

22/00849/OUT
NON MAJOR

Mr Julian Wilson

**LAPLEY, STRETTON &
WHEATON ASTON**

Former Councillor B Cox
Former Councillor V Jackson
Councillor R Nelson

Huntercombe Stafford Hospital Watling Street Ivetsey Bank Staffordshire ST19 9QT

Outline application for the provision of new 12 Bed CAMHS (child and adolescence mental health unit) unit plus the provision of new SEND (special educational needs and disabilities) school to service the existing site and provide for the special educational needs of the existing site residents. With re-instated site egress road, relocated carparking spaces plus 3 new spaces (Access and Layout considered).

Pre-commencement conditions required:	Pre-commencement conditions Agreed	Agreed Extension of Time until
YES	Requested 1 st October 2023	20 October 2023

1.1 SITE DESCRIPTION AND APPLICATION DETAILS

1.1.1. Outline application for the provision of new 12 Bed CAMHS (child and adolescence mental health unit) unit plus the provision of new SEND (special educational needs and disabilities) school to service the existing site and provide for the special educational needs of the existing site residents. With re-instated site egress road, relocated carparking spaces plus 3 new spaces (Access and Layout considered).

1.1.2. Date of site visit - 3 April 2023

1.2 Site Description

1.2.1. The application site is situated immediately to the south-east of the Huntercombe Stafford Hospital, an existing Child and Adolescent Mental Health (CAHMS) facility. The site is situated off Ivetsey Road and comprises of approximately 1.9 acres of open grassland together with part of the existing hospital car park.

1.2.2. Immediately to the west of the site is the hospital's outdoor sports area, beyond which are the existing hospital buildings. Further west, beyond the hospital is Wheaton Aston Care Home. To the east and south-east there are open fields and a cluster of agricultural and residential buildings and to the north there are open fields. There is an existing vehicular access into the hospital site off the A5 which bounds the site to the south, and immediately to the west of the site entrance is the site of Wheaton Aston Old Hall which is currently being re-developed for housing.

1.2.3. The site is bordered along the frontage with a line of tall trees and shrubs and is located within a rural area largely characterised by open fields and agricultural uses. Wheaton Aston Village is situated approximately 2 miles to the north-east and Bishops Wood village is around 0.8 miles away to the south-west.

1.3 The Proposal

1.3.1. It is proposed to erect two new buildings on the site to include a new 12-bed Child and Adolescent Mental Health Service (CAMHS) unit and a new Special Education Needs and Disability (SEND) school to service the existing site and provide for the special educational needs of the existing site residents.

1.3.2. This is an outline application with some matters reserved. At this stage approval is sought for Access and Layout. Should this application be approved, the remaining matters (Appearance, Landscaping and Scale) would be subject to a further Reserved Matters application.

1.3.3. In the northern part of the site a new SEND school is proposed in a U shape plan form, measuring 31m x 21.3m with central courtyard. Although at this stage the scale is indicative only, the building is indicated as being a mixture of single and two storeys. The indicative plan shows the two-storey element being situated closest to the existing hospital buildings.

1.3.4. In the central part of the site it is proposed to reconfigure some of the existing parking and provide a new turning head leading to an upgraded septic treatment chamber and three additional parking spaces. The proposal includes a new access road utilising a historic site access off the A5. This road would be parallel to the existing access and would allow a one-way system to be established within the hospital to improve vehicular movement through the site.

1.3.5. In the southern half of the site, a CAMHS unit is proposed which measures 52.5m in overall length and 42m in overall width. The northern section is indicated as two-storey whilst the southern part L-shaped portion closest to the highway is indicated as single storey.

1.4 Agents Submission

1.4.1. The application is supported by a Planning Statement, Car Parking Statement, Phase 1 Habitat Survey and a NatureSpace Great Crested Newt (GCN) District License Report.

1.5 SITE HISTORY

Planning Applications

79/01225 Change of Use into Two Private Residences Withdrawn 21st September 1979

76/01263 Country Club Refuse 1st August 1977

76/01264 Country Club Refuse 1st August 1977

76/01265 Old Peoples Home Refuse 1st August 1977

76/01266 Private Nursing Home Refuse 1st August 1977

76/01267 Residential School Refuse 1st August 1977

77/00468 Change of Use to A Private Nursing Home Approve Subject to Conditions 25th July 1977

77/00469 Change of Use to A Residential School Approve Subject to Conditions 25th July 1977

77/00470 Change of Use to Old Peoples Home Approve Subject to Conditions 25th July 1977

87/00192 Change of Use to Old Peoples Home Approve Subject to Conditions 22nd April 1987

87/00588 Alterations and Extensions to Form Residential And Nursing Home Approve Subject to Conditions 18th August 1987

88/00864 Alterations and Extension Approve Subject to Conditions 13th September 1988

89/00344 Change of Use to A Luncheon Business And Meeting Venue Approve Subject to Conditions 18th July 1989

94/00803 Extension Approve Subject to Conditions 1st November 1994

95/00352 Extension to Nursing Home Approve Subject to Conditions 29th June 1995

00/00509/VAR Renewal of 352/95 for extensions to nursing home Approve Subject to Conditions 14th June 2000

00/00907/FUL Extension to existing building to provide a Category C2 unit for young people requiring psychiatric treatment in a secure environment Approve Subject to Conditions 20th December 2000

01/00578/FUL Extension to create Eating Disorders Unit, additional car parking and games area Approve Subject to Conditions 25th July 2001

04/00242/OUT Outline application for 'Step Down' intensive care facility Withdrawn 6th October 2004

06/00011/OUT New wing and indoor recreation block Withdrawn 21st August 2007

09/00087/FUL Additional 20 soft overspill parking spaces Approve Subject to Conditions 3rd April 2009

12/00686/FUL 3.9m high fencing to replace existing 2m and 3.9m high fencing Approve Subject to Conditions 8th October 2012

12/00687/FUL 20 Additional car parking spaces for overspill (Soft landscaped) Approve Subject to Conditions 8th October 2012

14/00676/FUL The proposal includes for the carrying out of building operations to allow for the additional storage, to support the installation of a paint finish metal storage unit to the rear of the site Approve Subject to Conditions 22nd October 2014

17/01094/FUL Form new therapy garden within existing external secure activity enclosure, to include three single-storey activity / therapy garden rooms, DDA path, interactive planting beds and external seating area plus an additional single storey meeting & training Garden Room to be provided in part of the existing delivery area. Approve Subject to Conditions 22nd March 2018

1.6 POLICY

1.6.1 Constraints

Newt - Impact Risk Zone Red Name: RED ZONE:

Newt - Strategic Opportunity Area Name: West Staffordshire Pondscape (North):

Newt - Impact Risk Zone Amber Name: AMBER ZONE

SAC Zone- 15km Buffer Zone: 15km

1.6.2. Policies

The site is within the Open Countryside

Core Strategy

Core Policy 1: The Spatial Strategy for South Staffs

Policy OC1: Development in the Open Countryside beyond the West Midlands Green Belt

Policy EQ1: Protecting, Enhancing and Expanding Natural Assets

Policy EQ4: Protecting and Enhancing the Character and Appearance of the Landscape

Policy EQ7: Water Quality

Policy EQ9: Protecting Residential Amenity

Policy EQ11: Wider Design Considerations

Policy EQ12: Landscaping

Policy H5: Specialist Housing Accommodation

Core Policy 10: Sustainable Community Facilities and Services

Core Policy 11: Sustainable Transport

Policy EV12: Parking Provision

Core Policy 15: Children and Young People

Appendix 5: Parking Standards

Appendix 6: Space About Dwellings Standards

National Planning Policy Framework [NPPF]

Chapter 11: Making effective use of land

Chapter 8: Promoting healthy and safe communities

Chapter 12: Achieving well-designed places

Chapter 15: Conserving and enhancing the natural environment

Supplementary Planning Documents

Green Belt and Open Countryside SPD

1.7 CONSULTATION RESPONSES

All consultation periods have expired unless noted otherwise. Representations may be summarised.

Site Notice Expires	Press Notice Expires
24 April 2023	N/A

Brian Cox - Wheaton Aston, Bishops Wood, Lapley Ward

No Response Received

Venetia C Jackson - Wheaton Aston, Bishops Wood, Lapley Ward

No Response Received

Lapley, Stretton and Wheaton Aston PC

3rd April 2023

22/00849/out- No objection. The plan sets to improve the surrounding landscape. There doesn't appear to be any significant negative impact however LSWA PC would like to see increased security on site due to the vulnerable residents of the neighbouring care home. There is a concern raised that this application may lead to further extension and subsequent applications in the future, could a time frame for future development of 15 years be implied?

Senior Ecologist - South Staffordshire

Further comments received 26th September 2023

Summary: I do not have significant concerns regarding the impact of the proposed development to commuting, foraging or roosting bats. I consider that a sensitive lighting strategy required by condition will be sufficient to mitigate adverse effects to bats. I have also recommended conditions for a habitat management plan to ensure that the biodiversity net gain detailed in the metric is achieved with the landscape plan as part of any future reserved matters application. I have also proposed conditions for an ecological enhancement plan and a condition to allow permeability through the site by hedgehog in the long term. No objections subject to conditions.

Senior Ecologist - South Staffordshire

7th August 2023

Summary: Further information required in relation to foraging and commuting bats.

I have reviewed the biodiversity metric submitted by the applicant ecologist and following discussion with the ecologist this has been subject to amendments. I am satisfied with the biodiversity metric that has been submitted.

Further bat surveys have been recommended by the ecological assessment to determine the importance of foraging habitat on site for bats. This information is required prior to determination of the application in accordance with Government Circular 06/2005.

On receipt of the further bat survey information I will provide a further, more detailed planning response including suitable planning conditions as necessary.

Arboricultural Officer Consultation

Further comments received 21/09/23

Now that they have submitted a draft tree protection plan no objections are raised and the building orientation can stay as currently plotted. I would recommend that the proposed new Securifor 358 fencing on the eastern site boundary is installed before any other construction activity takes place and that a condition to secure tree protection measures is attached to any consent.

Arboricultural Officer Consultation

22nd May 2023

Having reviewed the application and supporting information I can confirm that I have no objection in principle to the proposed development.

The reinstatement of the historic site access from the A5 will require the removal of a small section of existing hedgerow, but this will not result in any significant arboricultural impact and certainly does not warrant being a constraint to development.

There is an existing tree group / area light of light woodland on site that is near to the proposed school building. Before the commencement of any construction on site a tree retention and protection plan should be submitted for approval to ensure there are no undue tree losses. The final layout of the site should be informed by the presence of these trees and their protection. I would strongly advise that the orientation of the school building is rotated through approximately 45 degrees to aid in future efforts to protect on site trees by moving construction activity further from the tree line.

No objections subject to conditions.

Local Plans

No Response Received

Environmental Health Protection

17th March 2023

No objections subject to conditions to safeguard nearby residential occupiers from undue disturbance during development.

County Highways

25th May 2023

No objections subject to conditions. The proposed development is located in a semi-rural area. The access is from a classified road subject to the National Speed limit of 60 mph. There are no recorded vehicular accidents

within the required visibility splay of the access in the last 5 years. The additional information submitted is sufficient to overcome the previous recommendation of refusal.

Severn Trent Water Ltd

12th April 2023

As the proposal has minimal impact on the public sewerage system we have no objections to the proposals and do not require a drainage condition to be applied.

Contributors

Kirsty Bailey **OBJECTS**

Date Received 04.05.2023

Objects to the application and considers that the capacity of this site should not be increased due to concerns regarding quality of care at the hospital. Further comments as follows:

- The building work will disrupt local residents and create more traffic on the already busy A5. It is particularly important that care home residents have a peaceful environment.
- The hospital already suffers foul odours from the nearby chicken farm.
- A similar facility has already been approved recently in the local area.
- The education building will be likely to be underused. Patients may be at risk of absconding or struggle to walk the distance between buildings.
- The car parking provision proposed is insufficient.
- Raises concern as to whether Great Crested Newt laws will be respected.
- The floor plans for the facility haven't been well thought out. For example the seclusion room should not be located next to the multi-faith room.

Ms Nima Hunt **OBJECTS**

Date Received 24.04.2023

Objects to the application and considers that the capacity of this site should not be increased due to concerns regarding quality of care at the hospital.

Abigail Mattison **REPRESENTATIONS**

Date Received 31.03.2023

The Four Seasons Health Care Group owns and operates the Wheaton Aston Care Home which is adjacent to the intended development site.

The Home provides residential care to vulnerable members of the community. It is critical that, throughout the course of the development and on an ongoing basis, traffic and parking to the new development is controlled to ensure continued uninterrupted blue light access to the Home and to safeguard the quality of life of the residents of the Home. The Home currently shares a main access way with the Huntercombe Hospital, from the A5. Whilst the proposed development includes the creation of a new access road, this appears to not relieve any pressure from traffic entering the site. We have concerns about the increased flow of traffic, especially in close proximity to elderly residents who may enjoy walking in the grounds from time to time. We are concerned that increased traffic in respect of both the development and the resultant larger operations will have material consequences in terms of the health and wellbeing of the residents of the Home.

Related to the use of the Home, it is important that works at the development site must not disturb the rest that the residents of the Home require. We respectfully request that works are not undertaken before the hours of 9am, or after 6pm.

We appreciate the site is already the location of extensive buildings, including the Home. However, the development as planned will threaten the wildlife that has been present around the grounds of the Home and which is enjoyed by residents and the wider community.

We trust that any damage to any trees which currently surround the boundary of the Home or otherwise to the property of the Group in the course of the development works will be made good, to the satisfaction of

the owner of the Home, whomever that may be at the relevant time. This should be a condition of any approval.

Finally, I take this opportunity to note that the boundary of the Hospital as marked on the plans is contrary to details registered at the land registry. This error has been brought to the attention of the directors of the owner of the Hospital, on whose behalf the planning application has been submitted, and we expect that a revised application will be submitted to rectify this in short order.

1.8. APPRAISAL

1.8.1. The application is brought before the Planning Committee as the proposal is a departure from the development plan because it does not meet any of the exceptions listed in Policy OC1 (Development in the Open Countryside Beyond the West Midlands Green Belt) of the Core Strategy.

1.8.2. Section 38 (6) of the Planning and Compulsory Purchase Act (2004) sets out that the determination of applications must be made, in accordance with the Development Plan, unless material considerations indicate otherwise. The Development Plan for South Staffordshire District comprises the Core Strategy (2012-2028) and the Site Allocations Document (2012-2028).

1.9 Key Issues:

- Principle of the development
- Impact on the character and appearance of the Landscape
- Layout, appearance and scale
- Neighbour and occupier amenity
- Ecology and Trees
- Flooding/Drainage
- Parking and Highways
- Representations

2.0 Principle of development

2.0.1. The site is located within the Open Countryside. As outlined within Policy OC1 of the Core Strategy, the Open Countryside should be protected for its own sake, particularly for its landscapes, areas of ecological, historic, archaeological, agricultural and recreational value. The policy goes on to state that development within the Open Countryside will normally be permitted where the proposal is for a one of a certain number of categories of development. This proposal does not fall within any of those categories and is therefore deemed contrary to policy OC1 of the Core Strategy.

2.0.2. Core Strategy Policy 1 (CP1) sets out the strategic approach to growth within the District, with the intention that growth will be located at the most accessible and sustainable locations. The policy states that in relation to the District's existing communities and settlements, appropriate proposals which contribute to their improved sustainability, cohesion and community wellbeing will be supported.

2.0.3. In this case, the site is within a rural area approximately 0.8 miles from the closest village centre. The site is situated 'Outside the Service Villages' where the objective of the spatial strategy is to protect the attractive rural character of the countryside however the policy also states that proposals which contribute to increased community wellbeing will be supported.

2.0.4. The proposed development would be an extension of an existing hospital to provide improved facilities to support the education of the residents of the existing hospital, also providing separate accommodation for teaching, providing residents with a predictable and dedicated training environment. The building would also offer specialised spaces, allowing residents to be grouped as necessary according to their individual needs. In addition to the residents of the hospital, the SEND school would provide places for challenging pupils who have not integrated well into mainstream schools, which would not be possible whilst education is being delivered on wards (as is the current situation).

2.0.5. In terms of the proposed CAHMS unit, the existing hospital does not have enough of the correct types of rooms on site, and additional facilities are needed including an advocacy suite and a place for families to stay overnight if needed as increasing numbers of patients are allocated from further afield. The Quality Care Commission has highlighted some deficiencies in the current building such as the lack of en-suite bathrooms to provide privacy for patients and there is increasing demand for beds for residents with more severe and varying risk levels of behavioural challenges.

2.0.6. Core Strategy Policy H5 sets out general support for specialist housing accommodation such as this, providing that sites are in a sustainable location and considered suitable by virtue of their size and scale in relation to existing infrastructure, services and public transport links. Where possible the re-use of brownfield land should be considered as a priority, provided that it is not of high environmental value, including the extension of existing facilities and co-location of facilities where there is an acknowledged need. Core Policy 10 advocates that the Council will support proposals that protect, retain or enhance existing community facilities or lead to the provision of additional facilities that improve the wellbeing and cohesion of local communities. Core Policy 15 further outlines support for facilities that improve access to services for young people, including learning opportunities, where a need has been identified and which are accessible by a range of transport options.

2.0.7. Paragraph 95 of the NPPF further states that local authorities should give great weight to the need to create, expand or alter schools through decisions on applications, taking a positive approach to meeting the need for school places. Local Planning Authorities are expected to work proactively and positively to ensure faster delivery of public service infrastructure such as hospitals.

2.0.8. In summary, there is conflict with the aims of the Council's Spatial Strategy, however taking into consideration the fact that the development would be an extension of an existing hospital, coupled with the positive contribution to the wellbeing of the hospital patients and the availability of access to the strategic highway network this conflict should be given limited weight in the balance of considerations.

2.0.9. As previously mentioned, the site is within the Open Countryside which is protected for its own sake. Since the proposal does not fit within any of the exceptions within Policy OC1 there is conflict with this policy, however the proposed development would provide enhanced and new facilities to serve an existing hospital, supporting the wellbeing and education of vulnerable children and young people which is wholly supported by local and national policy. The benefits of the scheme are considered to be a material consideration which carries significant weight in the balance of considerations, however the proposals potential impact on landscape character, another important consideration, is discussed further below.

2.1. Impact on the character and appearance of the Landscape

2.1.0. As previously mentioned, this proposal for new buildings within the Open Countryside does not meet any of the exceptions listed within Policy OC1, therefore it is necessary to assess whether the development would be detrimental to the character of the landscape. Although this is an outline application and approval is

only sought for access and layout at this stage, the indicative proposal would introduce two new areas of new single storey and two storey buildings on land which is currently open and free from development.

2.1.1. Policy EQ4 states the intrinsic character and local distinctiveness of the South Staffordshire landscape should be maintained and where possible enhanced. NPPF paragraph 174 advocates that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.

2.1.2. Although scale is a reserved matter, based on the indicative plans the SEND school would comprise of approximately 825 sq.m. of floor area across two levels. The taller (first-floor) elements of the proposed U-shaped building would be situated on the north and north-western side, closest to the buildings of the existing hospital. The eastern end of the building would potentially be single storey.

2.1.3. The CAMHS facility which is proposed to be positioned closer to the A5, is a larger building, equating to around 1295 sq.m of floor area, 355 sq.m. of which is indicated at first floor level. The two-storey element of the CAMHS building would be situated roughly centrally within the site, behind the single storey element and in front of the SEND school and the existing hospital buildings.

2.1.4. A new access road (for egress only) is proposed off the A5 which would link into the existing internal access road, joining an existing grasscrete parking area and extending on it with an additional three spaces to serve the family stay accommodation proposed.

2.1.5. Although the proposal is sizeable and would be situated on open land, the proposed development (together with the existing hospital) would form a cluster of buildings which would be situated within the confines of the hospital's existing 3m high open mesh steel panel fencing which runs around the perimeter of the site. Although the fencing is open, allowing some views through, it visually contains the site edges. In addition there is a thick band of shrubbery and trees along the southern site boundary which screen the majority of the site and physically contain the southern extent of the development.

2.1.6. The development would not encroach beyond the northern-most building line of the existing hospital buildings and would be viewed in the context of the existing hospital and care home. Whilst built form would be spread further across the site, each of the buildings would have varying roof heights with gaps in between, allowing views through the site to the landscape beyond, which would soften the visual impact of the development.

2.1.7. The existing buildings to the east (Home Farm and a cluster of 3 cottages along the A5) and west (Ivetsey Mews and Three Angels Farm) and a thick band of trees along much of the eastern site boundary would screen the development from wider view. In terms of parking, although the parking arrangements are proposed to be changed, the overall level of parking would remain roughly the same albeit with three additional spaces. The relocated parking area would be surface level, as would the new turning head, and the land surrounding the buildings would remain as open land/outdoor amenity space.

2.1.8. On the basis of the above it is considered that, subject to detailed design, the proposed development would not have a detrimental impact on the character and appearance of the Open Countryside, subject to detailed design which should reflect the rural location and to be sympathetic to the height, massing and design of nearby buildings. If this application were to be approved, these details would need to be considered

and agreed as part of a subsequent reserved matters application. It is therefore concluded that the proposal complies with Policy EQ4.

2.2. Layout, appearance and scale

2.2.0. As previously mentioned, if this application were to be approved, Appearance, Landscaping and Scale would be subject to a Reserved Matters application. The current application seeks approval only for Layout and Access.

2.2.1 Paragraph 130 of the NPPF requires that developments function well and are visually attractive due to good architecture, layout and landscaping. Policy EQ11 requires that new development respects local character and distinctiveness, including that of the surrounding development and landscape ...by enhancing the positive attributes whilst mitigating the negative aspects. In terms of scale, design and materials, development should contribute positively to the street scene and surrounding buildings, whilst respecting the scale of spaces and buildings in the local area. EQ12 requires landscaping of new development as an integral part to create a visually pleasant, sustainable and biodiversity rich environment.

2.2.2. The proposed buildings are comparable to the size of the existing buildings in terms of footprint and appear on plan as two linked L-shape buildings and a U shape building, providing opportunities to incorporate courtyards and landscaped areas, as opposed to two unimaginative square buildings. The proposal to incorporate single and two storey elements to each of the buildings also provides an opportunity to add interest to the design whilst preserving some views across the landscape. Although landscaping is a reserved matter, the indicative plan submitted shows that the layout allows sufficient room for planting and outdoor seating areas to be incorporated within the design.

2.2.3. The new access road that is proposed would allow a one-way route to be created through the site to relieve some of the congestion issues that have been experienced as a result of the single-track access and conflict which has arisen with users of the adjacent site (Wheaton Aston Care Home). The proposal would also therefore reduce the pressure on the single access point, allowing the hospital site to function more effectively, as advocated within paragraph 130 of the NPPF.

2.2.4. Subject to detailed design at Reserved Matters stage, the development is capable of being visually attractive and sympathetic to the existing buildings and the rural location. The layout as proposed is capable of functioning well with adequate spacing between buildings, allowing room for landscaping, seating and communal areas. The proposal is therefore considered to comply with Policies EQ11, EQ12 and the provisions of the NPPF.

2.3 Neighbour and occupier amenity

2.3.1. Policy EQ9 of the Core Strategy states that the amenity of any nearby residents should be taken into account when considering development proposals.

2.3.2. The closest residential uses are positioned approximately 70m away (Old Hall Cottage to the east and Ivetsey Mews to the west). Bearing in mind the separation distances and the fact that there is already a hospital use at the site, it is not considered that the proposal would give rise to significant noise levels over the existing situation. The proposal would also be well in excess of the Council's minimum requirement of 21m between facing habitable room windows thereby raising no concerns in respect of overlooking or loss of privacy for neighbours.

2.3.3. The Council's Environmental Health Officer has reviewed the submitted information and has raised no objections subject to conditions. On that basis it is considered that the proposal would not be harmful to the amenity of existing occupiers, thereby complying with Policy EQ9 of the Core Strategy.

2.4 Ecology and Trees

Core Strategy policy EQ1 states that permission will be granted for development that would not cause significant harm to species that are protected or under threat and that wherever possible, development proposals should build in biodiversity by incorporating ecologically sensitive design and features for biodiversity within the development scheme.

The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended); along with the Protection of Badgers Act 1992, provide the main legislative framework for protection of species. In addition to planning policy requirements, the LPA needs to be assured that this legislation will not be contravened due to planning consent. In addition to these provisions, section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity.

It is also worthy of note that under the Environment Act 2021, all planning permissions granted in England, with a few exemptions, will have to deliver 10% biodiversity net gain (BNG) from January 2024. BNG will be measured using DEFRA's biodiversity metric and management of habitats will need to be secured for at least 30 years.

The Council's Arboricultural Officer has been consulted who has noted that the reinstatement of the historic site access from the A5 would require the removal of a small section of existing hedgerow, albeit this would not result in any significant arboricultural impact and does not warrant being a constraint to development. There is an existing tree group / area light of light woodland on site that is near to the proposed school building. A draft tree protection plan has been submitted and the Arboricultural Officer is satisfied that the trees can adequately be protected. Before the commencement of any construction on site a tree protection plan should be submitted for approval and the agreed measures shall be constructed prior to any works taking place on site.

The application site is within a red risk impact zone for Great Crested Newts (GCN). The application is accompanied by a Naturespace report that confirms that GCN can be dealt with under the District (organisational) Licence granted to South Staffordshire Council (WML-OR112). Accordingly, there are no concerns arising in respect of GCN providing that the pre-commencement conditions suggested are applied should planning permission be granted.

The Council's Ecologist has reviewed the application and is satisfied that the biodiversity metric supplied is acceptable and further information has been provided in respect of bats. The Ecologist raises no significant concerns regarding the impact of the proposed development to commuting, foraging or roosting bats, although a sensitive lighting strategy will be required to mitigate adverse effects to bats. A condition is also recommended for a habitat management plan to ensure that the biodiversity net gain detailed in the metric is achieved with the landscape plan as part of any future reserved matters application. Conditions for an ecological enhancement plan and hedgehog permeability are also suggested.

On this basis no objections are raised subject to conditions and the proposal is considered to be in compliance with Policy EQ1.

2.5 Flooding/Drainage

2.5.1. Policy EQ7 states that development should not have a negative impact on water quality, either through pollution of groundwater or overloading of treatment works.

2.5.2. Severn Trent Water have been consulted who consider that the proposal would have a minimal impact on the network, as such do not require a drainage condition. Reference to Environment Agency flood risk maps confirms the site is within Flood Zone 1 and is at very low risk of flooding. The proposal therefore complies with Policy EQ7.

2.6. Parking/Highways

2.6.0. Core Strategy Policy EV12 and Appendix 5 set out the Council's parking standards. The County Highways Officer initially raised concerns regarding the position of the new vehicular access which is identified as previously existing albeit is overgrown with mature trees and is likely to have been disused by the early 1960s. Subsequently, a Visibility Splay plan was submitted which demonstrates that a 215m visibility splay can be achieved in both directions towards this access.

2.6.1. The application notes that having one shared access road into and out of the site which also serves the Wheaton Aston Court Care Home can, at certain times of the day, cause congestion within the site. Therefore the purpose of re-instating this access road is to provide easier egress from the proposed new unit and to alleviate some pressures within the site from peak staff access times and deliveries.

2.6.2. In terms of parking, the applicant has provided further detail around the parking provision proposed. The statement explains that most of the teaching staff are already on site in the existing building and any new staff would be for specialist teaching only, meaning that they would not be likely to be on site every day. In terms of non-resident attendance or visiting pupils, due to the potential risk to the site residents posed by uncleared visitors parking on the site, non-resident students would have a managed drop off and collection process, with parents / guardians being discouraged from parking on the site. As numbers would be low, the existing mini-bus could be used to pick up students from agreed drop off points.

2.6.3. The first-floor advocacy unit is a re-provision for the whole site (recommended by the CQC) so this would be staffed when needed by existing site staff, so no additional parking is required for this. Any visiting advocacy could be accommodated in the site overflow allocation. Two first floor overnight parent flats are proposed to allow longer parent visits, subsequently two additional long stay car parking spaces are proposed in addition to an extra disabled space to serve the new unit.

2.6.4. In 2012 permission was granted for the use of the land immediately south of the site for overflow parking in addition to the existing hospital car park. Wheaton Aston Care Home now have their own car park therefore the existing overflow area could be utilised to serve the additional staff. On that basis the proposal is considered to comply with the Council's Parking Standards and consequently, the County Highways Officer has raised no objections subject conditions. The proposal therefore complies with Policy EV12.

2.7. Representations

Wheaton Aston Care Home noted as part of their representation that part of the boundary of the Hospital as marked on the plans was contrary to details registered at the land registry. This minor discrepancy related to the blue edge line and did not form part of the red edge line of the application site. Nonetheless, this matter has been resolved with the submission of an amended plan.

2.8. Human Rights

The proposals set out in the report are considered to be compatible with the Human Rights Act 1998. The proposals may interfere with an individual's rights under Article 8 of Schedule 1 to the Human Rights Act, which provides that everyone has the right to respect for their private and family life, home and correspondence. Interference with this right can only be justified if it is in accordance with the law and is necessary in a democratic society. The potential interference here has been fully considered within the report

in having regard to the representations received and, on balance, is justified and proportionate in relation to the provisions of the policies of the development plan and national planning policy.

2.9 CONCLUSION

2.9.0. The site is within the Open Countryside where the main objective is to protect the intrinsic character and local distinctiveness of the Landscape. Although the proposal would involve a substantial amount of built form on land which is currently open, it would be visually contained to the east, south and west by a combination of existing built form and tree coverage. The U-shaped and L-shaped buildings proposed would sit alongside the existing hospital buildings within the perimeter fencing of the existing site and would, by virtue of their layout and form, provide opportunities for landscaping and communal areas. The re-introduction of the access road out of the site and a new internal turning head would also improve vehicular movement within the site.

2.9.1. A number of the facilities proposed have been suggested by the Quality Care Commission and would provide clear benefits to the welfare and education of vulnerable young people in the District, which is clearly supported by national and local policy. There would be no demonstrable impact upon the amenity of neighbouring occupiers, parking provision and highways arrangements are acceptable and there are no concerns arising in respect of drainage, trees or ecology. Taking into consideration all factors that weigh in the balance of considerations, the balance tips strongly in favour of the development, therefore approval is recommended subject to conditions.

3.0 RECOMMENDATION - APPROVE Subject to Conditions

1. The development which this permission relates must be begun not later than whichever is the later of the following dates:
 - a. The expiration of three years from the date on which this permission is granted;
 - b. The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. Before the development commences, and within 3 years of the date of this permission, full details of the following reserved matters shall be submitted to the Local Planning Authority:
 - a. The Scale - The height, width, length and overall appearance of each of the proposed buildings including the proposed facing materials, and how they relate to their surroundings;
 - b. The Appearance - The aspects of a building or place which determine the visual impression it makes;
 - c. The Landscaping - The treatment of private and public space and the impact upon the site's amenity through the introduction of hard and soft landscaping.

3. The development authorised by this permission shall be carried out in complete accordance with the approved plans and specification, as listed on this decision notice, except insofar as may be otherwise required by other conditions to which this permission is subject.
4. The development hereby permitted shall not be brought into use until the existing access to the site within the limits of the public highway has been reconstructed and completed.
5. The development hereby permitted shall not be brought into use until the access drive, parking and turning areas have been provided in accordance with the approved plans.
6. The development hereby permitted shall not be commenced until the visibility splays shown on drawing No. 2116-1451-09 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.
7. All works, including demolition, site works and construction shall only take place between the hours of 8.00 am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays.
8. Deliveries to the site shall only take place between the hours of 8.00am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays. Delivery vehicles shall not park on the access highways to the site.
9. There should be no burning on site during development
10. Facilities shall be provided at the site and used when necessary for damping down to prevent excessive dust.
11. Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of occupied residential dwellings
12. Prior to the commencement of development, excluding demolition or groundworks, full details, shall be submitted to and approved in writing by the Local Planning authority of a species enhancement scheme including the details of integrated bat and bird boxes, as well as other species-specific enhancements as appropriate such as hedgehog highways, hedgehog shelters, sandy banks for invertebrates etc. The scheme must detail locations, models, number and aspect of species-specific measures including any ongoing maintenance requirements. The agreed species enhancement scheme will be installed in full prior to the first occupation of the dwelling(s) and shall thereafter be retained for the life of the development.
13. All fences installed as part of the proposed development must include a 13x13 cm gap at the base of barriers between gardens and around the perimeter of the site so that all vegetated areas are accessible for hedgehog.
14. Prior to any works taking place above ground level, a "lighting design strategy for biodiversity" for all external lighting shall be submitted to and approved in writing by the local planning authority. The strategy shall: a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for instance for foraging; and b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb

or prevent the above species using their territory or having access to their breeding sites and resting places. c) No lighting shall exceed 2700Kelvin in colour temperature. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority

15. The reserved matters application shall be accompanied by a Habitat Management Plan (HMP) expanding upon the information provided within the submitted biodiversity metric and biodiversity net gain stage report by Eagle Eye Design dated July 12th 2023, detailing in full, measures to protect existing habitat during construction works and the formation of new habitat to secure an overall site wide net gain value of no less than 0.11 habitat units and 0.04 hedgerow units, for approval in writing by the Local Planning Authority. Within the HMP document the following information shall be provided:
 - i) Ecological trends and other constraints on the site that might influence management (i.e. soil nutrient profile, recreational pressure etc.).
 - ii) Descriptions and mapping of all exclusion zones (both vehicular and for storage of materials) to be enforced during construction to avoid any unnecessary soil compaction on areas to be utilised for habitat creation;
 - iii) Aims and objectives of management;
 - iv) Appropriate management options to achieve aims and objectives for all habitats for a period of no less than 30 years;
 - v) Details of both species composition and abundance (% within seed mix etc.) where seeding/planting is to occur;
 - vi) Responsibilities of bodies/organisations for implementation against actions; vii) Assurances of achievability and remedial actions as necessary;
 - viii) Timetable of delivery for all habitats and future ecological monitoring to ensure that all habitats achieve their proposed condition as stated within the submitted metric as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary. The development shall thereafter be undertaken in accordance with the approved HMP.
16. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR112, or a 'Further Licence') and with the proposals detailed on plan "Huntercombe Stafford Hospital: Impact plan for great crested newt District Licensing (Version 1)", dated 28th February 2023.
17. No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR112, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence. The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.
18. No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence WML-OR112 (or a 'Further Licence') and in addition in compliance with the following:

- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.
- Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e., hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development).
- Amphibian fencing and pitfall trapping must be undertaken at suitable habitats and features, prior to commencement of the development.

19. Prior to the commencement of any construction related activity on site, a comprehensive tree retention and protection plan to BS5837:2012 standard shall be submitted to, and approved by, the LPA. All tree protection measures within the approved tree retention and protection plan, shall be implemented before any construction related activity commences on site. Once implemented all such measures shall be maintained throughout development unless agreed in writing with the Local Planning Authority. Any trees that are damaged or lost during a two year period, starting from the date of commencement, due to a failure of required tree protection measures shall be replaced. The species, size, nursery stock type and location of such replacements to be specified by the local planning authority.

Reasons

1. The reason for the imposition of these time limits is to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. The application is in outline only.
3. In order to define the permission and to avoid doubt.
4. In the interests of public and highway safety and convenience and to conform to the requirements of policy EQ11 of the adopted Core Strategy.
5. In the interests of public and highway safety and convenience and to conform to the requirements of policy EQ11 of the adopted Core Strategy.
6. In the interests of public and highway safety and convenience and to conform to the requirements of policy EQ11 of the adopted Core Strategy.
7. To ensure that the use of the premises does not detract from the reasonable enjoyment of surrounding residential properties in accordance with policy EQ9 of the adopted Core Strategy.
8. To ensure that the use of the premises does not detract from the reasonable enjoyment of surrounding residential properties in accordance with policy EQ9 of the adopted Core Strategy.
9. To ensure that the use of the premises does not detract from the reasonable enjoyment of surrounding residential properties in accordance with policy EQ9 of the adopted Core Strategy.
10. To ensure that the use of the premises does not detract from the reasonable enjoyment of surrounding residential properties in accordance with policy EQ9 of the adopted Core Strategy.

11. To ensure that the use of the premises does not detract from the reasonable enjoyment of surrounding residential properties in accordance with policy EQ9 of the adopted Core Strategy.
12. To deliver biodiversity enhancements as part of the development, in accordance with the requirements of Core Policy 2 and Policies EQ1 and EQ11 of the Core Strategy, the Sustainable Design Supplementary Planning Document and the National Planning Policy Framework.
13. To prevent harm to species of principal importance in accordance with Policy EQ1 of the adopted Core Strategy and the biodiversity duty within the Natural Environment and Rural Communities Act 2006 (as amended).
14. To prevent harm to protected species in accordance with Policy EQ1 of the adopted Core Strategy.
15. To deliver biodiversity enhancements as part of the development, in accordance with the requirements of Core Policy 2 and Policies EQ1 and EQ11 of the Core Strategy, the Sustainable Design Supplementary Planning Document and the National Planning Policy Framework
16. In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML_OR112, or a 'Further Licence'), paragraphs 179 and 185 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.
17. In order to adequately compensate for negative impacts to great crested newts, and in line with paragraphs 179 and 185 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.
18. In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML_OR112, or a 'Further Licence'), paragraphs 179 and 185 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.
19. To protect the existing trees on the site during construction work in accordance with policy EQ12 of the adopted Core Strategy

Proactive Statement - In dealing with the application, the Local Planning Authority has approached decision making in a positive and creative way, seeking to approve sustainable development where possible, in accordance with paragraph 38 of the National Planning Policy Framework, 2021.

The applicant is reminded that under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. The nesting bird season is considered to be between 1 March and 31 August inclusive, however some species can nest outside of this period. Suitable habitat for nesting birds are present on the application site and should be assumed to contain nesting birds between the above dates unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is certain that nesting birds are not present. Please note that planning permission does not override or preclude the requirement to comply with protected species legislation. Should protected species be found (or be suspected to be present) at any time during site clearance or construction, works must cease immediately and Natural England and/or a suitably qualified professional ecologist must be contacted for advice.

It is recommended that the NatureSpace Best Practice Principles are considered and implemented where possible and appropriate.

It is recommended that the NatureSpace certificate is submitted to this planning authority at least 6 months prior to the intended commencement of any works on site.

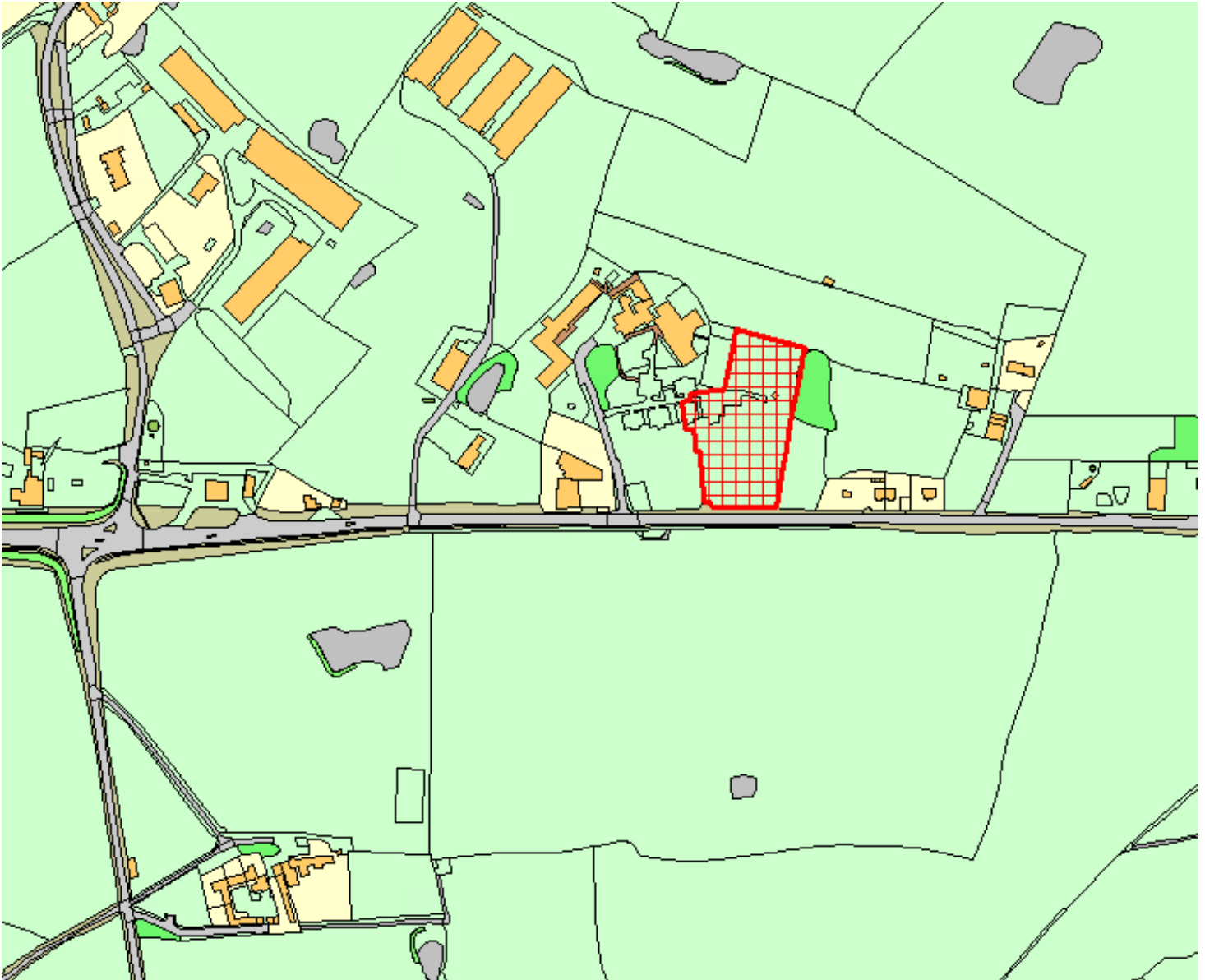
It is essential to note that any works or activities whatsoever undertaken on site (including ground

investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority (which permits the development to proceed under the District Licence WML-OR112, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newts are thereby committed then criminal investigation and prosecution by the police may follow.

It is essential to note that any ground investigations, site preparatory works and ground / vegetation clearance works / activities (where not constituting development under the Town and Country Planning Act 1990) in a red zone site authorised under the District Licence but which fail to respect controls equivalent to those in the condition above (relating to the use of best practice and measures outline in the Great Crested Newt Mitigation Principles) would give rise to separate criminal liability under District Licence condition 12 (requiring authorised developers to comply with the District Licence) and condition 17 (which requires all authorised developers to comply with the Great Crested Newt Mitigation Principles) (for which Natural England is the enforcing authority); and may also give rise to criminal liability under the Wildlife & Countryside Act 1981 (as amended) and/or the Conservation of Habitats and Species Regulations 2017 (for which the Police would be the enforcing authority).

Plans on which this Assessment is based:

Plan Type	Reference	Version	Received
Existing Block Plan	2116 - 1451 - NU - 02		7 September 2022
Other Plans	2116 - 1451 - NU - 03		7 September 2022
Other Plans	2116 - 1451 - NU - 05		7 September 2022
Proposed Floor Plan	2116 - 1451 - NU - 06		7 September 2022
Proposed Floor Plan	2116 - 1451 - NU - 07		7 September 2022
Proposed Floor Plan	2116 - 1451 - NU - 08		7 September 2022
Proposed Block Plan	2116 - 1451 - NU - 04	Rev A	26 April 2023
Location Plan	2116 - 1451 - NU - 01	Rev A	26 April 2023



Huntercombe Stafford Hospital Watling Street Ivetsey Bank Staffordshire ST19 9QT