planning decisions" as the appropriate buffer zone of minimum 15m in width is compromised by the development leading to the likelihood of deterioration of Ancient Semi-Natural Woodland. As such there is conflict with Local Plan Policy NE2 of the Staffordshire Moorlands Local Plan and the NPPF.

6. Insufficient information has been provided to demonstrate that an acceptable drainage strategy is proposed or that the development has been designed to be flood resilient and resistant and safe for its users for the lifetime of the development. As such there is conflict with Policy SD5 and the NPPF.

INFORMATIVE

Prior to the determination of the application the Council advised the applicant that the development is unsustainable and did not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome the concerns raised and thus no amendments to the application were requested.

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.

