

TO:- Planning Committee

Councillor Mark Evans , Councillor Bob Cope , Councillor Helen Adams , Councillor Jeff Ashley , Councillor Meg Barrow , Councillor Gary Burnett , Councillor Val Chapman , Councillor Philip Davis , Councillor Robert Duncan , Councillor Sam Harper-Wallis , Councillor Rita Heseltine , Councillor Diane Holmes , Councillor Victor Kelly , Councillor Kath Perry MBE , Councillor Robert Reade , Councillor Gregory Spruce , Councillor Christopher Steel , Councillor Wendy Sutton

Notice is hereby given that a meeting of the Planning Committee will be held as detailed below for the purpose of transacting the business set out below.

Date: Tuesday, 18 June 2024

Time: 18:30

Venue: Council Chamber Community Hub, Wolverhampton Road, Codsall, South Staffordshire, WV8 1PX



D. Heywood
Chief Executive

AGENDA

Part I – Public Session

- | | | |
|----------|--|----------------|
| 1 | Minutes
To approve the minutes of the meeting of Planning Committee on 21 May 2024. | 1 - 2 |
| 2 | Apologies
To receive any apologies for non-attendance. | |
| 3 | Declarations of Interest
To receive any declarations of interest. | |
| 4 | Determination of Planning Applications
Report of Development Management Team Manager | 3 - 34 |
| 5 | Monthly Update Report
Report of Lead Planning Manager | 35 - 88 |

RECORDING

Please note that this meeting will be recorded.

Any person wishing to speak must confirm their intention to speak in writing to Development Management by 5pm on the Thursday before Planning Committee

- E-mail: SpeakingatPlanningCommittee@sstaffs.gov.uk
- Telephone: (01902 696000)
- Write to: Development Management Team
South Staffordshire Council
Wolverhampton Road
Codsall
WV8 1PX

PUBLIC ACCESS TO AGENDA AND REPORTS

Spare paper copies of committee agenda and reports are no longer available. Therefore should any member of the public wish to view the agenda or report(s) for this meeting, please go to www.sstaffs.gov.uk/council-democracy.

Minutes of the meeting of the **Planning Committee** South Staffordshire Council held in the Council Chamber Community Hub, Wolverhampton Road, Codsall, South Staffordshire, WV8 1PX on Tuesday, 21 May 2024 at 18:30

Present:-

Councillor Helen Adams, Councillor Jeff Ashley, Councillor Meg Barrow, Councillor Gary Burnett, Councillor Philip Davis, Councillor Mark Evans, Councillor Sam Harper-Wallis, Councillor Rita Heseltine, Councillor Diane Holmes, Councillor Victor Kelly, Councillor Kath Perry, Councillor Gregory Spruce, Councillor Christopher Steel, Councillor Wendy Sutton

1 **MINUTES**

RESOLVED: that the minutes of the Planning Committee held on 16 April 2024 be approved and signed by the Chairman, subject to the inclusion of Councillor G Burnett in the list of apologies.

2 **APOLOGIES**

Apologies were received from Councillors R Cope, J Chapman, R Duncan and R Reade.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

4 **DETERMINATION OF PLANNING APPLICATIONS**

23/00966/FUL – LAND AT ORTON HALL FARM, FLASH LANE, ORTON, WOLVERHAMPTON WV4 4TF - APPLICANT – MRS AVRIL WATTON - PARISH – WOMBOURNE

Bryony Chambers-Towers (agent, Aaron & Partners LLP) spoke for the application.

The views of Councillor Kinsey, Ward Member were read out by the Development Management Team Manager. Councillor Kinsey supported the application.

RESOLVED: That the application be **REFUSED**.

24/00024/FUL – HIMLEY HALL, HIMLEY ROAD, HIMLEY, DUDLEY, DY3 4DF – APPLICANT – MR TONY SUTTON – PARISH – HIMLEY

Alan Dean (agent) spoke for the application.

RESOLVED: That the application be **APPROVED** subject to the conditions set out in the Planning Officers report.

5 **MONTHLY UPDATE REPORT**

RESOLVED: That the Committee note the update report.

The Meeting ended at: 19:20

6 June 2024

CHAIRMAN

SOUTH STAFFORDSHIRE COUNCIL

PLANNING COMMITTEE – 18 JUNE 2024

DETERMINATION OF PLANNING APPLICATIONS

REPORT OF DEVELOPMENT MANAGEMENT TEAM MANAGER

PART A – SUMMARY REPORT

1. SUMMARY OF PROPOSALS

To determine the planning applications as set out in the attached Appendix.

2. RECOMMENDATIONS

2.1 That the planning applications be determined.

3. SUMMARY IMPACT ASSESSMENT

POLICY/COMMUNITY IMPACT	Do these proposals contribute to specific Council Plan objectives?	
	Yes	The reasons for the recommendation for each application addresses issued pertaining to the Council's Plan.
	Has an Equality Impact Assessment (EqIA) been completed?	
	No	Determination of individual planning applications so not applicable- see below for equalities comment.
SCRUTINY POWERS APPLICABLE	No	
KEY DECISION	No	
TARGET COMPLETION/ DELIVERY DATE	N/A	
FINANCIAL IMPACT	No	Unless otherwise stated in the Appendix, there are no direct financial implications arising from this report.
LEGAL ISSUES	Yes	Town and Country Planning Act 1990 Planning (Listed Buildings and Conservation Areas) Act 1990 Planning (Consequential Provisions) Act 1990 Planning (Hazardous Substances) Act 1990 Planning and Compensation Act 1991 Planning and Compulsory Purchase Act 2004

OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	Equality and HRA impacts set out below.
IMPACT ON SPECIFIC WARDS	Yes	As set out in Appendix

PART B – ADDITIONAL INFORMATION

4. INFORMATION

All relevant information is contained within the Appendix.

Advice to Applicants and the Public

The recommendations and reports of the Development Management Team Manager contained in this schedule may, on occasions, be changed or updated as a result of any additional information received by the Local Planning Authority between the time of its preparation and the appropriate meeting of the Authority.

Where updates have been received before the Planning Committee’s meeting, a written summary of these is published generally by 5pm on the day before the Committee Meeting. Please note that verbal updates may still be made at the meeting itself.

With regard to the individual application reports set out in the Appendix then unless otherwise specifically stated in the individual report the following general statements will apply.

Unless otherwise stated any dimensions quoted in the reports on applications are scaled from the submitted plans or Ordnance Survey maps.

Equality Act Duty

Unless otherwise stated all matters reported are not considered to have any adverse impact on equalities and the public sector equality duty under section 149 of the Equality Act 2010 has been considered. Any impact for an individual application will be addressed as part of the individual officer report on that application.

Human Rights Implications

If an objection has been received to the application then the proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The recommendation to approve the application aims to secure the proper planning of the area in the public interest. The potential interference with rights under Article 8 and Article 1 of the First Protocol has been considered and the recommendation is considered to strike an appropriate balance between the interests of the applicant and those of the occupants of neighbouring property and is therefore proportionate. The issues arising have been considered in detail

in the report and it is considered that, on balance, the proposals comply with Core Strategy and are appropriate.

If the application is recommended for refusal then the proposals set out in the report are considered to be compatible with the Human Rights Act 1998. The recommendation to refuse accords with the policies of the Core Strategy and the applicant has the right of appeal against this decision.

Consultations Undertaken

The results of consultations with interested parties, organisations, neighbours and Councillors are reported in each report in the Appendix.

CONSULTEES

CH – County Highways
CLBO – Conservation Officer
CPO – County Planning Officer
CPRE – Campaign to Protect Rural England
CPSO – County Property Services Officer
CA – County Archaeologist
CS – Civic Society
EA – Environment Agency
EHGS – Environmental Health Officer
ENGS – Engineer
FC – The Forestry Commission
HA – Highways Agency
LPM – Landscape Planning Manager
HENGs – Engineer
NE – Natural England
PC – Parish Council
OSS – Open Space Society
STW – Severn Trent Water
SWT – Staffordshire Wildlife Trust

5. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

N/A

6. PREVIOUS MINUTES

Details if issue has been previously considered

7. BACKGROUND PAPERS

Background papers used in compiling the schedule of applications consist of:-

- (i) The individual planning application (which may include supplementary information supplied by or on behalf of the applicant) and representations received from persons or bodies consulted upon the application by the Local Planning Authority, and from members of the public and interested bodies, by the time of preparation of the schedule.
- (ii) The Town and Country Planning Act, 1990, as amended and related Acts, Orders and Regulations, the National Planning Policy Framework (NPPF), the Planning Practice Guidance Notes, any Circulars, Ministerial Statements and Policy Guidance published by or on behalf of the Secretary of State for the Department for Communities and Local Government.
- (iii) The Core Strategy for South Staffordshire adopted in December 2012 and Supplementary Planning Documents
- (iv) Relevant decisions of the Secretary of State in relation to planning appeals and relevant decisions of the courts.

These documents are available for inspection by Members or any member of the public and will remain available for a period of up to 4 years from the date of the meeting, during the normal office hours. Requests to see them should be made to our Customer Services Officers on 01902 696000 and arrangements will be made to comply with the request as soon as practicable. The Core Strategy and the individual planning applications can be viewed on our web site www.sstaffs.gov.uk

Report prepared by: Helen Benbow - Development Management Team Manager

App no	Applicant/Address	Parish and Ward Councillors	Recommendation	Page
23/01011/FUL NON MAJOR	Mr Dhanoa - Progress Care 107 Springhill Lane Lower Penn WOLVERHAMPTON WV4 4TW	LOWER PENN Cllr Robert Reade Cllr Victoria Wilson	Approve - Subject to conditions	9 - 34

23/01011/FUL

Mr Dhanoa

LOWER PENN

Councillor Robert F Reade
Councillor Victoria H Wilson

107 Springhill Lane Lower Penn WOLVERHAMPTON WV4 4TW

Demolition of existing dwelling and rebuilding to create an 8 room C2 care home for Young Adults (age 18 to 65) for respite care.

Pre-commencement conditions required:	Pre-commencement conditions Agreed	Agreed Extension of Time until
Yes	tba	19 June 2024

1. SITE DESCRIPTION AND APPLICATION DETAILS

1.1 Site Description

1.1.1 The application relates to a traditional detached bungalow located on Springhill Lane, within the West Midlands Green Belt to the east of the village of Lower Penn. The dwelling is located within an established ribbon of development, set within a generous surrounding curtilage. There is a residential care home for older persons immediately to the east of the site with surrounding residential dwellings to all other aspects. Dwellings in this area are all predominately traditional detached dwellings, with those located to the southern side of the road, all set within generous surrounding curtilages, setback from the main highway and screened by mature landscaping, varying in scale and design with more modestly sized traditional two storey detached dwellings to the northern side of the lane with minimal separation gaps.

1.2 Application Details

1.2.1 The application proposes the demolition of the existing bungalow and the replacement of the building with an 8 bed C2 care home for young adults aged 18-65 who are in need of respite care.

1.2.2 The proposed replacement building mirrors the plans recently approved under planning permission reference 23/00221/FUL with a two-storey element on a similar scale to the existing bungalow and single storey flat roofed projections to both side elevations and the rear elevation and a porch addition to the front elevation. The proposed building would be further set back from the highway than the existing dwelling and positioned centrally to the plot. The building would measure a maximum of 22 metres in width by 15 metres in depth (17 metres including the front porch element) with a floor area of approximately 427.7 square metres (341.35 square metres at ground floor and 86.35 square metres at first floor). Internally this will provide two living spaces, a kitchen, 8.no bedrooms, 2.no communal bathrooms, staff toilet, staff office space and a laundry. The building will have a hipped pitched roof with maximum height of 7.88 metres and an eaves height of 5.6 metres, with flat roofs to the single storey projections that have a maximum proposed height of 2.95 metres.

1.2.3 The two previously approved outbuildings to the eastern and western site elevations are also retained in this application. The first of which is a detached triple garage measuring 9.9 metres by 6.3 metres with a dual hipped pitched roof with a maximum height of 5.6 metres and an eaves height of 2.9 metres. The second outbuilding would be used as a storeroom, measuring 9.9 metres by 6.3 metres with a dual hipped pitched roof with a maximum height of 5.7 metres and an eaves height of 2.9 metres. Externally, a large number of the trees will be retained to the north-western and south-eastern corners of the site. A parking area is proposed to the

north-eastern corner with parking for 7.no vehicles, 2.no of which will be accessible parking bays. This is in addition to the 3 parking spaces withing the proposed garage.

1.2.4 The building would cater for adults with severe physical and learning difficulties providing planned short-term temporary care to the residents. The duration of stay for each resident will be from 2-3 days to a few weeks to provide a break for the resident’s normal long term care giver. Residents will remain within the home for the duration of their stay and will not require any medical visits. Staffing will generally be provided on a 1:3 ratio, although some residents may require a 1:1 ratio depending on their individual need. Staff would work on a rota basis with 5 staff members working on a permanent basis and 4 staff members working on a temporary basis. A maximum of 8 staff members will be on site during each shift pattern although this would likely only occur in rare circumstances should all 8 residents require 1:1 care ratios. There are no other supportive staff required for the day-to-day running of the facility.

1.2.5 Due to the short length of stay, the residents would not have any visitors with the majority of traffic movements being generated through staff change over times occurring at 7am, 2pm and 10pm and arrival/departure of the residents which will be staggered to avoid staff changes over times. Deliveries would occur twice per week for kitchen supplies.

1.2.6 During the course of the application amendments were received to address parking concerns and provide accessible parking bays and to better define the use and running of the care home. Amendments were also made to remove the pool from the outbuilding following concerns from the neighbours that this would lead to an increase in traffic movements and external users of the site.

1.3 Applicants submission

1.3.1 The applicant has submitted the following documents with the application:

- Planning Statement
- Ecology Report
- Arboricultural Report

Date of site visit - 16 February 2024

1.4 SITE HISTORY

Planning Applications

18/01032/LUP Erection of new pool hall and exercise room. **Approve** 11th February 2019

21/01024/LUP Permitted Development right extensions -indicated in proposal plans 19th October 2021

21/01113/LHSHLD Larger single-storey rear extensions extending 8 meters beyond the rear wall of the house. **Approve** 6th December 2021

21/01126/BUHOEX Erection of a new storey on top of the existing bungalow. The external materials are to match the existing. **Approve Subject to Conditions** 26th January 2022

21/01298/LUP Single storey side extensions **Approve** 28th January 2022

22/00888/FUL Demolition of existing dwelling and outbuildings and erection of replacement dwelling with detached garage and detached gym building. **Withdrawn** 11th November 2022

23/00221/FUL Proposed demolition of existing dwelling and outbuildings and erection of replacement dwelling and detached garage and detached gym building **Approve Subject to Conditions** 20th July 2023

2. POLICY

2.1 Constraints

- Coal Authority Low Risk Area
- Newt - Impact Risk Zone Amber
- C Class Road C0198

2.2 South Staffordshire Core Strategy 2012

Core Policy 1: The Spatial Strategy Policy

GB1: Development in the Green Belt

Core Policy 2: Protecting and Enhancing the Natural and Historic Environment

EQ4: Protecting, Expanding and Enhancing the Character and Appearance of the Landscape

Core Policy 3: Sustainable Development and Climate Change Policy

EQ9: Protecting Residential Amenity

Core Policy 4: Promoting High Quality Design Policy

EQ11: Wider Design Considerations Policy

EQ12: Landscaping

CP06: Housing Delivery

H5: Specialist Housing Accommodation

Core Policy 11: Sustainable Transport

EV11: Sustainable Travel

EV12: Parking Provision

Appendix 5 Parking Standards

Appendix 6 Space About Dwellings Standards

2.3 Supplementary Planning Documents

Green Belt and Open Countryside

Sustainable Development

Design Guide

2.4 National Policies

National Planning Policy Framework 2023

Chapter 12: Achieving well-designed and beautiful places

Chapter 13: Protecting Green Belt land

3. CONSULTATION RESPONSES

All consultation periods have expired unless noted otherwise.

Site Notice Expires	Press Notice Expires
N/A	n/a

Planning Officer comments: Please note that a number of consultation responses were received before there was clarity over the proposed use of the development. The comments received before the re-consultation and clarification of the proposed development will be dated before 8th April 2024.

Councillor Robert Reade - Pattingham, Trysull, Bobb & LPenn

No Response Received

Councillor Victoria Wilson - Pattingham, Trysull, Bobb & LPenn

No Response Received

Lower Penn Parish Council

9th May 2024

Lower Penn Parish Council wishes to strongly OBJECT on the same grounds as previously stated in our e-mails dated 5 February 2024 and 8 February 2024 relating to the above application.

8th February 2024

Lower Penn Parish Council objects to this application for the many reasons given below.

1 Core Strategy Policy EQ9 states that any new development should not have any adverse effects on neighbouring amenity. My Council believes that changing the use from a C3 dwelling house to a C2 residential home will contravene this policy.

2 The planning statement states that The Care home will provide for young adults with physical and learning disabilities, yet no information on the level of care required or to be provided is known and more details need to be given. Further on in the planning statement it notes that Progress Care offer services in fostering and social care provision. Which service is it at this address? There would be very different needs and amenities required for the different groups. In the application form, 5 full time staff are mentioned. This seems extremely low for young adults with disabilities. What if there are needs of 2:1 care, what about a manager, a cook, educational providers, social workers, visitors. The staff will also be on a shift pattern of 3 shifts per 24 hours so there will be a lot of movement during the day in a quiet residential area. This will have an adverse effect on neighbouring amenity.

3 There seems to be some confusion with the drawings as one shows a hot tub within the house and one in an outbuilding and another one shows just the one in the outbuilding. Which is it? We also have concerns that outside users will come to use these facilities which will then cause parking issues on Springhill Lane.

4 Lower Penn has no facilities: No school, no GP, no public transport, no public park, no youth club or any similar youth orientated facility.

5 All of the transport needs will have to be met by car as there is no public transport nearby. This contravenes core policy on sustainable travel.

6 The planning statement suggests there is enough parking on site but no clear drawing of this has been provided. Again, with no clear idea of staffing requirements, visitors etc. how can we tell if this is adequate. Parking on the road would be unacceptable on this quiet single lane with limited pavement provision.

7 Unfortunately, residents have some idea of the running of Progress Care's homes because Stourbridge House is nearby. This is situated on the A449 just in Wolverhampton's border. At all times of the day parked cars block one lane of the dual carriageway and also impinge on the pavement. This is hazardous for both the pedestrian and the road user and has become a real issue for the area. When pulling out of Springhill shops on to the dual carriageway, there is zero visibility because of these parked cars. There is a real issue with parking at Stourbridge House and Lower Penn Parish Council would not want this to happen on Springhill Lane when there are already issues on roads throughout our village.

8 Lower Penn village is within a conservation area and South Staffs District Council's own Design Guide 2018 Village Summaries appendix states: Limit the traffic load on the narrow lanes within the village. New

development should not increase the traffic load already experienced due to the highly developed areas close to the settlement especially at the crossroads within the village.

In the Lower Penn Conservation Area Management Plan a key positive is the "Sedate volume and pace of traffic along Spring Hill Lane" which has already been negatively impacted by other developments. Care must be taken to address the ever-increasing volume of traffic through the conservation area. An additional commercial development will exacerbate this issue.

9 In the application form for foul drainage the box for unknown has been ticked. We would request that foul water drainage is fully assessed and approved before planning permission is granted as this can be an issue in Lower Penn.

10 South Staffs District Council has no up to date Local Plan and a shortage of housing within the 5 year housing supply. For this reason, it would be unwise to take a residential house out of the supply.

11 Is 107 a suitable employment site when there are no sustainable transport links?

Planning was granted for this significantly larger building on the grounds that it was for residential use. The new building is no longer intended for the same use and is materially larger than the one it replaces. For this reason, it is inappropriate development in the greenbelt. (NPPF 154.d)"

Senior Ecologist - South Staffordshire

17th May 2024

Introduction

Thank you for consulting me on this application. I have reviewed the ecology reports submitted with the planning application as well as the planning statement and existing and proposed site plans.

I have not visited the site but have viewed aerial photographs, biological records from Staffordshire Ecological Record, and information on DEFRA's MAGIC map to inform my response.

Assessment of Submitted Documents and Plans

Designated Wildlife Sites

I do not consider it likely that the proposed development will result in significant effects to designated wildlife sites.

Habitats

I have no significant concerns in relation to the impacts of the proposed development to habitats.

Protected Species

I have reviewed the ecology reports submitted with the application by Midland Ecology and am satisfied that the assessment and conclusions are robust. I have recommended conditions below for lighting and proportionate enhancement via the inclusion of bat and bird boxes in the new building.

Recommendations

Should you be minded to approve the application, I recommend the following conditions and informative notes are added to any decision notice:

Condition 1 - Bat and Bird Box Scheme

Prior to development above slab level (excluding demolition and site clearance), full details shall be submitted to and approved in writing by the Local Planning authority of a bat and bird box scheme. The scheme must include a minimum of one integrated bat box and one integrated bird box and must detail locations, models, number and aspect of species-specific measures including any ongoing maintenance requirements.

The agreed scheme will be installed in full prior to the first use of the development and shall thereafter be retained for the life of the development.

Reason: 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.

Condition 2 - Site Permeability for Hedgehog

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 garden space is accessible for hedgehog.

Reason: 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).

Condition 3 – Compliance with Lighting Specifications

Any external lighting at the site must comply fully with the specifications detailed below:

- All luminaires should lack UV elements when manufactured. Metal halide, compact fluorescent sources should not be used.
- LED luminaires should be used due to their sharp cut-off, lower intensity, good colour rendition and dimming capability.
- A warm white light source (2700Kelvin or lower) should be adopted to reduce blue light component.
- Column heights should be carefully considered to minimise light spill and glare visibility. This should be balanced with the potential for increased numbers of columns and upward light reflectance as with bollards.
- Only luminaires with a negligible or zero Upward Light Ratio, and with good optical control, should be considered - See ILP GN01
- Luminaires should always be mounted horizontally, with no light output above 90° and/or no upward tilt.

All external lighting shall be installed in accordance with the above specifications, and shall be maintained thereafter in accordance with the specifications.

Reason: To prevent harm to protected species in accordance with Policy EQ1 of the adopted Core Strategy.

Informative Notes:

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.

Policy and Legislative context in relation to this application

The National Planning Policy Framework (2023) s.180 states: “Planning policies and decisions should contribute to and enhance the natural and local environment by: ... d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”

NPPF s.186 states that “When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused... c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists”

South Staffordshire Council adopted Local Plan Core Strategy policy EQ1: Protecting, Enhancing and Expanding Natural Assets 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.

South Staffordshire Council adopted Local Plan Core Strategy policy EQ4: Protecting and Enhancing the Character and Appearance of the Landscape states “Trees, veteran trees, woodland, ancient woodland and hedgerows should be protected from damage and retained unless it can be demonstrated that removal is necessary and appropriate mitigation can be achieved.”

The Conservation of Habitats and Species Regulations 2017 (as amended) 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. Section 41 refers to a list of habitats and species of principal importance to which this duty applies.

Natural England Standing Advice which has the same status as a statutory planning response states that survey reports and mitigation plans are required for development projects that could affect protected species, as part of obtaining planning permission.

European Protected Species (to include in Committee/Delegated reports as an Annex, not on Decision Notices)

The Local Planning Authority in exercising any of their functions, have a legal duty to have regard to the requirements of the Conservation of Species & Habitats Regulations 2017 which identifies 4 main offences for development affecting European Protected Species (EPS).

- Deliberate capture or killing or injuring of an EPS
- Deliberate taking or destroying of EPS eggs
- Deliberate disturbance of a EPS including in particular any disturbance which is likely to:
 - I. impair their ability to survive, to breed or reproduce, or to rear or nurture their young, or

- II. in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
- III. to affect significantly the local distribution or abundance of the species to which they belong.
 - Actions resulting in damage to, destruction of, or obstruction of an EPS breeding site or resting place.

Ecological survey results indicate that European Protected Species are unlikely to be present. Therefore, no further consideration of the Conservation of Species & Habitats Regulations is necessary.

Arboricultural Officer Consultation

16th February 2024

Having reviewed the application and supporting information I can confirm that no tree of significant merit will be damaged, or lost, as a consequence of the proposal.

Therefore, I have no objection to the development, nor any recommendation for tree related conditions.

Environmental Health Protection

31st May 2024

Having reviewed the application I would make the following comments:

These conditions are recommended in order to safeguard nearby residential occupiers from undue disturbance during development:

1. 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 1.00pm Saturdays and not at all on Sundays or Bank holidays.
2. Deliveries to the site shall only take place between the hours of 8.00am and 6.00pm Monday to Friday; 8.00am to 1.00pm Saturdays and not at all on Sundays or Bank holidays.
3. Vehicles should not leave engines idling at any time.
4. There should be no burning on site.
5. All demolition materials shall be removed from site and properly disposed of.
6. Facilities, to be agreed with the local authority, shall be available for use, when necessary, for damping down to prevent excessive dust beyond the site boundary.
7. Road sweeping shall be carried out at regular intervals, both on the site and on the access highway to prevent excessive dust.
8. Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of occupied residential dwellings.
9. Screening, to be agreed with the local authority, shall be provided as necessary to protect sensitive receptors from exposure to excessive noise.
10. Consideration must be given to the location of noisy activities and noise generating equipment to protect noise sensitive receptors.

Lighting

11. Lighting to areas such as car parks, pathways, land, buildings, internal communal areas and stairways should be of a design and positioned not to cause a light nuisance to any neighbouring properties. Glare from any lighting must be kept to a minimum.

Reference should be made to the extant Government Guidelines www.gov.uk/guidance/light-pollution

Drainage

12. It is noted that the application form does not provide detail of the existing or proposed drainage system for the disposal of foul waste and surface water. If permission is to be granted, the applicant MUST ensure that there is adequate surface and foul water drainage to the site and that this does not adversely affect any existing systems.
13. Drainage plans should be submitted to the local planning authority for approval.

County Highways

10th May 2024

Comment on Information Submitted:

Comments should be read alongside the previous comments on 08.03.2024 unless there is a significant change to the scheme. I welcome the amendments to the accessible car parking spaces in response to my comments and this would seem like an improvement to me. Although I take on board that this reduces the total spaces, the scheme was already providing ample car parking provision, exceeding the car parking standards, so there would be no objection from the highway authority, especially as there is ample room within the site to provide additional car parking provision if needed.

Form X comments and conditions which still apply to the application from the 08/03/2024:

Recommendations:

I have no objection subject to the following being secured via condition;

Conditions:

1. 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 to a minimum width of 4.2m and completed.
2. 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.
3. The garage indicated on the approved plan shall be retained for the parking of motor vehicles and cycles. It shall at no time be converted to living accommodation without the express permission of the Local Planning Authority.
4. The development hereby permitted shall not be commenced until details of the 2.4m X 43.0m visibility splays have been submitted to and approved in writing by the Local Planning Authority.

The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600mm above the adjacent carriageway level and be provided in accordance with the approved plan prior to the development commencing.

Reasons:

1. In the interest of highway safety and to comply with Staffordshire County Council requirements for a vehicular access crossing.

2-4. In the interest of highway safety and to comply with the principles set out in the National Planning Policy Framework.

Informative:

The existing dropped crossing to the site shall be reconstructed to a minimum width of 4.2m. Please note that prior to the access being reconstructed, you require a Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link 'vehicle dropped crossings' which includes a 'vehicle dropped crossing pack' and an application Form.

<http://www.staffordshire.gov.uk/transport/staffshighways/licences>.

National Highways (Highways England)

12th April 2024

Referring to the consultation on a planning application dated 05 April 2024 referenced above, in the vicinity of the M54 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

a) Offers No Objection (see reason Annexe A)

Highways Act 1980 Section 175B is/is not relevant to this application.

Contributors

Planning Officer comments: Please note that a number of contributor responses were received before there was clarity over the proposed use of the development. The comments received after the re-consultation and clarification of the proposed development are below:

There have been 4 objections, summary of the objections:

- Isolated location – outside of main service village
- Lack of amenity for residents
- Increased traffic
- Required widening of access
- Disabled parking spaces not policy compliant
- Lack of ambulance space
- No noise assessment
- Disturbance – traffic and shift change over
- Fall-back position only relevant to size of the building and not the use
- Loss of privacy - increase the amount of people coming into the area including staff, contractors, and delivery companies.

- Impact character of the area
- Pollution
- Parking over spill onto highway
- Applicant has not engaged in consultation with neighbours

Planning Officer comments: Please note that a number of contributor responses were received before there was clarity over the proposed use of the development. The comments received before the re-consultation and clarification of the proposed development are below:

There have been 10 objections, summary of the objections:

- Impact on ecology
- Drainage concerns - history of drainage issues, and the additional strain from a new development could exacerbate these problems
- Noise and Light Pollution
- Disturbance
- Increased Traffic and Insufficient Parking
- Over-commercialisation of Springhill Lane
- Impact of the Hydrotherapy Pool
- Adverse impact to the character of the area
- Green Belt location
- Situated on narrow rural road – sections without footpaths and limited lighting
- Description of application not clear
- Amount of hardstanding proposed unclear – no landscaping plan
- Access into the site is at a slope. Given that residents may be wheelchair bound, is the access at an appropriate gradient? Existing and proposed levels need providing.
- Given that the proposal will house vulnerable people, some of which with disabilities, an ambulance space would be required in case of emergencies.
- Delivery space would also be required.
- It is also observed that no disabled spaces, covered cycle spaces, refuse storage or staff changing facilities are shown.
- No public transport opportunities available to the site and no immediate facilities nearby.
- Transport Statement that is support by a parking management plan and Travel Plan.
- Lack of opportunities for independence of the residents.
- Unsustainable and isolated development
- Lack of consultation for previous application 23/00221/FUL
- Loss of privacy
- Pollution as a result of additional traffic
- Impact of the construction period
- Description of development does not entirely reflect what is being proposed
- Reliance on the of the 'fallback position' of the permission 23/00221/FUL, but having a C2 use rather than C3. Could represent inappropriate development in the Green Belt and 'very special circumstances' would need to be presented as per para 152 of the NPPF and to satisfy Policy GB1.

4. APPRAISAL

The application has been referred to a planning committee meeting as the proposal represents in inappropriate development in the Green Belt, contrary to Local Plan Policy GB1 and Paragraph 154 of the NPPF.

4.1 Policy & principle of development

4.2 Layout, design & appearance

4.3 Access, parking & highway safety

4.4 Residential Amenity

4.5 Ecology & biodiversity

4.6 Arboriculture

4.7 Other Issues

4.8 Human Rights

4.1 Policy & principle of development

4.1.1 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).

4.1.2 Core Policy 1 and the adopted Sustainable Development Supplementary Planning Document (SPD) aim to direct development to the most accessible and sustainable locations in accordance with the Settlement Hierarchy. The Settlement Hierarchy classifies villages as Main Service Villages, Local Service Villages and Small Service Villages and the very small villages in the District are classified as Other Villages and Hamlets. In order to support and achieve sustainable communities in South Staffordshire the majority of development and service provision is focused on the Main Service Villages. Policy H5 states the council will support the provision of specialist housing accommodation providing they are located within a sustainable location and considered suitable by virtue of its size and scale in relation to the existing village and its services.

4.1.3 Ensuring that developments facilitate the use of sustainable modes of transport and are in a sustainable location are two closely linked issues. To reduce car usage development should have acceptable walking access to services, facilities and recreational opportunities as well as be well connected via public transport. Core Policy 11 seeks to ensure that accessibility will be improved, and transport choice widened, by ensuring that new development is well served by a choice of transport modes, including public transport, footpaths and cycle routes to provide alternatives to the use of the private car and promote healthier lifestyles. In shaping a sustainable future for South Staffordshire it is important to ensure that development is directed to the most accessible and sustainable locations to reduce wherever possible the need to travel and improve the general level of accessibility to facilities and services. Paragraph 114 of the NPPF requires that consideration should be given to the opportunities for sustainable transport modes and safe and suitable access to a development site.

4.1.4 Throughout the application a number of concerns have been raised from both the Parish Council and from local residents that the site is not located within a sustainable location and that the area lacks a number of the required facilities to service such a development. The site is within established ribbon development which extends from the Springhill area of Wolverhampton. There is a footpath and lighting from the site to Springhill but with a 70m section which is narrow and without a footpath. The nearest amenities to the site would be located approximately 1km away to the east across the boundary in the neighbouring authority of Wolverhampton. The walking time to these facilities would be approximately 15 minutes from the site. The site already benefits from planning permission for an identical replacement building for use as a residential dwelling under planning permission reference 23/00221/FUL. The use of the building for C2 use as defined within the application would be unlikely to result in vehicle movements materially higher than from the occupation of the building by a large extended family. As residents would remain within the building for the duration of their stay there would be no reliance on external facilities and any provisions such as food supplies to service the development would be provided by delivery twice weekly in a manner akin to domestic online grocery shopping. The main vehicle movement would be from employees who are likely to arrive by car but access via bike or public transport and walking is also feasible in this location.

4.1.5 In conclusion, whilst the site is outside the development boundary of a main service village, it is within established residential ribbon development with reasonably good access to nearby services. As a result, the proposal is considered to be in an accessible and sustainable location in accordance with Core Strategy Policy CP1.

Green Belt

4.1.6 The site is located outside of a defined development boundary within the Green Belt. Here for the purposes of Policy CP1, the Green Belt will be protected from inappropriate development and proposals will be considered in light of other local planning policies and the policy restrictions relating to Green Belt in the NPPF.

4.1.7 The first step is to establish whether the development constitutes inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (NPP) 2023. Paragraph 152 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. However, there are exceptions to this as set out within Paragraphs 154 & 155 of the NPPF.

4.1.8 This is reiterated within Policy GB1 of the Core Strategy, which outlines exceptions to inappropriate development, which includes the replacement of an existing building providing the new building is not materially larger than the building it seeks to replace. The Green Belt and Open Countryside SPD defines "materially larger" as a maximum enlargement of between 10 and 20 percent of the existing external floor area, calculated cumulatively. However, both the adopted SPD and paragraph 154(d) of the NPPF are clear that replacement buildings must also be within the same use which is not the case here. Where proposals provide for a material change of use of the site policy GB1(d) requires that "the works or use proposed would have no material effect on the openness of the Green Belt or the fulfilment of its purposes".

4.1.9 The existing building is a bungalow that has an external floor area of approximately 87 square metres with no living accommodation at first floor. The site also has 2 no small outbuildings located in close proximity to the dwelling, with open surrounding land to the side and rear elevations. The proposals propose a replacement building with a floor area of 427.7 square metres (341.35 square metres at ground floor and 86.35 square metres at first floor) with 2 no larger replacement outbuildings. The main replacement building results in an increase of around 390% above the existing structure and would therefore have a material effect on the Green Belt conflicting with Core Strategy Policy GB1(d).

Impact on the openness of the Green Belt.

4.1.10 The NPPG provides guidance on factors taken into account when considering the potential impact of development on the openness of the Green Belt. These include, but are not limited to:

- *openness is capable of having both spatial and visual aspects - in other words, the visual impact of the proposal may be relevant, as could its volume;*
- *the duration of the development, and its remediability - taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
- *the degree of activity likely to be generated, such as traffic generation.*

4.1.11 The building is located within an established ribbon/cluster of development fronting Springhill Lane. The proposed replacement building and outbuildings represent a material increase in the built-up area of the site in terms of both floor area and the scale and massing of the building. The siting of the proposed buildings increases the sprawl of the built-up area within the site, extending closer towards both side boundaries. That said, the site is located within an established residential area and is enclosed by built development on all sides. Dwellings on this side of Springhill Lane are generally large buildings, set within spacious plots, one of which being the

existing care home to the east of the site. As such, the proposals would reinforce the existing pattern of development and would have a limited impact on the visual openness of the Green Belt due its setting within the existing ribbon and with existing dwellings to the rear. The proposed use is unlikely to result in a noticeable increase in activity to that of the extant planning approval for a large family dwelling.

4.1.12 Notwithstanding this, the proposals would result in a degree of reduction to the openness by way of the additional built form within the curtilage which is detrimental to the purposes of including land in the Green Belt, contrary to policy GB(d) of the adopted core strategy. For the reasons above, it is considered that the level of harm to the openness of the Green Belt would be limited.

Very Special Circumstances.

4.1.13 Paragraph 153 of the NPPF states that Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Given that the proposal is inappropriate development in the Green Belt, there would need to be 'Very Special Circumstances' put forward in support of the application to justify approval.

4.1.14 The applicant's case for very special circumstances centres around the existing planning permission for a replacement dwelling that was granted under application reference 23/00221/FUL. This application itself was supported based on a case for very special circumstances that related to the extensions which could lawfully be carried out through a combination of the permitted development fall-back (which has been confirmed with Lawful Development Certificates) for side and rear extensions and a first-floor roof extension (21/01024/LUP, 21/0113/LHSHLD, 21/01298/LUP and 21/01126/BUHOEX). In assessing this application, the planning officer concluded that "the proposed replacement dwelling, and erection of domestic outbuildings is more or less an exact replica of the PD Fallback position but excluding the strategic gaps between the larger householder extensions" attaching significant weight to this material consideration in the granting of the planning permission.

4.1.15 In providing justification for this application, the applicant now contends that the replacement building, and outbuildings are identical in both floor area, scale, massing, design and siting to those recently approved save for a few minor changes to the building's internal layout. The building would therefore have no further harm to the openness of the Green Belt than the existing building approved under application 23/00221/FUL, a matter to which is afforded significant weight.

4.1.16 As it has already been determined that the use pattern associated with the use of the building for C2 use would not be significantly different from the occupation of the site by a large extended family (which given the scale of the replacement dwelling one could reasonably expect occupation on such a scale), the application would result in no material increase in harm to the Green belt than a situation whereby the existing building was replaced under application 23/00221/FUL. If the extant permission were implemented, planning permission could then be sought to change the use of the site to a C2 use that is likely to be policy compliant in relation to Policy GB1C(f) 'changes of use of land'.

4.1.17 However, as the proposals have been found to have an impact on the openness of the Green Belt and significant weight has been afforded to the fallback position achieved under application 23/00221/FUL which in itself was supported on the basis of a permitted development fallback position, the removal of permitted development rights for extensions for the new buildings would be reasonable and necessary as the application involves the trade-off of multiple extensions to the existing house, which together have created the foundation for the case of very special circumstances.

4.1.18 The application would also allow for the provision of specialist housing accommodation of which there is an identified need for throughout the district on a previously developed site in line with policy H5 of the adopted core strategy, with no material impact on visual openness or material increase in activity on site.

4.1.19 For the reasons stated above, it is considered that there are ‘other considerations’ that clearly outweigh the harm to the Green Belt. Very special circumstances have therefore been demonstrated in accordance with NPPF paragraph 153.

4.2. Layout, Design and Appearance

4.2.1 Policy EQ4 of the Core Strategy advises that “the design and location of new development should take account of the characteristics and sensitivity of the landscape and its surroundings, and not have a detrimental effect on the immediate environment and on any important medium and long distance views”. Core Policy 4 similarity seeks to promote high quality design and respect and enhance local character and distinctiveness of the natural and built environment. Policy EQ11 advises that new development should seek to achieve creative and sustainable designs that consider local character and distinctiveness, whilst having regard to matters of use, movement, form and space. Finally, the Council's Design Guide SPD amplifies the principles set out in Policy EQ11 of the Core Strategy.

4.2.2 The NPPF (Section 12) advises that “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”. The document continues to state that “development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design”.

4.2.3 Paragraph 135 of the NPPF also attaches great importance to the design of the built environment, which should contribute positively to making places better for people. As well as understanding and evaluating an area’s defining characteristics, it states that developments should:

- function well and add to the overall quality of the area;
- establish a strong sense of place;
- respond to local character and history, and reflect local surroundings and materials;
- create safe and accessible environments; and
- be visually attractive as a result of good architecture and appropriate landscaping.

4.2.4 The application site is located within a mixed street scene. To the north of Springhill Lane properties are predominately detached dwellings all of a similar scale, period and design with relatively small separation gaps between them. To the south, the dwellings immediately neighbouring the host building all vary considerably in scale, materials and design giving a very varied street scene. The existing building is considerably smaller than most of its surrounding counterparts and does not hold any significant architectural merit so there are no objections in principle to its replacement.

4.2.5 The design proposed mirrors the form and design of the existing approval with a few minor changes to the fenestration to support the revised internal layout. Given the presence of other similar two storey detached buildings within the street scene, the proposals would be in keeping with the scale of the surrounding buildings, with facing brickwork proposed to complement the existing street scene. To this end, a condition could be secured on any approval granted, to ensure the materials are appropriate and in keeping with the surrounding buildings.

4.2.6 Concerns have been expressed about the suitability of the location and appearance of commercialisation of the existing residential area. However, the building immediately adjacent to the site to the east is already a residential care home and the building will retain the same outward appearance as the replacement dwelling already approved on this site. Furthermore, owing to the scale and nature of the use, there will be no significant

material changes in the outward appearance of the site, to the extent where it would appear over-commercialised, or out of keeping with the surrounding uses.

4.2.7 On this basis, it is considered that the proposed development would respect the scale and materials of the surrounding development and would not result in an incongruent feature within the street scene. The proposals are therefore considered acceptable under policy EQ11 of the adopted core strategy.

4.3. Access, Parking & Highway Safety

4.3.1 Paragraph 114 of the NPPF requires that consideration should be given to the opportunities for sustainable transport modes, that safe and suitable access to a development site can be achieved for all people, and that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Paragraph 115 goes on to state that development should only be refused on transport grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development are severe.

4.3.2 Paragraph 109 of the NPPF seeks to ensure that developments which would generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Off Street Car Parking

4.3.3 Appendix 5 of the Core Strategy provides guidance on the Council's off street car parking requirements for new development. For C2 developments the standards require 1 space per 3 beds for staff and patient parking and 1 space per 2 beds for visitor parking. As the proposal provides for a 8 bed C2 facility this would generate a requirement for 7.no parking spaces which the applicant has been able to demonstrate on the submitted block plan (2.no of which are accessible spaces) in addition to the 3.no spaces provided in the detached garage outbuilding.

Highway Impact and Vehicular Access

4.3.4 During the application process concerns have been expressed by both the Parish Council and local residents that the site is located on a rural lane that is unsuitable for larger vehicles, with a minimal width. Expressing concerns around an increase in traffic and lack of sufficient parking within the site. Whilst concerns have been raised about a potential increase in the number of large vehicles using the lane, particularly ambulances the applicant has confirmed that none of the residents would require any day-to-day medical visits or treatment and therefore there would be no regular attendance of such vehicles over and above what would be expected for an ordinary domestic residence of this size. Moreover, the highways officer has raised no concerns with the application subject to the widening of the existing site entrance and the provision of the required visibility splay, which can be secured by condition on any approval granted herewith and the parking provision is considered adequate and in line with the standards required under appendix 5 of the adopted core strategy. On this basis, there are no highways issues arising, as a result of this application.

4.4. Residential Amenity

4.4.1 In accordance with Core Strategy Policy EQ9, all development proposals should take into account the amenity of any nearby residents, particularly with regard to privacy, security, noise and disturbance, pollution, odours and daylight.

4.4.2 Objections have been received from the occupiers of the surrounding residential dwellings on the grounds

of the location of the development and its suitability for this use, the increase in traffic and pollution arising there from, lack of parking provision, the impact on the Green Belt and ecological impacts. These issues have already been addressed elsewhere within this report and as such, will not be considered any further within this section. A number of objections have also been raised from both neighbouring property owners and from the Parish Council on the grounds of a detrimental impact on surrounding residential amenity as a result of increased noise and disturbance, a loss of privacy to neighbouring properties and drainage concerns.

4.4.3 The main potential for noise and disturbance would be at staff change over times and as residents arrive and depart. The former of which will take place 3 no. times per day at 7am, 2pm and 10pm lasting for around 30 minutes. The number of staff on site will vary depending on the care needs of the residents but will not exceed 8 staff members on rare occasions should 1:1 staffing be required for all residents. At staff change over times there will therefore be on average 6 members of staff on site (increasing up to 16 members of staff on rare occasions) for a short period of time. Outside of these periods few additional movements would be generated as residents would not have visitors and would remain within the home for the duration of their stay due to their needs. Noise from vehicle movements would therefore be most noticeable at the staff changeover times. It is considered that due to the number of vehicle trips, and the spacious size of the plot and location of parking spaces, there is unlikely to be any harmful impact on neighbour amenity with regards to noise and disturbance. It is also noted that, if the extant permission for a replacement dwelling were implemented, a large family could create a similar amount of noise and disturbance through daily occupation.

4.4.4 As an average, 6.no of vehicles on site would not be a significant increase over and above that expected with a large dwelling house especially when visitors are taken into account which would not be regulated in an ordinary domestic situation. It is acknowledged that the upper limit of 16 cars could potentially be detrimental to surrounding amenity, if this were on a regular basis, however, this would not be commonplace for the development and would only occur in rare circumstances and therefore, this alone would not warrant the refusal of the application. That said, a condition will be imposed to limit the number of residents on site to a maximum of 8 to ensure that the use of the site does not escalate without due consideration being given to neighbouring amenity impacts.

4.4.5 As discussed, the proposed hours for staff changeovers would be limited to the hours between 7am and 10pm. These hours are not considered to be unsociable or likely to cause undue disturbance to neighbours and no staff change overs are proposed during the night. Notwithstanding the above, a condition could be imposed to ensure that staff change over periods or deliveries would not take place outside of the specified hours to protect surrounding residential amenity.

4.4.6 To consider the impacts of the proposed building itself, there are sufficient separation distances from all surrounding neighbouring dwellings to ensure there will be no undue loss of light, overbearing, overshadowing, overlooking, loss of privacy or loss of outlook as a result of the replacement buildings. Furthermore, the proposal does not infringe the council's normal space about dwellings standards as outlined in appendix 6 of the adopted core strategy.

4.4.7 Finally, concerns have been expressed around the drainage proposed for the site, given the existing issues within Springhill Lane. Whilst the foul drainage mechanism is unknown at this stage, the installation of any such system like a septic tank will be covered by building regulations with mechanisms in place to ensure the installation and capacity of such is sufficient to support the development and prevent any detrimental impacts arising there from. Furthermore, the site is located within flood zone 1 and given the scale of the development it is likely to have a minimal impact on the local drainage network.

4.4.8 In addition to the above, the council's Environmental Health team have been consulted and have not expressed any concerns with the proposals subject to conditions to protect neighbouring amenity during construction, limit any potential for light nuisance and to ensure adequate drainage is in place. As such, the

proposals are considered acceptable under policy EQ9 and appendix 6 of the adopted core strategy subject to the inclusion of the above mentioned conditions.

4.5. Ecology & Biodiversity

Protected Species and Biodiversity

4.5.1 The Wildlife and Countryside Act (as amended) 1981 covers the protection of a wide range of protected species and habitats and provides the legislative framework for the designation of Sites of Special Scientific Interest (SSSIs). The Conservation (Natural Habitats, &c.) Regulations 1994 implement two pieces of European law and provide for the designation and protection of ‘Special Protection Areas’ (SPAs) and ‘Special Areas of Conservation’ (SACs), together with the designation of ‘European Protected Species’, which include bats and great crested newts. The Countryside and Rights of Way (CROW) Act 2000 compels all government departments to have regard for biodiversity when carrying out their functions. Finally, The Protection of Badgers Act 1992 consolidated existing legislation on the protection of badgers. This legislation is intended to prevent the persecution of badgers. The act protects both individual badgers and their setts. Policy EQ1 states that permission will be granted for development which will not cause harm to sites and/or habitats of nature conservation or species which are under threat.

4.5.2 To comply with the guidance contained within Paragraphs 9, 180 and 186 of the NPPF and the Council’s biodiversity duty as defined under section 40 of the NERC Act 2006, new development must demonstrate that it will not result in the loss of any biodiversity value of the site.

4.5.3 Due to the Local Planning Authorities obligation to “reflect and where appropriate promote relevant internal obligations and statutory requirements” (Paragraph 2 of NPPF) and the requirement, under paragraph 174 of the NPPF, for planning decisions to minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures (along with emerging advice within the Draft Environment (Principles and Governance) Bill 2018); the applicant must display a net gain to biodiversity value, through development, as per the requirements of the EU Biodiversity Strategy 2020. Furthermore, Paragraph 180 of the NPPF, requires that “opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity”.

4.5.4 A baseline ecology and bat and bird surveys have been submitted as part of the application which proposes precautionary mitigation measures should the works proceed to limit any potential impacts. The ecologist has raised no objections to the proposal subject to conditions being added to any approval for bat and bird boxes, lighting specifications and to allow for gaps in any boundary treatments to allow hedgehogs to traverse the site. In view of the above and subject to the inclusion of the conditions detailed above, there are no objections under policy EQ1 of the adopted core strategy.

4.6. Arboriculture

4.6.1 Paragraph 186 of the NPPF advises that permission should be refused for development resulting in the loss of aged or veteran trees, unless the benefits of the development outweigh the harm. Strategic Objective 3 and 4 seek to protect, conserve and enhance the District’s natural environment, whilst Policy EQ4 states that “The intrinsic rural character and local distinctiveness of the South Staffordshire landscape should be maintained and where possible enhanced. Trees, veteran trees, woodland, ancient woodland and hedgerows should be protected from damage and retained, unless it can be demonstrated that removal is necessary and appropriate mitigation can be achieved”.

4.6.2 The proposal would include the removal of seven Category C trees which are defined as being of low

quality. However, a landscape scheme can be secured by condition to ensure sufficient replacement planting occurs on site. No objections have been raised by the council's Arboricultural Officer and as such there is no conflict with policies EQ4 and EQ12 of the adopted core strategy.

4.7. Other Issues

4.7.1 The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 requires Local Planning Authorities to agree with the applicant, the text of any pre-commencement conditions, prior to the determination of any application. To that end, the pre-commencement conditions have been agreed in discussion with the applicants' agent.

4.8. Human Rights

4.8.1 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.

5. CONCLUSIONS

5.1 The NPPF states that there are three dimensions to sustainable development, namely economic, social and environmental and that these should be considered collectively and weighed in the balance when assessing the application.

5.2 Whilst the proposals would result in a change of use of the land that has been found to have a material impact on openness, the very special circumstances advanced clearly outweigh the limited harm the proposal will cause to the openness of the Green Belt, delivering a specialist housing need within the district. It is not considered that the proposals would cause harm to either visual or residential amenity. There would be no material harm to neighbouring amenity and there would be no adverse effect on the street scene. The development also raises no material concerns in relation to parking or highway safety. The proposal is therefore considered compliant with both national and local planning policy and associated guidance.

RECOMMENDATION - APPROVE Subject to Conditions

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. 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.

CONDITIONS to be complied with PRIOR to the commencement of development hereby approved:

3. No development shall take place until the existing trees, shrubs and hedges on the site have been protected by fencing constructed in accordance with BS 5837:2012 (trees in relation to design, demolition and construction - recommendations) and as detailed within the submitted Arboricultural Impact Assessment (August 2022) unless agreed in writing by the Local Planning Authority. The fencing shall be retained throughout the development of the site in the approved positions.

4. Prior to the commencement of development (excluding demolition) details of 2.4m X 43.0m visibility splays for the site's vehicular access shall be submitted to and approved in writing by the Local Planning Authority. The approved visibility splays shall be provided prior to the first use of the development hereby approved and thereafter kept free of all obstructions to visibility, over a height of 600mm, above the adjacent carriageway level, for the life of the development.
5. No works above damp-proof level shall take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
6. Prior to the commencement of development above slab level, full details shall be submitted to and approved in writing by the Local Planning authority of a bat and bird box scheme including the details of integrated bat and bird boxes on the care home building. The scheme must include a minimum of 2no. integrated bat boxes and 2no. integrated bird boxes and must detail locations, models, number and aspect of species-specific measures including any ongoing maintenance requirements.

The agreed scheme will be installed in full prior to the first use of the care home and shall thereafter be retained for the life of the development.

7. Within one month of works commencing on site a scheme for the provision and implementation of foul drainage and surface water drainage works shall be submitted for the approval of the Local Planning Authority. The development shall not be occupied/brought into use until the approved scheme has been completed.

CONDITIONS to be complied with PRIOR to the first occupation:

8. Prior to the first occupation of the development hereby approved details of all boundary treatment around and within the site shall be submitted to the Local Planning Authority for approval. The approved boundary treatment shall be built/erected prior to the first occupation of the site and shall thereafter be retained in the approved form and position throughout the life of the development. 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 garden space is accessible for hedgehog.
9. Before the development hereby approved is occupied/brought into use, all the buildings shown to be demolished/removed shall be demolished and the materials arising therefrom permanently removed from the site.
10. 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 to a minimum width of 4.2m and completed in accordance with the approved plans and retained throughout the life of the development.
11. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans, and shall thereafter be retained for the life of the development.

All other CONDITIONS to be complied with:

12. The following shall be adhered to in order to safeguard nearby residences from undue disturbance during development:
- a) 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 1.00pm Saturdays and not at all on Sundays or Bank holidays.
 - b) Deliveries to the site shall only take place between the hours of 8.00am and 6.00pm Monday to Friday; 8.00am to 1.00pm Saturdays and not at all on Sundays or Bank holidays.
 - c) Vehicles should not leave engines idling at any time.
 - d) There should be no burning on site.
 - e) All demolition materials shall be removed from site and properly disposed of.
 - f) Facilities, to be agreed with the local authority, shall be available for use, when necessary, for damping down to prevent excessive dust beyond the site boundary.
 - g) Road sweeping shall be carried out at regular intervals, both on the site and on the access highway to prevent excessive dust.
 - h) Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of occupied residential dwellings.
 - i) Screening, to be agreed with the local authority, shall be provided as necessary to protect sensitive receptors from exposure to excessive noise.
 - j) Consideration must be given to the location of noisy activities and noise generating equipment to protect noise sensitive receptors.
13. Within 1 month of any development commencing on the site a landscape scheme shall be submitted to the Local Planning Authority for approval. The approved scheme shall be implemented concurrently with the development and completed within 12 months of the completion of the development. The Local Planning Authority shall be notified when the scheme has been completed. Any failures shall be replaced within the next available planting season and the scheme shall be maintained to the satisfaction of the Local Planning Authority. The planting shall be retained and maintained for a minimum period of 10 years by the property owner from the notified completion date of the scheme. Any plant failures that occur during the first 5 years of the notified completion date of the scheme shall be replaced with the same species within the next available planting season (after failure).
14. Any external lighting at the site must comply fully with the specifications detailed below:
- All luminaires should lack UV elements when manufactured. Metal halide, compact fluorescent sources should not be used.
 - LED luminaires should be used due to their sharp cut-off, lower intensity, good colour rendition and dimming capability.
 - A warm white light source (2700Kelvin or lower) should be adopted to reduce blue light component.
 - Column heights should be carefully considered to minimise light spill and glare visibility. This

should be balanced with the potential for increased numbers of columns and upward light reflectance as with bollards.

- Only luminaires with a negligible or zero Upward Light Ratio, and with good optical control, should be considered - See ILP GN01
- Luminaires should always be mounted horizontally, with no light output above 90° and/or no upward tilt.

Any external lighting to areas such as car parks, pathways, land, buildings, internal communal areas and stairways should also be of a design and positioned not to cause a light nuisance to any neighbouring properties. Glare from any lighting must be kept to a minimum. Reference should be made to the extant Government Guidelines www.gov.uk/guidance/light-pollution

All external lighting shall be installed in accordance with the above specifications and shall be maintained thereafter, for the life of the development, in accordance with the specifications.

15. The garage indicated on the approved plan shall be retained for the parking of motor vehicles and cycles. It shall at no time be converted to living accommodation without the express permission of the Local Planning Authority.
16. The store room outbuilding hereby approved shall be used only for storage purposes ancillary to, and in connection with, the use of the site as a respite care home.
17. The change of use hereby approved shall be for a care home for young adults (aged 18-65) for respite care (Use Class C2) only and no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or any other subsequent equivalent order.
18. Staff changeover periods and deliveries shall only take place between the hours of 07.00am to 10.00pm at any time.
19. There shall be a maximum of 8 residents on site at any time.
20. The premises shall retain the appearance of a private dwelling and no signs (other than one business or trade plate complying with the requirements of Class 2B of the Town and Country Planning (Control of Advertisement) (England) Regulations 2007 shall be displayed without the express consent of the Local Planning Authority.
21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any other subsequent equivalent order, no development within the following classes of development shall be carried out to the dwelling, the subject of this approval, without the prior approval of the Local Planning Authority:
 - a. Schedule 2, Part 1, Class A - enlargement, improvement or other alteration
 - b. Schedule 2, Part 1, Class B - addition or alteration to the roof
 - c. Schedule 2, Part 1, Class C - any other alteration to the roof
 - e. Schedule 2 Class AA - enlargement of a dwellinghouse by construction of additional storeys
 - f. Class AC - new dwellinghouses on terrace buildings in use as dwellinghouses
 - g. Class AD - new dwellinghouses on detached buildings in use as dwellinghouses.

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. In order to define the permission and to avoid doubt.
3. To protect the existing trees on the site during construction work in accordance with policy EQ12 of the adopted Core Strategy and the National Planning Policy Framework.
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 and the National Planning Policy Framework.
5. To safeguard the visual amenity of the area and the existing building in particular in accordance with policy EQ11 of the adopted Core Strategy and the National Planning Policy Framework.
6. 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.
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 safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy and to prevent harm to species of principal importance in accordance with Policy EQ1 of the adopted Core Strategy, the biodiversity duty within the Natural Environment and Rural Communities Act 2006 (as amended) and the National Planning Policy Framework.
9. To control the use of permitted development rights that could undermine the decision and conflict with Policy GB1 of the adopted Core Strategy and the National Planning Policy Framework.
10. In the interests of public and highway safety and convenience and to conform to the requirements of policy EQ11 of the adopted Core Strategy and the National Planning Policy Framework.
11. In the interests of public and highway safety and convenience and to conform to the requirements of policy EQ11 of the adopted Core Strategy and the National Planning Policy Framework.
12. 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.
13. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy and the National Planning Policy Framework.
14. To prevent harm to protected species in accordance with Policy EQ1 of the adopted Core Strategy and the National Planning Policy Framework.
15. In the interests of public and highway safety and convenience and to conform to the requirements of policy EQ11 of the adopted Core Strategy and the National Planning Policy Framework.
16. 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.

17. 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 and the National Planning Policy Framework.
18. 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 and the National Planning Policy Framework.
19. 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 and the National Planning Policy Framework.
20. 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 and the National Planning Policy Framework.
21. The site is within the Green Belt within which, in accordance with the planning policies in the adopted Core Strategy, there is a presumption against inappropriate development.

Proactive Statement - In dealing with the planning application the Local Planning Authority has worked in a positive and proactive manner by agreeing amendments to the application and in accordance with paragraph 38 of the National Planning Policy Framework 2023.

Highways informative: The existing dropped crossing to the site shall be reconstructed to a minimum width of 4.2m. Please note that prior to the access being reconstructed, you require a Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link 'vehicle dropped crossings' which includes a 'vehicle dropped crossing pack' and an application Form.
<http://www.staffordshire.gov.uk/transport/staffshighways/licences>.

Ecology Informative: 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.

Development Low Risk Area Standing Advice - The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

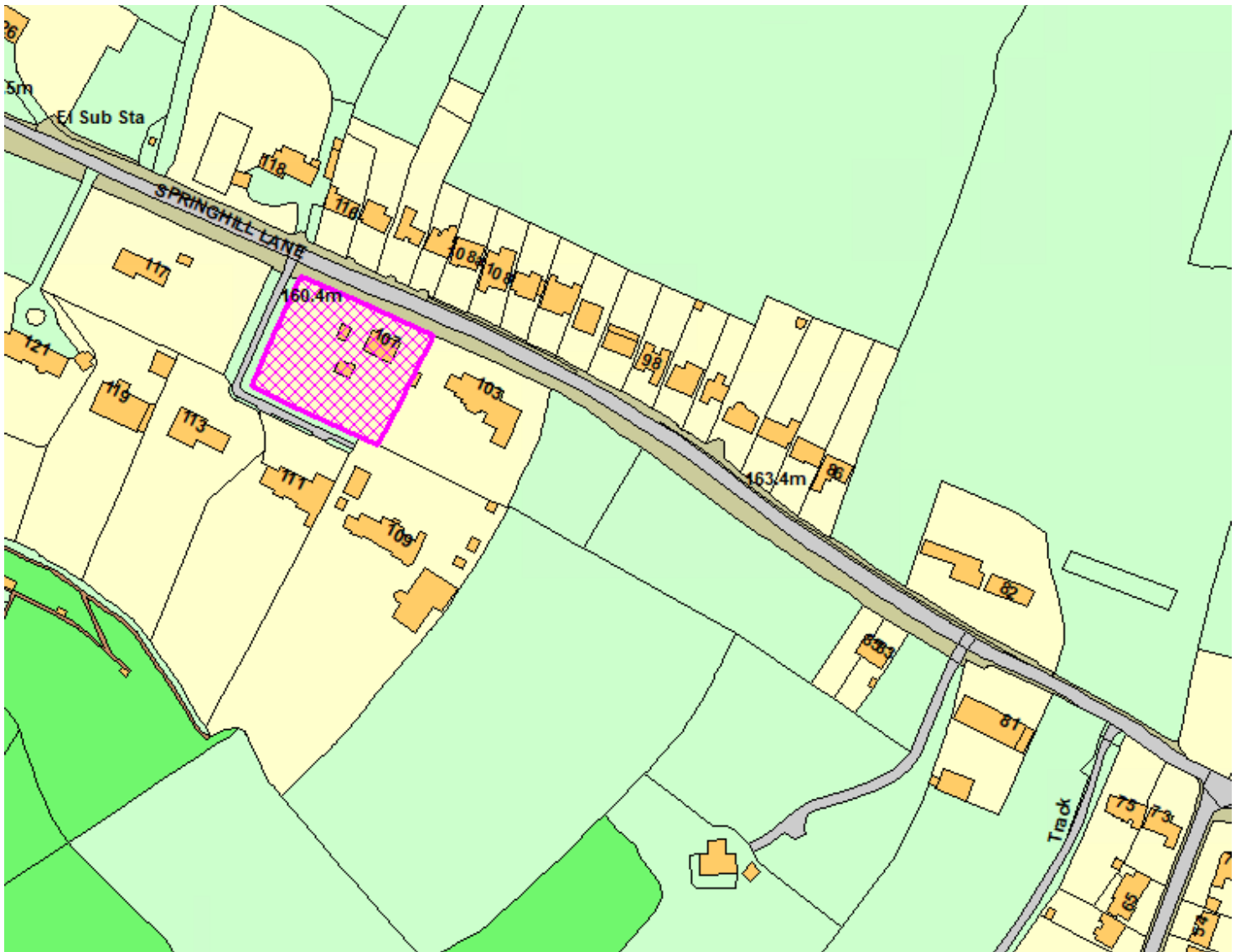
Informative: The applicant's attention is drawn to The Town and County Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2017, which requires that any written request for compliance of a planning condition(s) shall be accompanied by a fee of £34 for a householder application or £116 for any other application including reserved matters. Although the Council will endeavour to deal with such applications in a timely manner, it should be

noted that legislation allows a period of up to 8 weeks for the Local Planning Authority to discharge conditions and therefore this timescale should be borne in mind when programming development.

Plans on which this Assessment is based:

Plan Type	Reference	Version	Received
Proposed Plans and Elevations	527-3200	A	14 February 2024
Location Plan	527-3000		1 December 2023
Arboricultural Survey			5 January 2024
Proposed Site Plan	527-3100	D	8 May 2024
Proposed Plans and Elevations	527-3250	C	8 May 2024

Report prepared and recommendation made by: Rebecca Potter



107 Springhill Lane Lower Penn WOLVERHAMPTON WV4 4TW

SOUTH STAFFORDSHIRE COUNCIL

PLANNING COMMITTEE – 18th June 2024

Planning Performance report

REPORT OF THE DEVELOPMENT MANAGEMENT TEAM MANAGER

PART A – SUMMARY REPORT

1. SUMMARY OF PROPOSALS

1.1 This report has been updated to be reflective of the current and most relevant issues.

1.2 A monthly report to ensure that the Committee is kept informed on key matters including:

1.3 Monthly Updates on:

- Procedural updates/changes
- Proposed member training
- Monthly application update
- Update on matters relating to Department for Levelling Up, Housing and Communities (DLUHC)
- Any recent Planning Appeal Decisions

1.4 Quarterly Updates on:

- The latest data produced by the Department for Levelling Up, Housing and Communities (DLUHC)

2. RECOMMENDATION

2.1 That Committee notes the content of the update report.

3. SUMMARY IMPACT ASSESSMENT

POLICY/COMMUNITY IMPACT	Do these proposals contribute to specific Council Plan objectives?	
	Yes	
	Has an Equality Impact Assessment (EqIA) been completed?	
	No	
SCRUTINY POWERS APPLICABLE	Report to Planning Committee	
KEY DECISION	No	

TARGET COMPLETION/ DELIVERY DATE	30 th May 2024	
FINANCIAL IMPACT	No	There are no direct financial implications arising from this report.
LEGAL ISSUES	No	Any legal issues are covered in the report.
OTHER IMPACTS, RISKS & OPPORTUNITIES	No	No other significant impacts, risks or opportunities have been identified.
IMPACT ON SPECIFIC WARDS	No	District-wide application.

PART B ADDITIONAL INFORMATION

Monthly Updates

4. Procedure updates/changes

4.1 We have successfully recruited to the new post, temporary 2-year, Digital Improvement Officer funded by the DLUHC grant. It is hoped the person will be in post from the end of July.

4.2 We are currently advertising for a full-time permanent Senior Planning Officer in Development Management. This is a replacement post following resignation of the current post holder.

5. Training Update

5.1 The schedule of both mandatory and optional training has now been completed. It is the intention to undertake training for members on bespoke topics going forward before alternate planning committees (5-6pm) in the Council chamber.

5.2 The following training session has now been scheduled:

- August 20th 2024 Planning Conditions – Delivered by Helen Benbow and Pardip Sharma.

5.3 Any area of planning and/or topics members would like guidance on then do let the author of this report know.

6. Monthly Planning Statistics

April 2024	Decided	In Time	%	With agreed EoT or PPA
Major	1	1	100%	1
Minor	15	15	100%	12
Householder	36	35	97.2%	17
Other	12	12	100%	8

7. Update on matters relating to Department for Levelling Up, Housing and Communities (DLUHC)

7.1 A Written Ministerial Statement was issued on the 15th May 2024 with regards to Solar and Protecting our Food Security and Best and Most Versatile (BMV) Land. This was circulated to members on the 30th May 2024 for consideration.

8. Appeals

8.1 This section provides a summary of appeals decision received since the last report. Appeal decision letters are contained within the relevant appendix.

8.2 **Planning Reference:** 23/00766/FUL

Site Address: New Pastures, Husphins Lane, Codsall Wood, Staffordshire WV8 1RN

Date of Inspectors Decision: 07 May 2024

Decision: Dismissed (Appendix 1)

The development proposed is an equestrian storage shed excluding horses.

The main issues were:

- whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies, including considering the effect of the proposal on the openness of the Green Belt and its purposes; and
- if the proposal is found to be inappropriate development, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the 'very special circumstances' required to justify the proposal.

The inspector noted that the development was inappropriate in the Green Belt given the resultant loss of spacial openness. It was determined that no very special circumstances exist to outweigh this harm.

8.3 **Planning Reference:** 23/00228/FUL.

Site Address: Moorland House, Pattingham Road, Perton, Staffordshire WV6 7HD

Date of Inspectors Decision: 07 May 2024

Decision: Dismissed (Appendix 2)

The development proposed is demolition of existing dwelling and replacement with new 4 bedroom detached dwelling.

The main issues were:

- whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
- the effect of the proposal on the openness of the Green Belt;
- the effect of the proposal on the character and appearance of the area; and
- if the proposal would be inappropriate development, whether any harm by reason of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the 'very special circumstances' required to justify the proposal.

The inspector dismissed the appeal on the basis that the development was inappropriate development in the Green Belt as a result of the scale and mass of the dwelling proposed. Further, due to dominance of the proposed dwelling, inappropriate boundary treatment and the scale of the development the proposal was considered to result in unacceptable harm to the character and appearance of the area. It was determined that no very special circumstances exist to outweigh this harm.

8.4 Planning Reference: 23/00213 FUL

Site Address: 69 Chapel Lane, Codsall, South Staffordshire WV8 2EJ

Date of Inspectors Decision: 7th May 2024

Decision: Allowed (Appendix 3)

The development proposed is the redevelopment of existing dormer bungalow to form replacement dwelling

The main issue was:

- The main issue is the effect of the development on the character and appearance of the street scene.

The inspector considered that as the dwellings varied widely with regards to style, size and age within the street scene that the proposed replacement dwelling would not be detrimental to the character and appearance of the area.

8.5 Planning Reference: 23/00630/HH

Site Address: Granary Cottage, Dark Lane, Cross Green, Wolverhampton WV10 7PN

Date of Inspectors Decision: 7th May 2024

Decision: Allowed (Appendix 4)

The development proposed is extension to provide ground floor lounge and relocated kitchen.

The main issues were:

- whether the proposal is inappropriate development within the Green Belt for the purposes of planning policy set out in the Framework and the development plan;
- the effect on the openness of the Green Belt; and
- if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

The inspector considered the proposed extension to be appropriate development in the Green Belt despite its scale and mass, a matter of concern for officers. The inspector did not consider the extension to be a disproportionate addition over and above the size of the original building.

8.6 Planning Reference: 23/00414/FUL

Site Address: Land between Standeford Cottage & Holly Cottage, School Lane, Coven, Wolverhampton WV9 5AN

Date of Inspectors Decision: 07 May 2024

Decision: Allowed (Appendix 5)

The development proposed is erection of 1no. new dwelling with associated works.

The main issues were:

- Whether the proposal is inappropriate development in the Green Belt with reference to the National Planning Policy Framework (the Framework) and any relevant development plan policies.
- Whether the site is suitable in relation to the development strategy.
- The effect of the development on the character and appearance of the area.
- Whether the site is suitable in respect of flood risk.

The inspector found that the proposed site was indeed located within a village, despite the location away from the centre of Coven, and as such not inappropriate development in the Green Belt. Further, the inspector did not agree that this was an unsustainable location due to the presence of the public house opposite. The flood risk matters were addressed as part of the appeal and there was found to be no detrimental impact on the character of the area.

8.7 Planning Reference: 23/00723/FUL

Site Address: Finnley Barns, Church Road, Swindon, Staffordshire DY3 4PG

Date of Inspectors Decision: 10 May 2024

Decision: Allowed (Appendix 6)

The development proposed is the erection of an agricultural building for storage of conserved forage crops and machinery.

The main issues were:

- Whether the proposal is inappropriate development in the Green Belt with reference to the National Planning Policy Framework (the Framework) and any relevant development plan policies.
- whether any harm by reason of inappropriateness would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

The inspector found that, despite what officers considered to be theoretical proposals for agricultural use of the land, that the evidence was sufficient to ensure the land would be used for the purposes of agriculture. The inspector did not raise concerns either with the scale of the proposed building. As such the proposed development was not considered inappropriate development in the Green Belt.

8.8 Planning Reference: 22/00475/FUL

Site Address: Hawkshutt Farm, Watling Street, Ivetsy Bank ST19 9QU

Date of Inspectors Decision: 21 May 2024

Decision: Dismissed (Appendix 7)

The development proposed is the change of use from agricultural unit to a single 4 bed dwelling house.

The main issue was:

- The main issue is whether the location of the appeal site is suitable for a new dwelling.

The inspector dismissed the appeal noting that the appeal site was unsustainably located as outlined in Core Policy 1. The application site is outside any settlements and would result in reliance of private motor vehicles by future occupiers.

8.9 Planning Reference: 22/01074/FUL

Site Address: Coppice Farm, Cannock Road, Bednall, Staffordshire ST19 5RP

Date of Inspectors Decision: 22 May 2024

Decision: Dismissed (Appendix 8)

The development proposed is the erection of a permanent rural workers dwelling (related to equestrian business) and associated works for the creation of parking.

The main issues were:

- the effect of the proposed development on the openness of the Green Belt;
- the effect of the proposed development on the integrity of the Cannock Chase SAC; and

- whether the harm by reason of inappropriateness and any other harm would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

The inspector found the development to be inappropriate development in the Green Belt. The very special circumstances case related to the need for persons to be onsite throughout the night in relation to the agricultural business. However, the inspector noted that it had not been adequately demonstrated that the need for two workers to live on the site was fully warranted.

8.10 Planning Reference: 22/01048/OUT

Site Address: Sweet Turf Boarding Kennels, Slab Lane, little onn Gorse, Staffordshire ST19 5QL

Date of Inspectors Decision: 22 May 2024

Decision: Dismissed (Appendix 9)

The development proposed is the demolition of existing kennel building and change of use and replace with domestic residence.

The main issue was:

- The main issue is whether the appeal site is suitable for a new dwelling.

The inspector dismissed the appeal noting that the appeal site was unsustainably located as outlined in Core Policy 1. The application site is outside any settlements and would result in reliance of private motor vehicles by future occupiers.

9. Quarterly Updates

9.1 Planning Statistics from DLUHC

Description	Target	Q1	Q2	Q3	Q4	Cumulative
23 Major	60%	100%	100%	100%	100%	100%
22 Major		75%	100%	100%	89%	91%
21 Major		100%	100%	100%	85%	93%
23 Minor	70%	92%	89%	94%	85%	90%
22 Minor		89%	90%	86%	100%	91%
21 Minor		82%	84%	81%	89%	84%
23 Other	70%	93%	93%	93%	96%	94%
22 Other		93%	96%	96%	96%	95%
21 Other		88%	87%	83%	87%	86%

Stats for the rolling 24 month to December 2023

Total (overall) -	93%
Major -	95%
Minor -	91%
Other -	94%

This category includes Adverts/Change of Use/Householder/Listed Buildings.

Position in National Performance Tables (24 months to December 2023)

Majors	100 th from 329 authorities
Non-Major	83 th from 329 authorities

Report prepared by:

Helen Benbow

Development Management Team Manager



Appeal Decision

Site visit made on 2 April 2024

by **N Bromley BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 May 2024

Appeal Ref: APP/C3430/W/23/3333702

New Pastures, Husphins Lane, Codsall Wood, Staffordshire WV8 1RN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr David Jones against the decision of South Staffordshire District Council.
 - The application Ref is 23/00766/FUL.
 - The development proposed is an equestrian storage shed excluding horses.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies, including considering the effect of the proposal on the openness of the Green Belt and its purposes; and
 - if the proposal is found to be inappropriate development, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the 'very special circumstances' required to justify the proposal.

Reasons

Whether inappropriate development

3. The appeal site represents a grassed area of land, accessed off Husphins Lane, within the Green Belt and open countryside. The surrounding area has a prevailing rural character with open fields, agricultural and equine buildings, as well as sporadic residential dwellings.
4. The proposed development is for a new timber building which would be used for the storage of equestrian equipment and feed for the horses that are kept on the land.
5. The Framework establishes that new buildings in the Green Belt are inappropriate other than for specified exceptions that are set out in paragraph 154. One such exception, 154(b), is the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with

the purposes of including land within it. Policy GB1 of the South Staffordshire Council's Core Strategy Development Plan Document December 2012 (CS) is broadly consistent with the Framework in this regard.

6. The provision of a new building in association with the equestrian use of the land would provide appropriate facilities for outdoor sport and recreation and in connection with the existing use of the land.
7. Openness has visual as well as spatial aspects. The proposal would introduce a new standalone building within the field. The land is currently free from built development and the proposed building would be a generous size for its intended purposes. Therefore, the proposal would introduce new built form and massing on to the land, which would result in a loss of spatial openness to the Green Belt. The tall hedgerows on the front boundary would restrict views of the proposal along the lane, particularly during the summer months. However, there would be some glimpses above the hedgerow and through the gaps in it. Therefore, there would be some minor harm to the visual openness of the Green Belt.
8. One of the five purposes of the Green Belt identified by paragraph 143 of the Framework is relevant to the proposal, which is to assist in safeguarding the countryside from encroachment. The proposed development would encroach on to land which is currently open. As a result, the proposed development conflicts with this Green Belt purpose.
9. For the reasons given above, I conclude that the proposal would be inappropriate development in the Green Belt and would harm the openness of the Green Belt and the purposes it serves.

Other considerations

10. My attention has been drawn to previous planning permissions on the adjoining land for a new dwelling (Ref 22/00904/OUT and 23/00499/REM). The parties have highlighted and provided a copy of a completed Section 106 Obligation (S106), dated 19 April 2023. The S106 requires the removal of a number of equestrian buildings, as part of the planning permission. The evidence suggests that this also includes an extant and partially implemented horticultural retail building.
11. The existing buildings and the horticultural retail building have already been relinquished as part of the permissions and would need to be removed. In addition, while the appeal site currently forms part of the wider use of the land for equestrian purposes, once the dwelling is complete, the appeal site would become a separate parcel of land. Consequently, any excess volume attributed to the horticultural retail building cannot now be used to justify the proposed building. I give this argument little weight in my decision.
12. Likewise, and for similar reasons, a condition to restrict the implementation of the proposed building until the existing domestic and equestrian storage shed has been removed under 22/00904/OUT and 23/00499/REM, would not overcome my concerns.
13. The proposed building would be a standalone building and once the existing equestrian buildings on the neighbouring land are removed, it would be seen within the context of residential dwellings, as opposed to other equestrian buildings. It would not, therefore, enhance the rural setting of the site and

would have a neutral effect on the character and appearance of the area. This therefore weighs neutrally in the planning balance.

Other Matter

14. A previous appeal decision (Ref APP/T0355/C/18/3205490) has been brought to my attention, to demonstrate that previous Inspectors have accepted that equestrian buildings can preserve the openness of the Green Belt. I do not disagree with this point of principle, but on the facts of the case, the appeal proposal would not preserve the openness of the Green Belt.

Green Belt Balance

15. The proposal would be inappropriate development in the Green Belt and would cause harm to the openness of the Green Belt and the purposes it serves. In accordance with the Framework, I attach substantial weight to this harm. I afford the other considerations in this case limited weight in favour of the development. As such, they would not, in their totality, clearly outweigh the harm to the Green Belt that I have identified. Accordingly, 'very special circumstances' do not exist. The development would thus conflict with the Green Belt protection aims of the Framework and policy GB1 of the CS.

Conclusion

16. The appeal scheme conflicts with the development plan taken as a whole and material considerations do not indicate that the decision should be made other than in accordance with the development plan.

17. For the above reasons, the appeal is dismissed.

N Bromley

INSPECTOR



Appeal Decision

Site visit made on 2 April 2024

by **N Bromley BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 May 2024

Appeal Ref: APP/C3430/W/23/3328166

Moorland House, Pattingham Road, Perton, Staffordshire WV6 7HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr G Costigan against the decision of South Staffordshire District Council.
 - The application Ref is 23/00228/FUL.
 - The development proposed is demolition of existing dwelling and replacement with new 4 bedroom detached dwelling.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Government published a revised National Planning Policy Framework (the Framework) on 19 December 2023 and updated on 20 December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach. I have referred to the updated Framework accordingly.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the area; and
 - if the proposal would be inappropriate development, whether any harm by reason of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the 'very special circumstances' required to justify the proposal.

Reasons

Whether inappropriate development

4. The appeal site comprises Moorland House and its grounds. It is a detached, two storey dwelling within a ribbon development of detached dwellings along the southern side of Pattingham Road. The dwelling occupies a generous plot,

set back from the road and with a large rear garden. The site is in the Green Belt and within the open countryside.

5. The proposal would result in the replacement of the existing dwelling with a new two storey dwelling. The existing dwelling is in-between two existing dwellings and represents a small gap within a built-up frontage forming a strong ribbon of development.
6. The Framework establishes that new buildings in the Green Belt are inappropriate other than for specified exceptions that are set out in paragraph 154. The only relevant exception to the proposal, 154(d), is the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
7. In this regard, the evidence indicates that the existing dwelling has a floor area of approximately 263 square metres (sqm). The floor area of the proposed dwelling would be 529sqm. The floor area of the proposed development is therefore 101% larger than the existing building. This would represent a substantial increase in floor area. Therefore, it would significantly exceed the 10-20% set out in the Council's Green Belt and Open Countryside Supplementary Planning Document. Additionally, the volume of the proposed dwelling would also be notably bigger than that of the existing dwelling.
8. Consequently, the proposal does not comply with this exception, and it would be inappropriate development in the Green Belt, as set out in the Framework and Policy GB1 of the South Staffordshire Council's Core Strategy Development Plan Document December 2012 (CS), which broadly conforms with the Framework and identifies similar exceptions.

Openness

9. While the proposed replacement dwelling would be positioned in the same part of the site as the existing building, the bulk and mass of the proposed building would be noticeably greater. This would increase its prominence making it more visually intrusive. This would be a significant negative change in terms of the existing spatial and visual openness of the Green Belt.

Character and appearance

10. The existing dwelling has a simple and modest appearance, with single storey elements to either side of the main two storey dwelling, which reduce its overall bulk and mass. The dwelling is also set away from each side boundary and this helps the building to sit comfortably within the plot.
11. The two neighbouring properties beyond each side boundary also have a modest and simple appearance. In particular, the property known as Malvern View, appears as a single storey building, when viewed from the road. The property to the other side is set back further into the site and is largely screened by mature trees on its front and side boundaries. Therefore, this neighbouring dwelling is not overly prominent from the road. The two neighbouring properties are also set away from the side boundaries and this ensures that this part of the landscape has a spacious appearance.
12. By contrast, the proposed dwelling, with its large width, greater footprint and two storey height, would dominate the site and be significantly larger than the existing dwelling and neighbouring buildings. It would therefore dwarf the

- surrounding buildings and represent an overly dominant development that would not be in keeping with the appearance of existing buildings and the spacious and verdant character of plots within this part of Pattingham Road.
13. Furthermore, the elaborate design and rendered walls would exacerbate the visual dominance of the proposed dwelling, due to the contrasting appearance compared to the existing buildings in the immediate locality. Therefore, the proposed dwelling would be an imposing and incongruous building within the landscape.
 14. In addition, the height, position and stark appearance of the proposed walls and gates on the front boundary would also be harmful within the landscape, while also emphasising the scale of the proposed development. The walls and gates would have a prominent and blunt appearance compared to the existing front boundary treatments of the two neighbouring properties, which have a prominence of trees and hedgerows.
 15. The existing dwellings along Pattingham Road are of a varying size, form, architectural design, and appearance. There are examples of substantial dwellings along Pattingham Road, many of which have a commanding architectural presence along the road frontage, including large gates. I accept that these are likely to have been replacement dwellings. However, these sizeable dwellings are located further down the road, whereby the characteristics of the landscape and grouping of dwellings are different when compared to the appeal site. As such, having considered the design and scale of this proposal, and its effect on the character and appearance of the immediate locality, for the reasons given, I consider that there would be unacceptable harm.
 16. Additionally, while I acknowledge that the concept of a replacement dwelling could have a more coherent appearance compared to numerous extensions to the existing building, I have found that the proposal would harm the character and appearance of the area. Therefore, it does not add weight in favour of the development.
 17. For the collective reasons outlined above, I conclude that the proposed development would be unacceptably harmful to the character and appearance of the area. Therefore, the proposal would fail to accord with policies EQ4 and EQ11 of the CS and the design principles of the South Staffordshire Design Guide, which together and amongst other things, seek development that achieves the highest quality of design, that respects the local character and distinctiveness of buildings and landscape, making a positive contribution to the street scene through appropriate scale.

Other considerations

18. The existing property benefits from approvals for extensions and outbuildings, consisting of a certificate of lawfulness¹ and planning permissions² (previous approvals). The appellant also suggests that extensions and outbuildings could be constructed with the benefit of permitted development (PD).
19. The appellant is seeking to extend or replace this dwelling, as demonstrated by the previous approvals. As such, there is a reasonable prospect of extensions,

¹ 22/00442/LUP

² 22/00049/FUL and 22/00672/FUL

with a generous floor area and volume, being carried out if this appeal is dismissed. However, for significant weight to be afforded to the fallback position, there needs not only to be a reasonable prospect of it being carried out, but it would also need to be more harmful than the scheme for which permission is sought.

20. There is disagreement between the parties about the proposed increase in floor area of the new dwelling compared to the fallback position. The floor area calculations provided by both parties are not unequivocal. Furthermore, whilst plans have been submitted to show the extent of the previous approvals, as well as possible extensions carried out under PD, it is not clear whether they could be carried out in combination or not. Therefore, it has not been adequately demonstrated that extensions, which would be more harmful to the Green Belt than the proposed development, could be carried out if this appeal is dismissed.
21. For similar reasons, the same applies in respect of the design of extensions carried out as a fallback position and the effect of those extensions on the character and appearance of the area compared to the appeal scheme.
22. My attention has also been drawn to a number of previous developments that the appellant alleges have been granted by the Council and exceed the allowance of 10-20% for replacement dwellings. In particular, a development at Cedar Cottage, Strawmoor Lane, Oaken (Ref 23/00252/FUL), which had an increase of 109%. The full details of these cases have not been provided and whilst I accept that larger replacement dwellings have been permitted elsewhere, these types of development are fact sensitive and site specific, turning on the individual circumstances of each case. Therefore, these other schemes have not eased my concern that harm would arise in this case.
23. The redevelopment of the existing dwelling and its replacement with a bigger dwelling would result in some additional economic, social, and environmental benefits during the construction and occupation phases. I attach limited weight to these additional benefits.
24. I also acknowledge that there are no concerns regarding parking provision, the effect on neighbouring occupiers or the amount of internal and outdoor space. Electric car charging points and cycle storage provision is proposed, which the appellant believes would encourage sustainable transport methods to be used. The proposal is also designed to meet Building Regulations in respect of the Equality Act 2010 and level access thresholds. However, these factors carry neutral weight.
25. The proposal would provide enhanced internal living accommodation, but the existing house is of a reasonable size and a more modern house with a different layout carries negligible positive weight in favour of the scheme.

Green Belt Balance

26. Paragraph 152 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. It goes on to state in paragraph 153 that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

27. The proposed development would be inappropriate development in the Green Belt and therefore harmful by definition. Paragraph 142 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It identifies openness as an essential characteristic of the Green Belt. The Framework states at paragraph 153 that substantial weight is given to any harm to the Green Belt. I therefore place substantial weight on the harm by inappropriateness and harm to openness that I have identified. The proposal would also be harmful to the character and appearance of the area.
28. I have given some weight to the other considerations in favour of the proposal, as set out above. However, they do not clearly outweigh the harm arising from the proposal. Consequently, the 'very special circumstances' necessary to justify inappropriate development in the Green Belt do not exist. The development would thus conflict with the Green Belt protection aims of the Framework and policy GB1 of the CS.

Conclusion

29. The development would conflict with the development plan taken as a whole and material considerations do not indicate that the decision should be made other than in accordance with the development plan.
30. For the reasons given above, I conclude that the appeal is dismissed.

N Bromley

INSPECTOR



Appeal Decision

Site visit made on 8 April 2024

by **Samuel Watson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7th May 2024

Appeal Ref: APP/C3430/W/23/3328926

69 Chapel Lane, Codsall, South Staffordshire WV8 2EJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Adrian Hilton against the decision of South Staffordshire District Council.
 - The application Ref is 23/00213 FUL.
 - The development proposed is the redevelopment of existing dormer bungalow to form replacement dwelling.
-

Decision

1. The appeal is allowed and planning permission is granted for the redevelopment of existing dormer bungalow to form replacement dwelling at 69 Chapel Lane, Codsall, WV8 2EJ in accordance with the terms of the application, Ref 23/00213 FUL, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 33920 02 Rev D and 22 920 03 Rev C
 - 2) The development hereby permitted shall not be occupied until drainage plans for the disposal of foul and surface water flows have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Preliminary Matters

2. At the time of my visit the development described in the appellant's submissions had already commenced. The appeal therefore seeks retrospective permission for the development, and I have determined the appeal accordingly. Although the description in the header above refers to a 'replacement dwelling', it is clear from the submissions before me that the scheme does not include the removal of the existing dwelling and the rebuilding of a new dwelling.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the street scene.

Reasons

4. The appeal site is located on Chapel Lane, a residential street characterised by fairly closely set dwellings in a strong linear pattern of development. However, the dwellings vary widely with regard to their architectural styles, sizes and ages. The appeal dwelling is a small, square bungalow set between a

two-storey dwelling and a single-storey dwelling with additional accommodation in the roof. As is typical of the street scene more broadly, these three properties are markedly different from each other. In all I consider the street scene to demonstrate the organic development of the area over time to the tastes and needs of those developers at the time.

5. At the time of my site visit building works were being carried out at the site. Briefly, these included the beginnings of a side and rear extension, the removal of the bay windows to the front of the property and the near complete stripping back of the interior of the dwelling. Although I note the Council's reference to Arts and Crafts detailing on the property, none were present at the time of my visit. From the information available to me I cannot ascertain whether the dwelling had any features which were of particular interest.
6. Although cumulatively the proposed alterations would significantly alter the appearance of the host dwelling, I find that this primarily stems from the alterations to the roof. The proposed roof would increase the bulk of the dwelling above the ground floor, visually increasing its height. The front facing gable with window would further increase this sense of bulk and height. However, I do not find that the massing, bulk or height of the building would be out of keeping with neighbouring buildings or the wider street scene. Moreover, the side and rear extensions would not be so significant or prominent as to erode legible square footprint of the existing dwelling.
7. The proposal includes the provision of some detailing to the front elevation, such as the bay windows and areas of brickwork, that would add an element of interest to the building. Interest would also be provided through the pitched roof over the garage, and the side windows on the ground and first floors. Overall, there would be a level of features and detailing commensurate with the scale and status of the building. In this regard the dwelling would be of a similar quality to its neighbours and would not be overly stark, or detrimental to the character and appearance of the street scene.
8. From the information before me I understand that the appeal site and host building are not covered by any protections or designations regarding interest in their heritage or design. Given the above, and that character of the street reflects development over time, I do not find the modest changes to the wider street scene to be unacceptable.
9. The proposal, with regard to its scale, design and detailing, would not unacceptably affect the character and appearance of the street scene. It would, therefore, comply with Policy EQ11 of the Core Strategy which, amongst other matters, requires developments to be of a high quality that takes account of, and respects, the character and distinctiveness of the local area. This includes with regard to the scale, massing, materials, design and form. The proposal would also comply with the guidance on design set out within the South Staffordshire Design Guide, as well as that contained within the National Planning Policy Framework (The Framework) with particular regard to Paragraph 135 which requires developments to be sympathetic to the local character and maintain a strong sense of place.

Conditions

10. The Council have not suggested any conditions, but consultees have put forward some conditions and these have been considered below. I have had

regard to the advice on planning conditions set out by the Framework and the Planning Practice Guidance.

11. As development has already commenced, it would not be necessary to impose a condition outlining the timescale for the commencement of works. However, a condition is necessary, for certainty and enforceability, requiring that the development is carried out in accordance with the approved plans. As this is a standard condition, I have not consulted the parties as its inclusion would not prejudice them.
12. The development has enlarged the footprint of the host building and includes alterations to the location of rooms likely to be served by plumbing. As such there is a potential for increased flood risk and details would be necessary to demonstrate the suitable drainage of surface and foul water. Given the nature of the development it would be appropriate to require these details, and the provision of the scheme, prior to the first occupation of the development.
13. The development is only a relatively small scheme and the Council's Senior Ecologist has confirmed that there would likely have a negligible effect on any protected species, including bats. In light of the above the requirement for the submission of an Ecological Enhancement Plan and subsequent statement of conformity would not be commensurate with the scale of the development and overly onerous. I have not, therefore, imposed these conditions.

Conclusion

14. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed.

Samuel Watson

INSPECTOR



Appeal Decision

Site visit made on 9 April 2024

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 May 2024

Appeal Ref: APP/C3430/D/23/3331921

Granary Cottage, Dark Lane, Cross Green, Wolverhampton WV10 7PN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Sutton against the decision of South Staffordshire Council.
 - The application Ref 23/00630/HH, dated 14 July 2023, was refused by notice dated 28 September 2023.
 - The development proposed is extension to provide ground floor lounge and relocated kitchen.
-

Decision

1. The appeal is allowed, and planning permission is granted for an extension to provide ground floor lounge and relocated kitchen at Granary Cottage, Dark Lane, Cross Green, Wolverhampton WV10 7PN in accordance with the terms of the application Ref 23/00630/HH dated 14 July 2023 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the approved plans.

Main Issues

2. The main issues are:
 - whether the proposal is inappropriate development within the Green Belt for the purposes of planning policy set out in the Framework and the development plan;
 - the effect on the openness of the Green Belt; and
 - if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

3. The appeal property is sat in a large site, with a number of outbuildings, and large areas of hardstanding where vehicles are parked. A previous side extension has been granted consent, but the appellant wishes to change the design, including raising the height of the extension from that approved, to accommodate a vaulted ceiling and in the appellants opinion, better complement the existing property.
4. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The Framework lists the types of development that are not considered inappropriate in the Green Belt. These include, for the purposes of the appeal, the extension or alteration of a building provided it does not result in a disproportionate addition over and above the size of the original building, although the Framework does not define "disproportionate" by reference to any size criteria, the Green Belt and Open Countryside Supplementary Planning Document (the SPD) defines "proportionate" as between 20-40% of the original floor area.
5. This document and the Council's policies pre-date the current Framework, and their wording is not wholly consistent with the national approach. This reduces the weight to be afforded the policy and guidance. In any event, the policy confirms that its figures are guidelines rather than rigid limits, conferring a degree of flexibility in their application.
6. Whilst a numerical analysis is a useful starting point, it is evident that the Council applies these guidelines flexibly. This demonstrates the value of considering the visual impact of the proposal alongside a mathematical calculation.
7. In this case, the appeal dwelling is within a large site, but is also seen in the context of other dwellings, some of which have been extended.
8. The proposed extension would be added to the existing side elevation of the host dwelling and would be extension of the building's fabric, it is an extension of the residential use, providing an incidental function within its curtilage, and would be attached to the host dwelling. It is reasonable therefore to consider the appeal scheme as an exception under the Framework.
9. Based on the appeal proposals in front of me, the width and depth of the proposal would appear subordinate to the host dwelling and would be consistent with the appearance of the dwelling. The scale and visual impact of the proposal would not create a building significantly larger or different in character than the original dwelling, in accordance with Policy GB1 of the South Staffordshire Council Core Strategy (2012) (the CS)
10. The Council's assessment of the design merits of the proposal confirms that the proposal would be in keeping with the existing dwelling, and although large, would not be dominant.
11. I therefore conclude that the proposal would not result in a disproportionate addition over and above the size of the original building, and in so doing would not be inappropriate development in the Green Belt. It would not conflict with the Framework and the aims of Policy GB1 of the CS

12. Impact on openness is implicitly taken into account in the exception to inappropriate development specified in the Framework. Having found the proposal to be not inappropriate, no further assessment is required on this point, and no very special circumstances need to be demonstrated to justify the development.

Conditions

13. The Council have stated that the standard conditions should be applied, for timings, matching materials and approved plans. I find no reason to differ from this approach.

Conclusion

14. For the reasons given above, having regard to the development plan and all relevant material considerations, I conclude that the appeal is allowed.

Paul Cooper

INSPECTOR



Appeal Decision

Site visit made on 9 April 2024

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 May 2024

Appeal Ref: APP/C3430/W/23/3327460

Land between Standeford Cottage & Holly Cottage, School Lane, Coven, Wolverhampton WV9 5AN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms Williams against the decision of South Staffordshire Council.
 - The application Ref 23/00414/FUL, dated 8 May 2023, was refused by notice dated 7 July 2023.
 - The development proposed is erection of 1no. new dwelling with associated works.
-

Decision

1. The appeal is allowed, and planning permission is granted for the erection of 1no. new dwelling with associated works at Land between Standeford Cottage and Holly Cottage, School Lane, Coven, Wolverhampton WV9 5AN in accordance with the terms of the application Ref 23/00414/FUL dated 8 May 2023 subject to the conditions in the attached schedule.

Main Issues

2. The main issues in this appeal are: -
 - Whether the proposal is inappropriate development in the Green Belt with reference to the National Planning Policy Framework (the Framework) and any relevant development plan policies.
 - Whether the site is suitable in relation to the development strategy.
 - The effect of the development on the character and appearance of the area.
 - Whether the site is suitable in respect of flood risk.

Reasons

Whether inappropriate development

3. The site is an area of grassed land, located between two dwellings. It is located within the Green Belt, in an area of mixed development types, but largely residential in nature, with all manner of dwelling types, but giving way to a semi-rural appearance.
4. Paragraph 154 of the Framework sets out that new buildings in the Green Belt are inappropriate, with certain exceptions. One of these is limited infilling within villages. I find that one dwelling, located between two existing dwellings that are in close proximity to the highway would be limited infilling.

5. It was established in *Wood v Secretary of State for Communities and Local Government & Gravesham Borough Council (2015)* that the boundary of a village defined in a development plan may not be determinative as to whether the site is in a village, but these are matters of planning judgement for the decision maker to decide upon. Nonetheless this site is located within the Green Belt, and those policies still apply.
6. The site is located outside of the settlement boundary for Coven, which is defined in the South Staffordshire Core Strategy (2012) (the CS). In the context of the site, residential properties generally front onto the road and are highly visible from the highway and are in relatively close proximity to one another, giving the impression of a settlement, rather than random development in a countryside area.
7. As I consider this to be limited infilling in a village as set out in criterion e) of Paragraph 154 of the Framework, the proposal meets that exception. Accordingly, the proposal would not have an adverse effect on the openness of the Green Belt, or the purposes of including land within it.
8. This correlates with policy GB1 of the CS, specifically criteria d) for limited infilling. There are footnotes to that policy relating to building height, size of development and effect on openness.
9. The proposal is not higher than adjacent dwellings, which is consistent with the Green Belt and Open Countryside Supplementary Planning Document (2014).
10. On this issue, I find that the proposal is not inappropriate development in the Green Belt in respect of development plan policy and the advice given in the Framework.

Suitable in terms of development strategy

11. Core Policy 1 of the CS looks to deliver development growth in parallel to the settlement hierarchy. The village of Coven is a local service village in that hierarchy but the site is located out of the settlement boundary.
12. A key part of that strategy relates to retention of the settlement pattern. The site is not within the settlement boundary, but I have found it has the outward appearance of being within the village due to the prominence of built form within the site context including both sides of the site and would not therefore harm the settlement pattern.
13. The site is located virtually opposite a public house and within easy reach of village services. The site has footpaths in the section of School Lane and these are streetlamp lit.
14. There would be the need to utilise a private car for the access of further services and facilities, and employment that are not available within Coven, but this would be no different from the vast majority of residents.
15. In this specific context, I find the site is located in an acceptable position with regard to the development strategy, as set out in Core Policy 1 of the CS. As such I find that this proposal is in general accordance with that policy.

Character and appearance

16. The design, scale and layout of the property are markedly no different than the surrounding and nearby properties. There is no common design or scale of those properties, and indeed as stated previously, there is a public house with a large car park virtually opposite the site. When constructed, it will have a newer and more contemporary appearance than nearby properties, but I find that it will assimilate well into its surroundings.
17. As such, I find no conflict with policies EQ4 and EQ11 of the CS in respect of the character of the property and its context, architectural design and form.

Flood Risk

18. There were concerns raised by the Council, in respect of the Flood Zone 3 status of the site. It appears, from the evidence in front of me, the appellant, on working with the external consultee, has proven that the site that the site is not actually within the Flood Zone 3 area, and is not subject to a sequential test, normally required for Flood Zone 3 sites.
19. In conclusion, on this issue, I find that the proposal is not contrary to Core Policy 3 of the CS, and the flooding guidance set out in the Framework, as further work has clearly demonstrated that the Flood Zone 3 designation is not correct.

Conditions

20. I have taken into consideration the Conditions proposed by the Council and subject to some minor rewording, I consider these to be acceptable. I have added one condition to set a three-year time limit for the commencement of works on site, as this was not included in the list of Conditions.
21. Conditions 1 to 3 are standard conditions to set the parameters of the permission. Condition 4 is in the interests of highway safety. Condition 5 is in the interests of biodiversity. Conditions 6 and 7 are in the interests of protection from flood risk. Conditions 8 through 12 are in the interests of residential amenity.

Conclusion

22. For the reasons given above, having regard to the development plan and all relevant material considerations, I conclude that the appeal is allowed.

Paul Cooper

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby approved shall be begun within three years of the date of this permission.
2. The development authorised by this permission shall be in accordance with the following plans and documents:-
 - Location Plan
 - Proposed Block Plan SLP3.02.C
 - Proposed Floor Plan SLP3.04.2
 - Proposed Elevations SLP3.05.2
 - Street Scene SLP3.06.B
 - Sections SLP3.07
 - Street Scene SLP3.08.B
 - Flood Risk Assessment 15 May 2023
 - Flood Risk Assessment 22 May 2023
 - Proposed Floor Plan SLP3.03
3. The external facing and roofing materials to be used shall be those specified on the submitted application form and drawings, unless otherwise agreed, in writing, by the Local Planning Authority
4. 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.
5. Prior to commencement of development (excluding demolition or groundworks), a detailed landscape planting plan must be submitted to and approved in writing by the local planning authority. The Plan must include details of species to be planted and details of maintenance of all new planting for at least a five-year period. The approved plan shall be implemented concurrently with the development and completed within 12 months of the occupation of the dwelling hereby approved.
6. Floor levels to be set no lower than 94.55mAOD, in accordance with the submitted Flood Risk Assessment (RAB Consultants Limited (ref: RAB:2934_FRD, dated 8th August 2022)).
7. Prior to commencement of development (excluding demolition or groundworks), a Flood Evacuation Management Plan shall have been submitted to and agreed, in writing, by the Local Planning Authority. The Management Plan shall include details of a flood emergency response and flood evacuation procedures.

8. 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.
9. 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.
10. There shall be no burning on site during development.
11. Facilities shall be provided at the site and used when necessary for damping down to prevent excessive dust.
12. Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of occupied residential dwellings.

END OF SCHEDULE



Appeal Decision

Site visit made on 9 April 2024

by **L C Hughes BA (Hons) MTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 May 2024

Appeal Ref: APP/C3430/W/23/3333791

Finnley Barns, Church Road, Swindon, Staffordshire DY3 4PG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Graham Evans against the decision of South Staffordshire District Council.
 - The application Ref is 23/00723/FUL.
 - The development proposed is the erection of an agricultural building for storage of conserved forage crops and machinery.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of an agricultural building for storage of conserved forage crops and machinery at Finnley Barns, Church Road, Swindon, Staffordshire DY3 4PG in accordance with the terms of the application, Ref 2023/00723/FUL, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are:
 - 1) whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; and
 - 2) whether any harm by reason of inappropriateness would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether the proposal would be inappropriate development in the Green Belt

3. The appeal site lies within the Green Belt. On site there is a dwelling, which was converted from a barn, stables and a tack room. The plans indicate that the proposed agricultural building would measure approximately 22.8m by 13.7m with a maximum height of approximately 5.8m and with an area of hardstanding. It would be located close to the existing buildings.
4. Paragraph 154 of the Framework regards the construction of new buildings as inappropriate development in the Green Belt, other than for a limited number of exceptions. One of the exceptions listed in paragraph 154a) is buildings for agriculture and forestry. Policy GB1 of the Local Plan for Staffordshire, Core Strategy Development Plan Document (2012) (CS) is consistent with the Framework, as it states that development acceptable within the terms of

- national planning policy as set out in the Framework will normally be permitted. This includes new buildings that are directly related to agriculture.
5. The evidence before me indicates that the appeal site is part of a smallholding which extends to approximately 15.78 hectares, including the agricultural land on which the proposed development is sited, which extends to approximately 13.5 hectares.
 6. The Council are concerned that the appellant's intentions, whilst agricultural, are theoretical at this stage and that the present use of the site is equestrian based. However, the appellant has stated that the land is currently used for agricultural grazing and cropped for hay. Irrespective of the level of activity, these are agricultural uses, and there is no compelling evidence that casts clear doubt that the site is not in use for agricultural activity.
 7. The appellant has stated that the building would be used for storage of machinery and conserved forage produced on the holding. There is no substantive evidence to indicate that the building would be used for purposes not related to agriculture. The design of the proposal would not suggest anything other than an agricultural building and based on the evidence before me I am satisfied that the proposed development would be used for agricultural purposes.
 8. I note concerns regarding the scale of the proposed building, insofar as it relates to its intended agricultural use. However, paragraph 154 of the Framework does not set out any limiting criteria relating to size for an agricultural building. The harvested forage crops would be of a quantity in excess of the appellant's own requirements. The appellant has stated that storage is required, as 800 large hay bales are harvested from two cuts annually, and I have no evidence to doubt the accuracy of this statement. Whilst hay bales could, in theory, be kept outside, there would be a functional and practical reason for storage of hay bales and machinery in a building, to maintain the quality of the hay, and keep the bales and the machinery dry and secure. There are no other buildings or structures on the appeal site that could reasonably accommodate the hay bales or the machinery.
 9. As such, I am satisfied that there is justification for the proposed development, and that it would constitute an agricultural building on land in agricultural use, necessary for the operations of the smallholding. Consequently, I consider that the proposal would meet exception a) of paragraph 154 of the Framework.
 10. I therefore conclude that the proposal is not inappropriate development within the Green Belt as defined by the Framework. It would also accord with Policy GB1 of the CS.

Very special circumstances

11. Given my findings that the proposed development would be for agricultural use and would not be inappropriate development within the Green Belt, very special circumstances do not need to be demonstrated to justify the proposal.

Conditions

12. I have considered the conditions suggested by the Council, having regard to the Planning Practice Guidance on conditions. For the sake of clarity, I have

amended the conditions as necessary. The appellant has confirmed their agreement to the pre-commencement condition.

13. In addition to the standard commencement condition, I have attached a condition specifying the approved plans in the interest of certainty (conditions 1 and 2).
14. In order to protect the character of the area, I have attached a pre-commencement condition requiring the submission and approval by the Council of the external materials to be used (condition 3). The condition is pre-commencement as the materials are an inherent element of the building, and their agreement is therefore required prior to the commencement of works. I have also imposed conditions requiring the submission and approval by the Council of external lighting, and prohibiting outside storage (conditions 4 and 5).
15. To prevent the use of the development for purposes which would be inappropriate in the location, I have attached a condition requiring the development to be used only for agricultural purposes (condition 6).

Conclusion

16. For the reasons given above, I conclude that the development would comply with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
17. As a result, the appeal is allowed.

L C Hughes

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:

Block plan; Location Plan; Elevation Drawings - Agricultural Building.
- 3) No development shall commence until details of the materials to be used for the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) Prior to the first use of any part of the building, a detailed external lighting scheme shall first be submitted to and approved in writing by the local planning authority. No external lighting shall be installed or provided on the site other than in strict accordance with the scheme.
- 5) There shall be no outside storage of goods or equipment in connection with the use of the building hereby permitted.
- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (England) (or any Order that replaces or re-enacts that Order) (with or without modification) as they relate to the changes of use of agricultural buildings, the development hereby permitted shall only be used for agricultural purposes as defined by Section 336(1) of the Town and Country Planning Act 1990, and for no other purpose whatsoever.

*****END OF SCHEDULE*****



Appeal Decision

Site visit made on 30 April 2024

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 May 2024

Appeal Ref: APP/C3430/W/23/3331947

Hawkshutt Farm, Watling Street, Ivetsy Bank ST19 9QU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Bernup Camidge against the decision of South Staffordshire District Council.
 - The application Ref is 22/00475/FUL.
 - The development proposed is the change of use from agricultural unit to a single 4 bed dwelling house.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the location of the appeal site is suitable for a new dwelling.

Reasons

3. Core Policy 1 of the Core Strategy Development Plan Document (December 2012, the CS) sets out the spatial strategy for the area, directing residential development primarily towards identified service villages. It does also support some residential development outside of service villages where these would be for affordable housing or supporting tourism, the rural economy, or rural diversification. However, this policy relates primarily to new development whereas the proposal before me is for the conversion of an existing building. Therefore, and although I am mindful of the overall strategy with regard to protecting the attractive rural character of the countryside and seeking sustainable development, I find CS Policy EV6 to be more relevant.
4. CS Policy EV6 relates more specifically to the re-use of redundant rural buildings and supports their re-use as residential dwellings, subject to controls, where it is demonstrated that they cannot be used for economic purposes.
5. The appeal site is part of a cluster of buildings that consists of one residential dwelling and two holiday lets. It is clear that the appeal site is outside of any settlements and is within the open countryside. I am content that the appeal building, a large, brick barn, is a redundant rural building that is capable of conversion without demolition and rebuilding or substantial reconstruction.
6. I am also content that the alterations proposed would not have a detrimental impact on the building's character, appearance or setting and surroundings. Although, as the host building is in a good state of repair and is clearly

- agricultural in appearance, the proposed domestication of the host building would not enhance its rural setting.
7. However, the policy is clear that prior to assessing whether a residential conversion would be acceptable consideration must first be made as to whether the host building could be used for economic development, such as tourism. No submissions have been made by the appellant as to the potential use of the building for economic purposes. Lacking any demonstrable evidence, I cannot be certain that an alternative use, such as a dwelling, would be preferable.
 8. Given the appeal site's location outside of any service villages, Core Policy 1 of the CS would not support the proposal unless for specific purposes as outlined above. I note the appellant intends to use the proceeds of selling the proposed dwelling towards the existing agricultural business. Nevertheless, as no details of the agricultural business, or the way in which the funds raised would be used, have been provided I cannot be certain that the proposal would necessarily support the rural economy or its diversification.
 9. Furthermore, the appeal site is some distance from Brewood, the nearest settlement. Given the nature of the highways between Brewood and the appeal site I consider it would be unsafe for pedestrians or cyclists to use them to reach their daily needs. This would be especially so for more vulnerable users or when traveling in inclement weather or the hours of darkness. Also, lacking any public transport future occupiers would be reliant on private motor vehicles to reach services, facilities, employment and education. Therefore, and although within a small cluster of buildings, I consider the appeal site to be within an isolated location.
 10. Although, on a plain reading of the policies, residential development can be supported within the countryside according to certain circumstances, the details before me are not sufficient to demonstrate that the proposal would meet the requirements of the spatial strategy more generally, as set out in Core Policy 1 of the CS, or more specifically for re-use as set out under Policy EV6.
 11. Therefore, in light of the above, the appeal site would not be a suitable location for a new dwelling and the proposal would conflict with CS Policies EV6, Core Policy 1 and Core Policy 3. These collectively, and amongst other matters set out the spatial strategy for the plan area, directing development to identified settlements and sustainable locations, unless exceptions are met. The proposal would also conflict with Paragraph 84 of the National Planning Policy Framework (the Framework) which seeks to resist the development of isolated homes other than where they meet certain exceptions.

Other Matters

12. The appellant has suggested that the Council have changed their interpretation of the term 'sustainable development' and that there has been precedent set by previous decisions within the area. However, I have not been provided with any details or facts of these decisions. Whilst other planning and appeal decisions are capable of being material considerations, all decisions turn on their own particular circumstances based on the facts and evidence before those decision-makers or Inspectors at the time. Therefore, I cannot make any meaningful comparisons to the appeal scheme before me, which I must consider on its own merits.

Planning Balance and Conclusion

13. The Government's objective is to significantly boost the supply of housing and the proposal would provide one new dwelling. It would also lead to a small and time-limited economic benefit during the construction phase. Given the small scale of the proposal these matters would at most attract moderate weight. Whilst the proposal may not result in any character and appearance harm, this lack of harm is not a benefit in itself. I therefore attach this neutral weight in my consideration.
14. Conversely, the proposal would result in harm by way of conflicting with the Council's spatial strategy in conflict with the development plan taken as a whole. This attracts significant weight and outweighs the benefits associated with the proposed development.
15. The proposal would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict. Therefore, for the reasons outlined above, I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR



Appeal Decision

Hearing held on 1 May 2024

Site visit made on 1 May 2024

by Juliet Rogers BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 May 2024

Appeal Ref: APP/C3430/W/23/3325856

Coppice Farm, Cannock Road, Bednall, Staffordshire ST19 5RP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Lucy Buxton against the decision of South Staffordshire Council.
 - The application Ref is 22/01074/FUL.
 - The development proposed is the erection of a permanent rural workers dwelling (related to equestrian business) and associated works for the creation of parking.
-

Decision

1. The appeal is dismissed.

Preliminary Matters and Main Issues

2. Since the Council determined the application, a new version of the National Planning Policy Framework (the Framework) came into effect. However, the Framework's policy content insofar as it relates to the main issues has not been significantly changed. In the agreed Statement of Common Ground, the main parties have provided confirmation of the relevant Section and paragraphs relevant in this case. I am therefore satisfied no party would be prejudiced by determining the appeal accordingly.
3. Additionally, the Council commenced its consultation of the Local Plan Review Publication Plan, in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. During the Hearing, the main parties agreed that as the review is at an early stage neither party will be relying on the emerging policies therein. I therefore give it no weight in my decision.
4. The appeal site is located within the catchment area of the Cannock Chase Special Area of Conservation (SAC). Although not an issue raised by the Council on the decision notice, it is incumbent upon me as the competent authority to consider whether the development would be likely to have a significant effect on the integrity of the Cannock Chase SAC. Comments were sought from the main parties before and during the Hearing, and I have taken them into account in my reasoning. As a result, neither party would be prejudiced by this matter being dealt with as a main issue.
5. Whilst not shown on the plans originally submitted with the planning application and appeal, following the Hearing a revised plan¹ showing the

¹ Plan ref: 3640-1 rev A

additional window was submitted by the appellant. Due to the minor scale of the alteration, the proposed dwelling's neutral effect on the character and appearance of the area, and the distance to the nearest dwelling, the Council confirmed the submission of the revised plan would not trigger the need to seek further representations. As such, I do not consider any party would be prejudiced by accepting this revised plan and determining the appeal accordingly.

6. The parties agreed at the Hearing that the site is located within the West Midlands Green Belt and therefore subject to policies seeking to prevent urban sprawl by keeping land permanently open. It is also agreed that as the proposed development comprises the construction of a new building which does not relate to any of the exceptions set out in the Framework, it is regarded as inappropriate development in the Green Belt. Policy GB1 of the Core Strategy Development Plan Document (the Core Strategy) is broadly consistent with Section 13 of the Framework in this respect.
7. Consequently, the main issues are:
 - the effect of the proposed development on the openness of the Green Belt;
 - the effect of the proposed development on the integrity of the Cannock Chase SAC; and
 - whether the harm by reason of inappropriateness and any other harm would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Openness

8. The Framework states that openness is an essential characteristic of the Green Belt and has a spatial, as well as visual, aspect. The appeal site comprises a small paddock located adjacent to the commercial units and is currently used for grazing horses. As the proposed development would introduce built form onto a site where there is currently none, except for a field shelter, there is no dispute between the main parties that it would result in a spatial loss of openness. I agree that this would be the case. However, given the size of the appeal site and the scale of the proposed dwelling, this loss would be limited.
9. The main parties do not dispute there would be some visual loss to the openness of the Green Belt. However, the level of harm the proposed development would cause in this respect is not agreed upon. Given the siting of the commercial units, indoor school building, existing landscape features and the built-form complex at Buxton's Limited, the appeal site is screened from view from the A34 Cannock Road. When viewed from other public vantage points, including the Teddesley Way bridleway, the existing buildings and associated commercial and agricultural paraphernalia provide a backdrop to the site. Furthermore, several stable blocks and barns for the equestrian business are sited in the foreground screen of this view. Consequently, the proposed development would be experienced as part of the existing built form and would not be discernible in long-distance views from public vantage points. As a result, I conclude that whilst there would be a visual loss to the openness of the Green Belt, it would be extremely limited.

10. Whilst visual perception may reduce the spatial harm to the openness of the Green Belt, as per the Goodman Case², I have found that the proposed development would, in both spatial and visual terms, cause some harm to the openness of the Green Belt. Even though the visual harm is extremely limited, this does not lead me to conclude that it would offset or reduce the spatial harm identified. Consequently, I conclude that the proposed dwelling would harm the openness of the Green Belt and would conflict with Section 13 of the Framework in this regard.

The Integrity of the Cannock Chase SAC

11. Cannock Chase SAC is a European Designated Site which is afforded protection under the Conservation of Habitats and Species Regulations 2017 (the Habitat Regulations). The special interest of the Cannock Chase SAC relates to its extensive area of lowland heathland which supports two types of heaths designated as qualifying habitats under Annex 1 of the European Habitats Directive³. The conservation objectives for the Cannock Chase SAC seek to ensure its integrity by maintaining or restoring the extent, distribution, structure and function of the qualifying natural habitats, and through supporting processes upon which the habitats rely. One of the pressures on the achievement of these objectives relates to the increase in people visiting the area for recreational purposes, causing the erosion and disturbance of the habitats.

12. As the proposed development would involve an increase of one dwelling within the catchment area of the Cannock Chase SAC, when considered alongside or in combination with other plans or projects, it would be likely to have a significant adverse effect on its integrity. Therefore, it is necessary for me, as the competent authority, to conduct an Appropriate Assessment concerning the effect of the proposed development on the integrity of this designated site, with respect to recreational activity.

13. Following the Hearing, the appellant submitted a signed Unilateral Undertaking (UU), dated 8 May 2024. This obligates the appellant to pay an agreed sum to the Council before the commencement of the development. The Council are then obligated to use this contribution towards measures to mitigate the adverse impact of recreational activities on the integrity of the Cannock Chase SAC.

14. Policy EQ1 of the Core Strategy restricts development that could have an adverse effect on the integrity of a European site unless it can be demonstrated that the legislative provisions to protect such a site can be fully met. This policy is supported by several guidance documents⁴ setting out the management of the Cannock Chase SAC, appropriate mitigation measures and a partnership agreement between the Councils within which the SAC is located. In combination, these outline the requirement for development contributions to be paid based on the number of dwellings proposed and the mitigation measures to be implemented.

15. I am therefore satisfied that the provisions are necessary to make the appeal scheme acceptable in planning terms, are directly related to the development

² *Goodman Logistics Development (UK) Limited v SSCLG and Slough Borough Council* [2017] EWHC 947

³ Council Directive 92/43/EEC, dated 21 May 1992

⁴ South Staffordshire District Council Cannock Chase SAC Guidance; SAC Partnership Memorandum of Understanding; FAQ document Cannock Chase SAC updated Guidance v1.2

and are fairly and reasonably related in scale and kind to it. As a result, the planning obligation meets the relevant tests set out in the Framework.

16. I conclude that subject to mitigation, the proposed development would not harm the integrity of the Cannock Chase SAC, with particular regard to recreational activity. Whilst not referred to on the decision notice, the development accords with Policy EQ1 of the Core Strategy, insofar as it relates to the protection and enhancement of a SAC.

Other Considerations

17. The proposed development would be inappropriate development in the Green Belt which is, by definition, harmful. It would also harm the spatial and visual aspects of the openness of the Green Belt. The Framework indicates that substantial weight should be given to any harm to the Green Belt, regardless of the level of harm. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations. I acknowledge that this does not mean very special circumstances are rare or uncommon.

Need for an additional worker to live on-site

18. The evidence presented by the appellant during the Hearing indicated that the appeal site forms part of a wider landholding totalling approximately 175 acres of which 90 acres are used for the equestrian business for grazing horses. The remaining land is used for growing crops and grazing sheep.
19. The appellant's family has had a long-standing presence in the area. Although originally a dairy farm, the appellant has diversified the enterprise through the conversion of agricultural buildings to commercial units whilst building up the equestrian business over several decades as the dairy farming commitment reduced. The equestrian business now provides varying levels of livery for more than 80 horses with around 50 stables, various barns and stores, an indoor school and other associated facilities.
20. Although not specifically defined in Policy EV8 of the Core Strategy, the Council acknowledged that, for the purposes of this policy, equestrian development falls under what is described as other related development. Policy EV8 supports development that is consistent with national policy and other local planning policies, including through the construction of g) temporary and permanent agricultural and occupational worker's dwellings, subject to specific criteria. These relate to demonstrating an established functional need for a full-time worker which cannot be met by an existing dwelling on site or in the area, the business being financially sound and meeting all other normal planning requirements.
21. Given its scale, the appellant has indicated that equestrian business requires the equivalent of three full-time workers. This position is not disputed by the Council and based on the evidence before me, I have little substantive evidence to conclude otherwise. Regardless, the number of working hours required to operate the business does not imply a need to live on-site. The appellant and the appellant's son currently work full-time for the equestrian business with additional part-time workers employed. The appellant's daughter undertakes some of the work in the business although she teaches and schools horses on a self-employed basis. Although it is asserted that the appellant and

- the appellant's son juggle the 24-hour care availability, this does not support the need for an additional worker is necessary on-site. Moreover, the evidence before me indicates that most of the work is undertaken during the workday day.
22. The appellant and appellant's son currently live in Coppice Farmhouse (the farmhouse), located a short distance from the appeal site, along with the appellant's partner who is employed elsewhere. The appellant's daughter occasionally stays at the farmhouse however this is due to personal circumstances, rather than the needs of the business. The position of the farmhouse within the landholding ensures a rural worker is within sight and sound of the horses, as deemed necessary in the Begbeer Farm appeal⁵.
23. Due to an ongoing health condition, the appellant is having to step away from manual work to focus more on the management and administration side of the business as she is at greater risk of breaking a bone should she fall. Whilst it is contended that this increases the demand for a further worker on site, I note that since the appeal was submitted, the evidence before me indicates that the number of full-time equivalent workers has reduced from four to three. This does not, therefore, support the aforementioned contention.
24. Discussions during the Hearing revealed the types of emergencies which the appellant considers require rapid attention outside normal working hours (between final checks at approximately 22:00 and before 07:00 when other employees arrive) relating to animal welfare. In the absence of an accurate log of all emergency events, the appellant confirmed that since 2023 there have been five or six instances with horses on the farm which required rapid attention. The appellant was able to confirm with certainty that just two of these occurred outside normal working hours.
25. Given its life-threatening status, colic is a condition horses can develop which is of particular concern to the appellant. If a horse is unable to get up on its own, colic can cause a horse's gut to twist which can be fatal. In this instance, two people may be needed to attend to the horse and surgery is required within a couple of hours at a veterinary hospital, the nearest being in Liverpool. I also heard from the appellant that when horses show early signs of colic, where necessary, actions can be taken to prevent the horse from rolling or lying down. This could include closely monitoring the horse via overnight care in the stables or using CCTV cameras installed in some of the stables. The latter could be undertaken from an offsite location. In any event, colic symptoms could occur at any time of day. Therefore, this condition does not suggest a need for a rural worker to live on-site permanently.
26. Other events which may require a prompt medical response include foaling and injuries resulting from horses being spooked. However, these events could also occur at any time. Evidence provided by one of the vets⁶ used by some of the owners of horses in livery with the business indicated over 40 visits were made during a 12-month period. Of these, two required emergency attention and at least one resulted in an out-of-hours call-out. Even if the other vets used by the owners of horses on-site mentioned by the appellant have visited a similar number of times this would not amount to a significant number of visits out of hours. Therefore, based on the evidence before me, it has not been

⁵ Appeal Ref: APP/Q1153/W/19/3232939

⁶ Letter from Ed Shackel of E.C. Straiton & Partners, dated 21 June 2023

demonstrated that the frequency or severity of these events makes it necessary for an additional worker to live permanently on-site.

27. The noise from poachers hunting deer in the neighbouring Teddesley Park can scare the horses and cause them to panic and injure themselves. I was told that poaching usually occurs on a Friday or Saturday night. However, no substantive information has been presented to confirm how frequently horses are spooked by the poachers leading to the need for a rural worker to attend to them. Regardless, even without the proposed development, there would be one worker living on the site.
28. The appellant explained that the potential for vehicles leaving the busy A34 Cannock Road which adjoins part of the farm's boundary, particularly during icy conditions, poses a risk to the horses on the farm if fences are damaged or the crash noise spooks them. Although the appellant recalled that a lorry came off the road late at night, resulting in fence damage, this was a few years ago, indicating that this is not a frequent occurrence. Whilst my attention has been drawn to the Crash Map Data which shows nearly 150 incidents of varying severity, this data covers 23 years and includes locations away from the farm's boundaries. Additionally, the number of events out of hours that resulted in a risk to horses on the farm is unknown. In any event, it has not been demonstrated how living off-site in the surrounding area would result in a significantly different outcome than if a further worker lived on the farm.
29. Although reference is made in the appellant's statement of case to security concerns, particularly given the expensive equipment left on the farm, I have no substantive evidence before me confirming the frequency of any thefts or attempted thefts. As CCTV cameras are installed covering the buildings and tracks, and some of the stables, these offer some deterrent to potential offenders. Therefore, the appellant's security concerns do not justify the appeal scheme and given there is already a dwelling on the farm I see no reason to conclude that the proposed development makes the farm.
30. I have considered all the evidence I have read and heard, including the letters of support from existing customers of the business and the National Farmers Union⁷. However, it has not been demonstrated that the frequency of emergencies requiring rapid, if not immediate, attention is sufficient to warrant two workers living on-site permanently, even if this is the case at present. Furthermore, I am not persuaded that, in the event of an emergency outside normal working hours, assistance from another worker living offsite could not be provided within an acceptable commute time, including from locations within which the main parties agreed properties were available to rent or buy.
31. I conclude that the proposed dwelling is not justified and therefore conflicts with Policy EV8 of the Core Strategy which, amongst other provisions, supports proposals for agricultural and occupational worker's dwellings provided certain circumstances are met.

Further considerations

32. Schedule 1, Part 1 of the Equality Act 2010 includes the provision that the long-term effects of a health condition can be an impairment that is a relevant protected characteristic. This could include the long-term effects resulting from

⁷ Letter from Georgie Hyde, Environment & Land Use Advisor West Midlands, dated 12 June 2023

the appellant's ongoing health condition. Therefore, within my decision, I have taken into account that, for the purposes of the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010 (the PSED), a protected characteristic applies in this case.

33. The PSED requires due regard to be had to its three aims: eliminating discrimination, harassment, and victimisation; advancing equality of opportunity, involving having due regard, in particular, to considerations including the need to remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that is connected to that characteristic; and fostering good relations between persons who share a relevant protected characteristic and persons who do not share it by tackling prejudice and promoting understanding.
34. I do sympathise with the appellant's situation and her health condition. However, at present, it does not prevent the appellant from working full-time in the business, despite the reduction in physical work. I also acknowledge that it would be unreasonable to require the appellant to move out of the farmhouse, as concluded in the Coulbeck Farm appeal⁸. Even if I were to agree with the appellant that the farmhouse could not be modified or enlarged to provide accommodation for a rural worker or that it would be unrealistic to expect an employee to live in the farmhouse with their employer, these are not reasons which support the need for the proposed dwelling.
35. The proposed occupancy of the dwelling would be for a rural worker. However, given his role in the business, the appellant's son would occupy it. The ability to live independently from the appellant would provide benefits to him and his right to respect for his private and family life, as set out in Article 8, Schedule 1 of the Human Rights Act 1998 (the HRA). However, the Planning Policy Guidance (the PPG) states that planning permission usually runs with the land, and it is rarely appropriate to provide otherwise⁹.
36. Whilst I understand Mr Buxton-Hopley's desire to live independently this does not alter my conclusion regarding the need for two rural workers to live on site. I do not consider that this situation represents an exceptional circumstance required by the PPG to determine the appeal because of who would benefit from the permission. Furthermore, it would not cause an interference with the right of the appellant's son under Article 8 of the HRA as the proposed dwelling is not the only option to achieve this, even if it would be preferable or more convenient. As indicated by the searches for available property to buy or rent within what the appellant considers to be a reasonable commute time in normal circumstances (8-10 minutes), this could include living in Huntington, Penkridge or parts of Cannock. I therefore attach limited weight to the personal circumstances of the appellant's son.
37. The proposed development would provide some economic benefits to the business. As I have not found an essential or functional need for an additional work to live on-site, these benefits attract moderate weight in my decision. The appeal scheme would also support the economy of the local area through a rural business, including the resultant benefits to other businesses close by. However, I see no reason to conclude that my decision would restrict the continued operation of the equestrian business. Any benefits during the

⁸ Appeal ref: APP/Y2003/W/18/3216854

⁹ Paragraph: 015 Reference ID: 21a-015-20140306

construction of the dwelling, such as local employment, would be short-lived and I attach limited weight to them in my decision.

38. My attention has been drawn to the planning application for a single detached dwelling associated with the equestrian enterprise at the nearby Cannock Chase Trekking Centre (the trekking centre), also located within the Green Belt, which was approved in 2013¹⁰. I acknowledge that the fundamental Green Belt principles set out in the Framework have not altered since this decision was made, despite updates to the national and local planning policies.
39. However, at the time of the decision, the trekking centre employed more workers than the appellant's business¹¹, despite having approximately half the number of horses and amount of land. The Council also placed significant weight on the importance of the established trekking centre business as a tourist/visitor destination. As such, the operation of the trekking centre, the number of employees and its associated activities are not directly comparable to the scheme before me. I therefore attach no weight to this decision in my determination of the appeal, notwithstanding the appellant's view it demonstrates the Council's 'bar' in respect of the Green Belt.

Green Belt Balance and Conclusion

40. The proposed dwelling would be inappropriate development in the Green Belt and would harm the openness of the Green Belt. The Framework indicates that substantial weight be given to any harm to the Green Belt.
41. I have not found that there is a functional or essential need for two equestrian workers to live on the landholding permanently. As a result, the proposed development conflicts with Policy EV8 of the Core Strategy. I attach significant weight to the appeal scheme's conflict with the development plan strategy in this regard.
42. Whilst I have found that the proposed dwelling would not harm the integrity of the SAC, subject to mitigation, this is a neutral factor in my decision.
43. Having had regard to the provisions of the Human Rights Act and the PSED, along with all other relevant matters raised, the harm to the Green Belt would not be clearly outweighed by the other considerations. Therefore, the very special circumstances required to justify the grant of planning permission have not been demonstrated and it is proportionate and necessary for me to determine the appeal in accordance with the development plan as a whole.
44. The proposed development conflicts with the development plan as a whole and there are no material considerations, including the approach within the Framework, which indicate a decision should be made otherwise in accordance with it. Accordingly, the appeal is dismissed.

Juliet Rogers

INSPECTOR

¹⁰ Council ref: 12/00785/FUL, dated 23 May 2013

¹¹ As set out in the Officer Report including three full-time and three part-time employees plus volunteers and work experience students

APPEARANCES

FOR THE APPELLANT:

Eleni Randle Eldnar Consultancy

Lucy Buxton Appellant

Christie Buxton-Hopley Appellant's son

FOR THE LOCAL PLANNING AUTHORITY:

Tom Nutt South Staffordshire Council



Appeal Decision

Site visit made on 30 April 2024

by **Samuel Watson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 May 2024

Appeal Ref: APP/C3430/W/23/3331619

Sweet Turf Boarding Kennels, Slab Lane, little onn Gorse, Staffordshire ST19 5QL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Bosworth against the decision of South Staffordshire District Council.
 - The application Ref is 22/01048/OUT.
 - The development proposed is the demolition of existing kennel building and change of use and replace with domestic residence.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal before me has been made in outline with only the matters of access and scale being considered at this stage. All other matters, namely appearance, landscaping and layout, have been reserved for a subsequent application. I understand from the appellant's case that the submitted drawings, in these respects, are for illustrative purposes only, I have considered them as such.
3. The appeal site is within 15km of the Cannock Chase Special Area of Conservation (the SAC), which is a European Designated Site. The Conservation of Species and Habitats Regulations 2017 (as amended) requires the decision-maker to consider whether or not the proposal could adversely affect the integrity of the site.

Main Issue

4. The main issue is whether the appeal site is suitable for a new dwelling.

Reasons

5. Core Policy 1 of the Core Strategy Development Plan Document (December 2012, the CS) sets out the spatial strategy for the area, directing residential development primarily towards identified service villages. It also provides support for some residential development outside of service villages where these would be for affordable housing or supporting tourism, the rural economy, or rural diversification. The overarching aims of the policy is to meet local needs through providing growth in the most accessible and sustainable locations. More particularly for development outside the service villages the policy also seeks to protect the rural character of the countryside.

6. It is clear from my observations on site and the submissions available to me that the appeal site is not within a settlement and would be contrary to the above policy unless any exceptions are met. It has not been demonstrated that the proposed dwelling would be for the provision of affordable housing, or that it would support tourism, the rural economy or rural diversification. Therefore, on a plain reading, the proposal would not meet the exceptions above required for Core Policy 1 of the CS to support it.
7. Furthermore, it has not been demonstrated that the site is in an accessible or sustainable location. In particular, I noted the surrounding roads which are narrow and without pavements or streetlighting. Pedestrians and cyclists would therefore need to travel within the carriageway which would be unsafe, especially for more vulnerable users. It is therefore likely that future occupiers would need to travel some distance by private motor vehicles to reach their daily needs.
8. The government's objective is to significantly boost the supply of housing, and the proposal would provide one new dwelling towards the Council's housing need. However, The National Planning Policy Framework (the Framework) is clear that housing should be directed through a plan led approach and, under Paragraph 84, that other than in particular circumstances, isolated homes should be avoided. As identified above, the proposal does not follow the Council's spatial strategy and the proposal would also be isolated development where it would not support local villages or services. It has not been demonstrated that the proposal would meet any of the exceptions set out under Framework Paragraph 84.
9. The appellant has made reference to a fallback position consisting of the change of use of the existing kennel block to a residential dwelling. However, I have been provided with no evidence that there is more than a theoretical potential for such a scheme to be possible or that it would be carried out. This matter has not, therefore, been determinative in my considerations.
10. Although the proposal would provide some visual improvement over the existing building, given the higher quality of design, this gain would be lost by the creation of a domestic site within the rural landscape. Overall, I consider it would have a neutral effect on the character and appearance of the wider area.
11. With the exception of the adjoining dwelling, which I understand is within the appellant's ownership, the appeal site is distant from any other residential dwellings. I therefore consider that removing the dog kennel would not make any meaningful improvements to the living conditions of nearby residents.
12. In light of the above, I find that the appeal site would not be suitable for new residential development and would conflict with the Council's spatial strategy and its aims. The proposal therefore conflicts with Core Policy 1 of the CS as set out above and with the Framework, including Paragraph 83 which seeks for a plan led approach that supports local services and helps villages grow and thrive.

Other Matters

13. I have found harm to the Council's spatial strategy resulting from the proposed development. As such, the appeal must fail and any potential harm to the SAC

would not occur and therefore there does not need to be any means of mitigation in place. Consequently, I do not need to consider the matter further.

14. My attention has been drawn to some Council¹ and appeal² decisions and I note the comparisons made. However, I have not been provided with the full details and facts of these applications and decisions. Whilst other planning and appeal decisions are capable of being material considerations, all decisions turn on their own particular circumstances based on the facts and evidence before those decision-makers or Inspectors at the time. Therefore, I cannot make any meaningful comparisons to the appeal scheme before me, which I must consider on its own merits.

Conclusion

15. The proposal would result in harm by way of conflicting with the Council's spatial strategy, in conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR

¹ Council's reference: 20/00758/OUT

² Planning Inspectorate references: APP/J1860/W/20/3262274 and APP/AO665/W/18/3196987

