



**South
Staffordshire
Council**

**STATEMENT OF CASE
OF
SOUTH STAFFORDSHIRE DISTRICT COUNCIL**

**S174 APPEAL
PLANNING INSPECTORATE REFERENCE
APP/C3430/C/22/3302201**

**APPEAL BY: MRS SARAH WALKER
APPEAL SITE: STOURBRIDGE LODGE, PRESTWOOD,
STOURBRIDGE DY7 5AQ
LOCAL AUTHORITY REFERENCE: 17/00574/UNDEV**

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1. INTRODUCTION

1.1 This appeal is brought against the decision by South Staffordshire District Council to serve an Enforcement Notice, ("the Notice") in respect of land, ("the Land") at Stourbridge Lodge, ("the Building") situate on Wolverhampton Road, Prestwood, Stourbridge, South Staffordshire DY7 5AQ.

1.2 The alleged breach of planning control is:

Without planning permission, unauthorised operational development on the Land consisting of the construction of a two-storey front to rear extensions on the western elevation, first floor extension on the eastern elevation and remodelling of front central elevation with additional dormer extension.

1.3 A copy of the Enforcement Notice has previously been sent to the Planning Inspectorate. (Appendix 1).

2. SITE DESCRIPTION AND REASONS FOR ISSUING THE NOTICE

2.1 Stourbridge Lodge is a large-detached dwelling situated off the A449 Wolverhampton Road, Prestwood. Immediately to the north is Prestwood Farm which consists of a series of modern portal framed buildings and associated facilities, with open countryside to the south. The Land lies within the West Midlands Green Belt.

2.2 Permitted development rights under Schedule 2, Part 1, Class A, Class B, Class C, Class D, Class E and Part 2 Class A and Class B were removed from the Land following the granting of planning permission references 06/00966/FUL and 07/01216/FUL dated 7th July 2007 and 19th December 2007 respectively.

2.3 Planning application 06/00966/FUL extended the residential curtilage to that shown on the plan attached to the Notice. Therefore, not all of the Land is shown on the Land Registry and the extended curtilage does not appear to have been registered. The Land Registry Title Register and Title Plan reference SF270059 is presented at Appendix 2.

2.4 The unauthorised operational development on the Land took place less than four years ago and is not immune from enforcement action.

2.5 On 16th November 2021, the Council refused an application for the unauthorised development under application reference 21/00027/FUL, as inappropriate development within the Green Belt. Reasons for refusal:

1. *The proposal represents inappropriate development in the Green Belt. Although the other considerations advanced by the applicant have been considered, they do not amount to the 'very special circumstances' required to outweigh the harm to the Green Belt by virtue of the scheme's inappropriateness. The development therefore conflicts with Policy GB1 of the South Staffordshire Core Strategy and the National Planning Policy Framework.*

2. *There are several existing trees on the site which due to their size and position make an important contribution to the character and appearance of the area. Insufficient information has been supplied to assess the impact the development has had on existing trees. As such, it is unclear if the development has had a harmful impact on existing trees, contrary to Policy EQ4 of the of the South Staffordshire Core Strategy and the National Planning Policy Framework.*
 3. *The proposed extensions are of such a mass and design that they do not appear subservient to the original design and overwhelm the scale of the original Stourbridge Lodge The design does not consider local vernacular and the surrounding rural area, conflicting with Policies EQ4 and EQ11 of the Core Strategy 2012, as well as the National Design Guide [2021].*
- 2.6 Paragraph 147 of the National Planning Policy Framework (NPPF) states that inappropriate development is, by definition harmful to the Green Belt, and should not be approved except in very special circumstances.
 - 2.7 Paragraph 149 of the NPPF confirms that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt unless they fall under certain listed exceptions. Included in this list, and not to therefore be regarded as inappropriate development is 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.' Policy GB1 of the adopted Core Strategy seeks to protect the Green Belt against inappropriate development and is broadly consistent with the Framework.
 - 2.8 The Council's 'Green Belt and Open Countryside Supplementary Planning Guidance (GBOC SPD) sets a range of between 20-40% to establish if extensions are disproportionate over and above the size of the original building. This percentage range relates to the floor area of the original/extended dwelling
 - 2.9 The construction of two double-storey front to rear extensions to the eastern and western elevations and remodelling of front central elevation with additional dormer extension of Stourbridge Lodge far exceed the acceptable percentage range and therefore represent inappropriate development in the Green Belt. There are no very special circumstances for the development and it is therefore contrary to paragraphs 147 and 149 of the (NPPF), and Policy GB1 of the South Staffordshire Core Strategy Development Plan adopted 2012.
 - 2.10 Paragraph 134 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:
 - a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and

supplementary planning documents such as design guides and codes; and/or

- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

2.11 The National Design Guide [2021] states:

"Context is the location of the development and the attributes of its immediate, local and regional surroundings...Well-designed places are: integrated into their surroundings so they relate well to them; and influenced by and influence their context positively." (paragraphs 39 & 40). The Guide further states in paragraph 43 that "Well-designed new development is integrated into its wider surroundings, physically, socially and visually. It is carefully sited and designed, and is demonstrably based on an understanding of the existing situation, including the architecture prevalent in the area, including the local vernacular and other precedents that contribute to local character, to inform the form, scale appearance, details and materials of new development."

2.12 The National Design Guide also notes that "Well-designed new development...includes considering the composition of street scenes, individual buildings and their elements; the scale and proportions of buildings; façade design, such as the degree of symmetry, variety, the pattern and proportion of windows and doors, and their details." (paragraph 53). Further, "Well-designed places contribute to local distinctiveness. This may include: adopting typical building forms, composition, articulation, proportions, features, materials, details, patterns and colours of an area; drawing upon the architectural precedents that are prevalent in the local area, including the proportion of buildings and their openings." (paragraph 56)

2.13 Policy EQ4 of the Core Strategy seeks for development to respect the intrinsic rural character and local distinctiveness of the South Staffordshire landscape, and should be maintained and where possible enhanced.

2.14 Policy EQ11 of the Core Strategy requires that new development "respect local character and distinctiveness, including that of the surrounding development and landscape in accordance with Policy EQ4, by enhancing the positive attributes whilst mitigating the negative aspects", and that "in terms of scale, volume, massing and materials, development should contribute positively to the street scene and surrounding buildings, whilst respecting the scale of spaces and buildings in the local area."

2.15 The extensions to the eastern and western elevations and remodeled front central elevation with additional dormer extension are of such a mass and design that they do not appear subservient to the original design and overwhelm the scale of the original Stourbridge Lodge. The design does not consider the local vernacular and does not contribute to local distinctiveness or to the surrounding rural area and is therefore contrary to Policies EQ4 and

EQ11 of the South Staffordshire Core Strategy Development Plan adopted 2012, as well as the National Design Guide [2021].

- 2.16 The Council consider that planning permission should not be given, because planning conditions could not overcome these objections to the development.

2.17 **National Planning Policy Framework**

12 – Achieving Well Designed Places

13 – Protecting the Green Belt

2.18 **Adopted Core Strategy**

Core Policy 1 – The Spatial Strategy for South Staffordshire

GB1 – Development in the Green Belt

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

EQ4 – Protecting and Enhancing the Character and Appearance of the Landscape

EQ11 – Wider Design Considerations

Other

South Staffordshire Green Belt and Open Countryside 2014 Supplementary Planning Guidance

3. **PLANNING HISTOREY**

07/01216/FUL - Alterations, extensions, changes to residential curtilage and front dormer window - Approved

06/00966/FUL - Alterations, extensions and changes to residential curtilages - Approved, subject to a revocation order relating to 01/00725/FUL

06/00099/FUL - Alterations, extensions and changes in residential curtilage - Withdrawn

01/00725/FUL - Construction of double garage and store - Application revoked.

4. **SUMMARY OF EVENTS**

- 4.1 On 30th November 2017, the Council received a complaint relating unauthorised development taking place at Stourbridge Lodge, Wolverhampton Road, Prestwood, Stourbridge, South Staffordshire DY7 5AQ.

- 4.2 Officers attended the but were unable to access the Land. Further investigation revealed extensive unauthorised development had taken place consisting of the erection of a large, detached garage.

- 4.3 Following the officer's initial site visit and correspondence with the owner from February 2018, further extensive development took place at the property, consisting of the construction of a double-storey front to rear extension to the

western elevation, a first-floor extension on the eastern elevation and remodelling of the front central elevation with an additional dormer extension.

- 4.4 The large, detached garage was substantial completed as of May 2017 and has become immune from enforcement action. However aerial imagery shows that the double-storey front to rear extension to the western elevation, the extension to the eastern elevation and remodelling of the front central elevation with additional dormer extension had not commenced as of 29th June 2018. They were therefore constructed less than four years ago and are not immune from enforcement action.
- 4.5 On 25th February 2020, a Council officer visited the site and took photographs of the extensions. The photographs show the extent of the extensions under construction, with the first-floor extension to the east elevation largely complete. The two-storey front to rear extension on the western elevation, and remodelled central elevation and additional dormer extension were under construction. The photographs give a good impression of the scale of the work being carried out. The photographs are presented at Appendix 3.
- 4.6 On 8th January 2021, a retrospective planning application, (application reference 21/00027/FUL), was submitted for the construction of single storey rear extension and double garage. However, plans submitted with the application showed the additional unauthorised development subject of the Notice that did not match the description of the application. As a result, the planning officer dealing with the application assessed the application together with the unlawful development that had taken place. The officers delegated report in respect of this is presented at Appendix 4. The plans submitted with the application, both existing and proposed are produced at Appendix 5.
- 4.7 On 16th November 2021, the Council refused application reference 21/00027/FUL, as inappropriate development within the Green Belt. The decision notice is produced at Appendix 6.
- 4.8 On 11th February 2022, Council Officers visited the Land and confirmed the presence of the unauthorised development subject of the notice which had then been completed. Photographs were taken and these are produced at Appendix 7.
- 4.9 Subsequent correspondence with the Appellants agent accepted that the unauthorised development had taken place.
- 4.10 On 27th May 2022, the enforcement notice was served on the Appellant.
- 4.11 On 29th June 2022, an application was received for a certificate of lawfulness in respect if the double garage as a self-contained residential unit, application reference 22/00646/LUE. On 11th August 2022 the application was refused as insufficient evidence had been submitted to show that the double garage had not been used as a single dwellinghouse continuously for 4 years or more.

5. GROUND OF APPEAL

Ground (a) - That planning permission should be granted for what is alleged in the notice.

6. LPA RESPONSE TO GROUNDS FOR APPEAL – GROUND A

6.1 The LPA's response to the Appellant's Ground for appeal under Ground A should be read in conjunction with the policy considerations contained within the Notice upon which it intends to rely.

6.2 LPA Response to Introduction and Background

6.3 The LPA accepts that the single-storey rear extension referred to in the Notice and shaded blue on the plan at Appendix 1 of the Notice, has now become lawful. It additionally accepts that the double garage referred to in planning application reference 21/00027/FUL has similarly become lawful.

6.4 The Appellant contends that any reference to application 21/00027/FUL within the Notice is irrelevant for the purpose of this Appeal. For the reasons outlined at paragraph 4.6 above, the LPA's position is that the application is relevant.

6.5 The Appellant states that there has never been an application for the extension/works contained within the Notice. However, given the lack of response or explanation from the Appellant, application 21/00027/FUL was assessed in accordance with the plans that had been submitted for the Building as it currently stands.

6.6 In addition, consultation responses were sent out as part of application 21/00027/FUL for the Building as built, and received as follows:

Kinver Parish Council (04/02/2021) - Recommend Refusal on the grounds that the 2017 application for extended this property and works to the garage was refused by the District Council but appears to have been built regardless without planning approval. Both the house and garage have been developed further and the plan submitted does not match what is on the site at present. It appears that there is living accommodation above the garage and it is a gross overdevelopment of the site and Greenbelt Regulations.

Arboricultural Officer (21/01/2021) - Further information is required. There are a number of trees on site which may be affected by the proposal. A tree survey should be submitted that accords to BS5837:2012 that details the impacts of the proposed-on trees.

6.7 Despite requests from the case officer a tree survey was not provided to accompany the application. Therefore, insufficient information was supplied to assess the impact the development has had on existing trees. As such, it would additionally conflict with Policy EQ4 of the Core Strategy and the relevant provisions of the NPPF.

6.8 LPA Response to Existing Site Appraisal

- 6.9 The Appellant states that it is evident that there is no tangible prospect that neighbouring dwellings will be impacted, or visually affected, by any development on the application site. However, it is clear that there is an impact on the openness of the Green Belt caused by the significant sized double-storey extension to the west elevation, together with a lesser impact caused by the extension to the east elevation. The impact on the openness of the Green Belt will be dealt with later on in this statement.

6.10 LPA Response to Development Application

Removal of Condition Restricting Permitted Development Rights

- 6.11 The Appellant seeks to challenge the removal of permitted development (PD) rights under permission reference 06/00966/FUL and produces a recent appeal decision, reference APP/W4233/W/21/3271910, which considers the use of blanket conditions upon PD Rights and, in particular, for dwellings within the Green Belt.
- 6.12 The LPA has assessed the application of those conditions in accordance with planning permission reference 06/00966/FUL. Permission reference 07/01216/FUL also removed PD rights but was merely an application for the inclusion of a dormer window to permission 06/00966/FUL. In addition, the relevant local plan in use at that time, (the South Staffordshire Local Plan 1996), will be produced in support of the application of those conditions.
- 6.13 Permission reference 06/00966/FUL was an application for alterations, extensions and changes to residential curtilage. The delegated report for this application is produced at Appendix 8. The information contained within the delegated report, (along with the plans), is particularly relevant, as it gives detail of the original footprint of the property. It is therefore necessary to consider the context of the permission in the first instance, before examining the justification for the imposition of conditions removing PD rights and applying the six tests required in accordance with the relevant Planning Practice Guidance, (PPG).
- 6.14 The approved plans in relation to permission reference 06/00966/FUL are presented at Appendix 9 and 10 and the decision notice is presented at Appendix 11. The South Staffordshire Local Plan 1996 is presented at Appendix 12.
- 6.15 Permission reference 06/00966/FUL, approved on 12th July 2007, relates to a large two-storey extension to the western and rear elevations of the original footprint of Stourbridge Lodge.
- 6.16 The South Staffordshire Green Belt and Open Countryside 2014 SPD states:
- 'In relation to dwellings, the Council has historically applied a 30% limit on extensions to dwellings in the Green Belt; this related to an increase in 30% of footprint over the original footprint. [NB. Original footprint is that which existed*

on 01 July 1948 or as originally built if building constructed after that date].

For this SPD a percentage range is considered to be the most appropriate approach; this range is between 20-40%. A range is proposed to recognise that a 'one size fits all' approach is not always suitable.

Anything above the 20-40% range will be likely to be disproportionate simply because it would not be in proportion with the host building and therefore would be likely to have an impact on openness. This range will be applied to floor area, rather than footprint which had been used historically (for dwellings). The reason for this is that often single storey additions can have a limited impact on the openness of the Green Belt, and conversely multiple storey or bulky additions can have a significant detrimental impact on openness, whilst remaining within a percentage limit.

All cases will be dealt with on an individual basis and the Council will make a judgement, as part of the decision making process, as to whether the extension is disproportionate or not. If the extensions or alterations are likely to appear disproportionate the application will be unacceptable in Green Belt terms.

- 6.17 The delegated report and plans in respect of permission reference 06/00966/FUL, shows that the application was assessed using the historical related 30% limit over the original footprint of the property. In summary, the applicants agreed to the revocation of a permission relating to a large, detached garage and store that would have had a significant impact on the Green Belt. Had the applicant added an extension with a 30% increase and built the garage, the total floor area created by such an extension together with the large, detached garage would have had a greater impact of the Green belt. However, in agreeing to the revocation of a permission relating to the garage, an actual reduction of the total potential footprint was achieved by over 10sqm. The permission resulted in less harm to the Green Belt and therefore planning permission was granted.
- 6.18 In order to assess the appropriateness of the conditions remaining in effect, this appeal statement will assess the extensions using the calculations set out in the 2014 SPD. These calculations are set out in the officers delegated report for application reference 19/00027/FUL, (Appendix 4) and have been recalculated to provide a precise percentage increase to the nearest decimal point.
- 6.19 It is understood that the original property had a floor area of around 89sqm over two floors. The 2006 permission added 96sqm of floor space to the original dwelling resulting in a percentage increase of 108%. A large dormer window added in 2007 under permission reference 07/01216/FUL added just one square metre of floor space to this increase.
- 6.20 Paragraph 56 of the NPPF makes clear that planning conditions should be kept to a minimum, and only used where they satisfy the following tests:

necessary;
relevant to planning;
relevant to the development to be permitted;
enforceable;
precise; and
reasonable in all other respects.

- 6.21 This appeal under Ground A, relates to the removal of the following PD rights in accordance with condition 2 of planning permission reference 06/00966/FUL as follows:
- a. Schedule 2 Part 1, Class A – extensions and alterations
 - b. Schedule 2 Part 1, Class B – roof alterations including dormer windows
 - c. Schedule 2 Part 1, Class C – other roof alterations including roof lights
 - d. Schedule 2 Part 1, Class D – porches
 - e. Schedule 2 Part 1, Class E – garden building and structures
 - i. Schedule 2 Part 2, Class A – gates, fences and walls
 - j. Schedule 2 Part 2, Class B – access
- 6.22 The extension to the west and rear elevation added under permission reference 06/00966/FUL amounts to 108% of the original floor area of the Building under the 2014 SPD. The same extension using the 2006 calculations would have added an increase in the footprint of 114%. Clearly, any addition to that level of increase of the original footprint in 2006 would require careful consideration of its impact on the Green Belt and over development within the curtilage of the dwelling and require some form of control.
- 6.23 Paragraph 54 of the NPPF states that planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so.
- 6.24 The percentage increase of 108% in the development that has taken place under permission reference 06/00966/FUL under the 2014 SPD, provides clear justification for the imposition of condition 2, (although a blanket condition restricting all of the use classes that have been removed is likely to have been inappropriate). Any further development within the curtilage through additional extensions or outbuildings up the maximum height of 4 metres is likely to have an impact on the Green Belt where previously there was none, together with an over development within the curtilage of the dwelling. It would appear therefore, certainly in respect of the removal of use classes A. to E at condition 2 of permission reference 06/00966/FUL, that the removal of those conditions in accordance with that permission remains justified to control any further development. The conditions are relevant to planning; relevant to the development to be permitted, enforceable, precise, and reasonable in all other respects.
- 6.25 The LPA contends therefore that the removal use classes A to E clearly and unambiguously accord with, and do not conflict with the provisions of paragraphs 54 and 56 of the NPPF.

- 6.26 Policy BE26 from the South Staffordshire Local Plan 1996 relates to 'New Development' and 'Design Criteria' It states that new development should be sympathetic with the appearance and character of the surrounding area and be appropriate in scale, mass, design, materials, layout and siting, both in itself and in relation to adjoining buildings and spaces.
- 6.27 Policy EQ11 of the South Staffordshire Core Strategy Development Plan adopted 2012 which replaced policy BE26 requires that new development should "respect local character and distinctiveness, including that of the surrounding development and landscape in accordance with Policy EQ4, by enhancing the positive attributes whilst mitigating the negative aspects", and that "in terms of scale, volume, massing and materials, development should contribute positively to the street scene and surrounding buildings, whilst respecting the scale of spaces and buildings in the local area."
- 6.28 Policy GB1 from the South Staffordshire Local Plan 1996 states that the construction of new buildings in the Green Belt is inappropriate unless it is for the following purposes:
- c) limited extension, alteration or replacement of existing dwellings (subject to paragraph 3.6 of PPG2 (Revised)).
- 6.29 Paragraph 3.6 of the 1995 PPG states that provided that it does not result in disproportionate additions over and above the size of the original building, the extension or alteration of dwellings is not inappropriate in Green Belts. The replacement of existing dwellings need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces. Development plans should make clear the approach local planning authorities will take, including the circumstances (if any) under which replacement dwellings are acceptable.
- 6.30 Planning Policy Guidance 2 on Green Belts 1995 is presented at Appendix 13.
- 6.31 Policy GB1 of the South Staffordshire Core Strategy Development Plan adopted 2012 states that development acceptable within the terms of national planning policy set out in the NPPF will normally be permitted where the proposed development is for either limited infilling and limited extension(s), alteration or replacement of an existing building where the extension(s) or alterations are not disproportionate to the size of the original building, and in the case of a replacement building the new building is not materially larger than the building it replaces. Guidance in these matters will be contained in the Green Belt and Open Countryside 2014 Supplementary Planning Document (SPD)
- 6.32 In summary, condition 2 of permission reference 06/00966/FUL as per the South Staffordshire Local Plan 1996 in respect of use classes a to e, appears to accord with the South Staffordshire Core Strategy Development Plan adopted 2012. These policies remain relevant to planning and accord with current policies EQ11 and GB1 of the South Staffordshire Core Strategy Development Plan adopted 2012.

- 6.33 In conclusion, in the unlikely event that such a significantly sized extension had been granted permission under today's calculations using the 2014 SPD, the LPA would have found it necessary to control any further development, inter alia, for the reasons set out at paragraph 6.22 to 6.25. The LPA contends therefore, that restricting the use of permitted development in respect of use classes a. to e. at condition 2 of permission reference 06/00966/FUL would have passed the test of reasonableness and necessity in 2006 and would pass the same tests had they been imposed today as set out in paragraph 17 of the PPG. The additional extensions together with a large two storey detached garage has led to further over development of the of the site, Condition 2 use classes A to E therefore should remain in effect to restrict any further development in the absence of planning permission.

Effect on Green Belt

- 6.34 The Appellant contends that the only relevant Green Belt Policy relates solely to safeguarding the countryside from encroachment. However, paragraph 137 of the NPPF explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Safeguarding the countryside from encroachment is one of the purposes used to facilitate this.
- 6.35 The Appellant quotes at paragraph 2.17 the Green Belt and Open Countryside SPG (April 2014). This is clearly a typo and should read the SPD, i.e. Supplementary Planning Document.
- 6.36 Green Belt and Open Countryside SPD (April 2014), states that:

'All cases will be dealt with on an individual basis and the Council will make a judgement, as part of the decision making process, as to whether the extension is disproportionate or not'

The unauthorised development that has taken place has therefore been assessed in accordance with this SPD.

- 6.37 The Appellant states that the Building had an imbalance upon the principle elevation caused by a smaller dormer window to the left, adding that the remodeling of the gables provides balance to the front elevation and this in itself is a positive addition that brings a balance and symmetry to the dwelling. However, the LPA contends that such an imbalance could easily have been addressed through the submission of a planning application for a larger left dormer window. This would have prevented any requirement to add a further gable to the front which has only become necessary as a result of the significantly sized double-storey extension to the western elevation.
- 6.38 The Appellant refers to the rear 'infill' development at the first floor opposite the two-storey garage. This description appears to relate to the first-floor extension to the east. The Appellant states that this it is hidden from view and its effect upon the openness of the Green Belt is negligible. The LPA notes that its view is largely hidden as a result of tree boundary screening to the front of the

property however, if such boundary treatment was to be removed, there would be a limited impact when viewed northbound from Wolverhampton Road. This can be seen on historical street view imagery produced at Appendix 14.

- 6.39 However, it is quite a different matter in respect of the double-storey extension to the west elevation, which has, (again no doubt due to a clerical error in the Appellants statement), been referred to by the Appellant as the two-storey 'east extension'.
- 6.40 The Appellant contends that the crux of the works and the effect of the Green Belt, can be restricted to the 'east elevation'. (Again, the LPA submit that the Appellant is referring to the west elevation).
- 6.41 The LPA contend that the two-storey elevation to the west was simply not necessary in order to provide symmetry as outlined at paragraph 6.38 above. The extension only balances out the symmetry of the property as a result of the redesigned front gable which again, considering the options available for balancing out the property, was unnecessary. As outlined in the Notice, (see paragraph 2.15), the extensions to the eastern and western elevations and remodeled front central elevation with additional dormer extension are of such a mass and design that they do not appear subservient to the original design and overwhelm the scale of the original Stourbridge Lodge, contrary to the relevant policies contained with the Notice.
- 6.42 In order to understand the scale of the extensions, it is necessary to examine the original floorspace of the property, which amounted to 89sqm. This is the base line for assessing any further development adding floorspace to that of the original property.
- 6.43 As described at paragraphs 6.19, using the guidance in relation to the floorspace calculations from the 2014 SPD, the original property has already been extended by an additional 96 sqm representing an increase from the original floorspace of the property of 108%.
- 6.44 The Appellant contends that given the physical presence of the existing two-storey dwelling and its lawful extensions, it must be the case that its effect upon the openness of the Green Belt was acceptable to the LPA when granting previous permissions. However, as outlined at paragraphs 6.17, and contained in the 2006 officers delegated report, (Appendix 8), the extensions were only acceptable by virtue of the Appellant agreeing to revoke a previous permission for a double garage, thus reducing the total footprint that would have been available in 2006.
- 6.45 The Appellant contends that the introduction of an extension to the west, to a greater extent hidden from view, offers no greater visual impact upon the openness than that which exists by the presence of the existing structure. However, the LPA produces street view images showing the result of the double-storey extension to the west both before and after the development, showing the impact on the openness of the Green Belt when viewed northbound from Wolverhampton Road, (Appendix 15). The development is not

therefore limited to the surrounding buildings and structures as claimed by the Appellant and the potential for the construction of agricultural buildings appears to have little relevance.

- 6.46 In conclusion, the additional extensions requiring planning permission identified on the Appellants floor plans drawing 321-003A submitted with the grounds of appeal statement, consisting of a two-storey extension to the west elevation and a single-storey extension to the east elevation, amount to a total floor space of 140sqm. The total floor space, including the 2006 extensions amount to 528sqm (excluding the single storey extensions to the rear of the property that would benefit from permitted development if these rights were restored). This represents an increase from the original floor space of the property of 493%. The result is an excessively overdeveloped residential dwelling that has a significant impact on the Green Belt. The Inspector is therefore invited to dismiss the appeal under Ground A.

7. LPA RESPONSE TO FALLBACK POSITION

- 7.1 The Appellant suggests a fallback position based on incorrect calculations at paragraph 3.04 & 3.05 of the grounds of appeal statement as follows:

The existing dwelling is 463m2 and the current total of lawful dwelling and unlawful extensions is 576m2, amounting to a total increase of 32%. If the removal of Permitted Development rights is found to be unreasonable, then around 48m2 of single ground floor extension could have been carried out under PD Rights, bringing the lawful extensions and dwelling to around 511m2.

On the basis that SPG supports an increase of 10-20%, excluding any specific design to reduce the impact upon the openness of the Green Belt location, a replacement dwelling of 562m2-613m2 would be supported by policy.

- 7.2 It is clear that the figure of 463sqm should read 436sqm as the percentage increase to 576sqm is given as 32%. However, having incorrectly quoted the total lawful buildings on site at 463sqm, the Appellant has then gone on to use this to work out a fallback position for a replacement building in the percentage increase range of between 10-20% to fit in with policy. This is entirely incorrect.
- 7.3 Even if the Appellant had used the correct figure of 436sqm, you cannot add 48sqm to that figure as this has been absorbed into the 436sqm. The unlawful extensions consisting of the double storey west elevation and first floor extension to the east elevation will always amount to 140sqm regardless.
- 7.4 The LPA accepts the floor plan drawing 321-003A submitted with their grounds of appeal statement as correct. The LPA contend therefore that the following calculations are representative of the correct percentage increases:

i) **Including the rear ground floor extensions amounting to 48sqm**

The existing dwelling is 436sqm and the current total of lawful dwelling and unlawful extensions is 576sqm, amounting to a total increase of **32%**.

The only alternative to this would be to remove from the equation the potential extensions that could fall under PD, (if PD rights were restored).

ii) **Excluding the rear ground floor extensions amounting to 48sqm**

The existing dwelling is 388sqm, and the current total of lawful dwelling and unlawful extensions is 528 sqm amounting to a total increase of **37%**

- 7.5 The LPA concludes that no fallback position exists for a replacement dwelling and the Inspector is invited to dismiss the fallback position under Ground A.

8. LPA RESPONSE TO SUSTAINABILITY

- 8.1 As no fallback position exists the question of sustainability does not arise.

9. CONCLUSION

- 9.1 The unauthorised extensions to the Building, excluding the single storey extensions to the rear of the property that would benefit from permitted development if these rights were restored as outlined at paragraph 6.46, represents an increase from the original floor space of the property of 493%.
- 9.2 The Appellant has indicated that the extensions and outbuilding are required to meet the needs of a growing family. Whilst the LPA acknowledges that the additional accommodation may be of benefit to the Appellant and her wider family, they do not amount to the 'very special circumstances' required to outweigh the harm to the Green Belt by virtue of the scheme's inappropriateness and other identified harm, (i.e. insufficient information to assess the impact on existing trees), and therefore conflicts with Policy GB1 of the South Staffordshire Core Strategy and the National Planning Policy Framework.
- 9.3 The proposed extensions are of such a mass and design that they do not appear subservient to the original design and overwhelm the scale of the original Stourbridge Lodge The design does not consider local vernacular and the surrounding rural area, conflicting with Policies EQ4 and EQ11 of the Core Strategy 2012, as well as the National Design Guide [2021] and the guidance in the South Staffordshire Green Belt and Open Countryside 2014 SPD.
- 9.5 The development represents inappropriate development in the Green Belt and the LPA submits that planning permission should be refused, and the appeal dismissed.

10. **CONDITIONS**

- 10.1 The development is as built and complete. The only conditions the LPA seek to impose, in the event that planning permission is granted, is the removal of permitted development rights. Considering that a blanket removal of such rights is inappropriate, and considering the development currently in situ, in accordance with Paragraph 56 of the NPPF, the LPA consider the following condition is appropriate:

1. *Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order), no development (as defined by Section 55 of the Town and Country Planning Act 1990) as may otherwise be permitted by virtue of Class A, Class B, Class C, Class D or Class E of Part 1, Schedule 2 of the Order shall be carried out on the dwellinghouse hereby permitted.*

Reason: "To ensure continued control over the extent of further building on the site to prevent overdevelopment within the curtilage of the dwellinghouse having regard to the circumstances of the development and in the interests of the openness of the Green Belt."

APPENDIX 1

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

BY THE PLANNING AND COMPENSATION ACT 1991)

ENFORCEMENT NOTICE

ISSUED BY: SOUTH STAFFORDSHIRE DISTRICT COUNCIL

- (1) THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control, under Section 171A(1)(a) of the above Act, at the Land described below. It considers that it is expedient to issue this Notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important information.

(2) THE LAND AFFECTED

Land, (“the Land”) at Stourbridge Lodge, Wolverhampton Road, Prestwood, Stourbridge, South Staffordshire DY7 5AQ, outlined in red for identification purposes on the site plan (“the Plan”) attached to this notice.

(3) THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission, unauthorised operational development on the Land consisting of the construction of a two-storey front to rear extensions on the western elevation, first floor extension on the eastern elevation and remodelling of front central elevation with additional dormer extension.

(4) REASONS FOR ISSUING THIS NOTICE

Stourbridge Lodge is a large-detached dwelling situated off the A449 Wolverhampton Road, Prestwood. Immediately to the north is Prestwood Farm which consists of a series of modern portal framed buildings and associated facilities, with open countryside to the south. The Land lies within the West Midlands Green Belt.

Permitted development rights under Schedule 2, Part 1, Class A, Class B, Class C, Class D, Class E and Part 2 Class A and Class B were removed from the Land following the granting of planning permission references 06/00966/FUL and 07/01216/FUL dated 7th July 2007 and 19th December 2007 respectively.

The unauthorised operational development on the Land took place less than four years ago and is not immune from enforcement action.

On 16th November 2021, the Council refused an application for the unauthorised development under application reference 21/00027/FUL, as inappropriate development within the Green Belt. Reasons for refusal:

1. *The proposal represents inappropriate development in the Green Belt. Although the other considerations advanced by the applicant have been considered, they do not amount to the 'very special circumstances' required to outweigh the harm to the Green Belt by virtue of the scheme's inappropriateness. The development therefore conflicts with Policy GB1 of the South Staffordshire Core Strategy and the National Planning Policy Framework.*
2. *There are several existing trees on the site which due to their size and position make an important contribution to the character and appearance of the area. Insufficient information has been supplied to assess the impact the development has had on existing trees. As such, it is unclear if the development has had a harmful impact on existing trees, contrary to Policy EQ4 of the of the South Staffordshire Core Strategy and the National Planning Policy Framework.*
3. *The proposed extensions are of such a mass and design that they do not appear subservient to the original design and overwhelm the scale of the original Stourbridge Lodge The design does not consider local vernacular and the surrounding rural area, conflicting with Policies EQ4 and EQ11 of the Core Strategy 2012, as well as the National Design Guide [2021].*

Paragraph 147 of the National Planning Policy Framework (NPPF) states that inappropriate development is, by definition harmful to the Green Belt, and should not be approved except in very special circumstances.

Paragraph 149 of the NPPF confirms that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt unless they fall under certain listed exceptions. Included in this list, and not to therefore be regarded as inappropriate development is 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.' Policy GB1 of the adopted Core Strategy seeks to protect the Green Belt against inappropriate development and is broadly consistent with the Framework.

The Council's 'Green Belt and Open Countryside Supplementary Planning Guidance (GBOC SPD) sets a range of between 20-40% to establish if extensions are disproportionate over and above the size of the original building. This percentage range relates to the floor area of the original/extended dwelling

The construction of two double storey front to rear extensions to the eastern and western elevations and remodelling of front central elevation with additional dormer extension of Stourbridge Lodge far exceed the acceptable percentage range and therefore represent inappropriate development in the Green Belt. There are no very special circumstances for the development and it is therefore contrary to paragraphs 147 and 149 of the (NPPF), and Policy GB1 of the South Staffordshire Core Strategy Development Plan adopted 2012.

Paragraph 134 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

The National Design Guide [2021] states:

"Context is the location of the development and the attributes of its immediate, local and regional surroundings...Well-designed places are: integrated into their surroundings so they relate well to them; and influenced by and influence their context positively." (paragraphs 39 & 40). The Guide further states in paragraph 43 that "Well-designed new development is integrated into its wider surroundings, physically, socially and visually. It is carefully sited and designed, and is demonstrably based on an understanding of the existing situation, including the architecture prevalent in the area, including the local vernacular and other precedents that contribute to local character, to inform the form, scale appearance, details and materials of new development."

The National Design Guide also notes that "Well-designed new development...includes considering the composition of street scenes, individual buildings and their elements; the scale and proportions of buildings; façade design, such as the degree of symmetry, variety, the pattern and proportion of windows and doors, and their details." (paragraph 53). Further, "Well-designed places contribute to local distinctiveness. This may include: adopting typical building forms, composition, articulation, proportions, features, materials, details, patterns and colours of an area; drawing upon the architectural precedents that are prevalent in the local area, including the proportion of buildings and their openings." (paragraph 56)

Policy EQ4 of the Core Strategy seeks for development to respect the intrinsic rural character and local distinctiveness of the South Staffordshire landscape, and should be maintained and where possible enhanced.

Policy EQ11 of the Core Strategy requires that new development "respect local character and distinctiveness, including that of the surrounding development and landscape in accordance with Policy EQ4, by enhancing the positive attributes whilst mitigating the negative aspects", and that "in terms of scale, volume, massing and materials, development should contribute positively to the street scene and surrounding buildings, whilst respecting the scale of spaces and buildings in the local area."

The extensions to the eastern and western elevations and remodelled front central elevation with additional dormer extension are of such a mass and design that they do not appear subservient to the original design and overwhelm the

scale of the original Stourbridge Lodge. The design does not consider the local vernacular and does not contribute to local distinctiveness or to the surrounding rural area and is therefore contrary to Policies EQ4 and EQ11 of the South Staffordshire Core Strategy Development Plan adopted 2012, as well as the National Design Guide [2021].

The Council consider that planning permission should not be given, because planning conditions could not overcome these objections to the development.

(5) WHAT YOU ARE REQUIRED TO DO

- i) Remove from Stourbridge Lodge the double storey extension to the western elevations extending from front to rear of the property, as marked on the Plan.
- ii) Remove from Stourbridge Lodge the first-floor extension to the eastern elevation as marked on the Plan.
- iii) Remove from Stourbridge Lodge the front remodelled façade and additional dormer extension as marked on the Plan and rebuild in accordance with the Plan set out in Appendix 1.
- iv) Permanently remove from the Land all materials that arise from compliance with steps i) & ii)
- v) Permanently remove from the Land all materials that arise from compliance with step iii) above.
- vi) Following completion of steps (i), (ii) and (iii) restore Stourbridge Lodge back to its pre-existing condition that it was in before the unauthorised development commenced, and fully in accordance with the plans at Appendix 1, save for the infill extension to the rear of the property, located in the position shaded blue on Appendix 1 that was constructed in excess of four years ago that may be retained.

Time period for Compliance in Respect of Steps 5.1 i), ii), & iv) above:

Six months from the date this notice takes effect.

Time period for Compliance in Respect of Steps 5.1 iii) v) and vi) above:

Twelve months from the date this notice takes effect.

(6) WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 1st July 2022 unless an appeal is made against it beforehand.

Dated: 27th May 2022

Amanda Roberts

Signed :

On behalf of Corporate Director Infrastructure and Business Growth

On behalf of South Staffordshire District Council
Council Offices
Wolverhampton Road,
Codsall, Staffordshire
WV8 1PX

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

Town and Country Planning Act 1990 (as amended)

Enforcement Notice relating to land and premises on Land at Stourbridge Lodge, Wolverhampton Road, Prestwood, Stourbridge, South Staffordshire DY7 5AQ.

This local planning authority, South Staffordshire Council, has issued an enforcement notice relating to the above land and I now serve on you a copy of that notice as you have an interest in the land. Copies of the notice are also being served on the other parties listed on the Notice who, it is understood, also have an interest in the land.

There is a right of appeal to the Secretary of State (at The Planning Inspectorate) against the notice. Unless an appeal is made, as described below, the notice will take effect on 1st July 2022 and you must ensure that the required steps, are taken within the period(s) specified in the notice.

Please see the enclosed information sheet from The Planning Inspectorate which tells you how to make an appeal.

If you decide that you want to appeal against the enforcement notice you must ensure that you send your appeal soon enough so that normally it will be delivered by post/electronic transmission to the Secretary of State (at The Planning Inspectorate) before 1st July 2022.

Under section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds: -

- (a) that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged;
- (b) that those matters have not occurred;
- (c) that those matters (if they occurred) do not constitute a breach of planning control;
- (d) that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
- (e) that copies of the enforcement notice were not served as required by Section 172;
- (f) that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;
- (g) that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.

Not all of these grounds may be relevant to you.

If you appeal under Ground (a) of Section 174(2) of the Town and Country Planning Act 1990 this is the equivalent of applying for planning permission for the development alleged in the notice and you will have to pay a fee of £924.00. This amount is double the usual Planning Application fee. You should pay this fee to South Staffordshire Council (made payable to South Staffordshire Council). Joint appellants need only pay one set of fees. If you do not wish to proceed under Ground (a) then no fee is payable.

If you decide to appeal, when you submit your appeal, you should state in writing the ground(s) on which you are appealing against the enforcement notice and you should state briefly the facts on which you intend to rely in support of each of those grounds. If you do not do this when you make your appeal the Secretary of State will send you a notice requiring you to do so within 14 days.

One appeal form and a copy of the Enforcement Notice together with a cheque for £924.00 made payable to South Staffordshire Council should be sent to the Council addressed to:-

Corporate Director Planning & Infrastructure
South Staffordshire District Council
Planning Department
Council Offices
Wolverhampton Road,
Codsall,
WV8 1PX

If you do not appeal against this enforcement notice, it will take effect on 1st July 2022 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the periods specified in paragraph 5 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

Planning Enforcement Contact Officer:

Mark Bray
Senior Planning Enforcement Officer

South Staffordshire District Council
Planning Department
Council Offices
Wolverhampton Road
Codsall,
South Staffordshire,
WV8 1PX

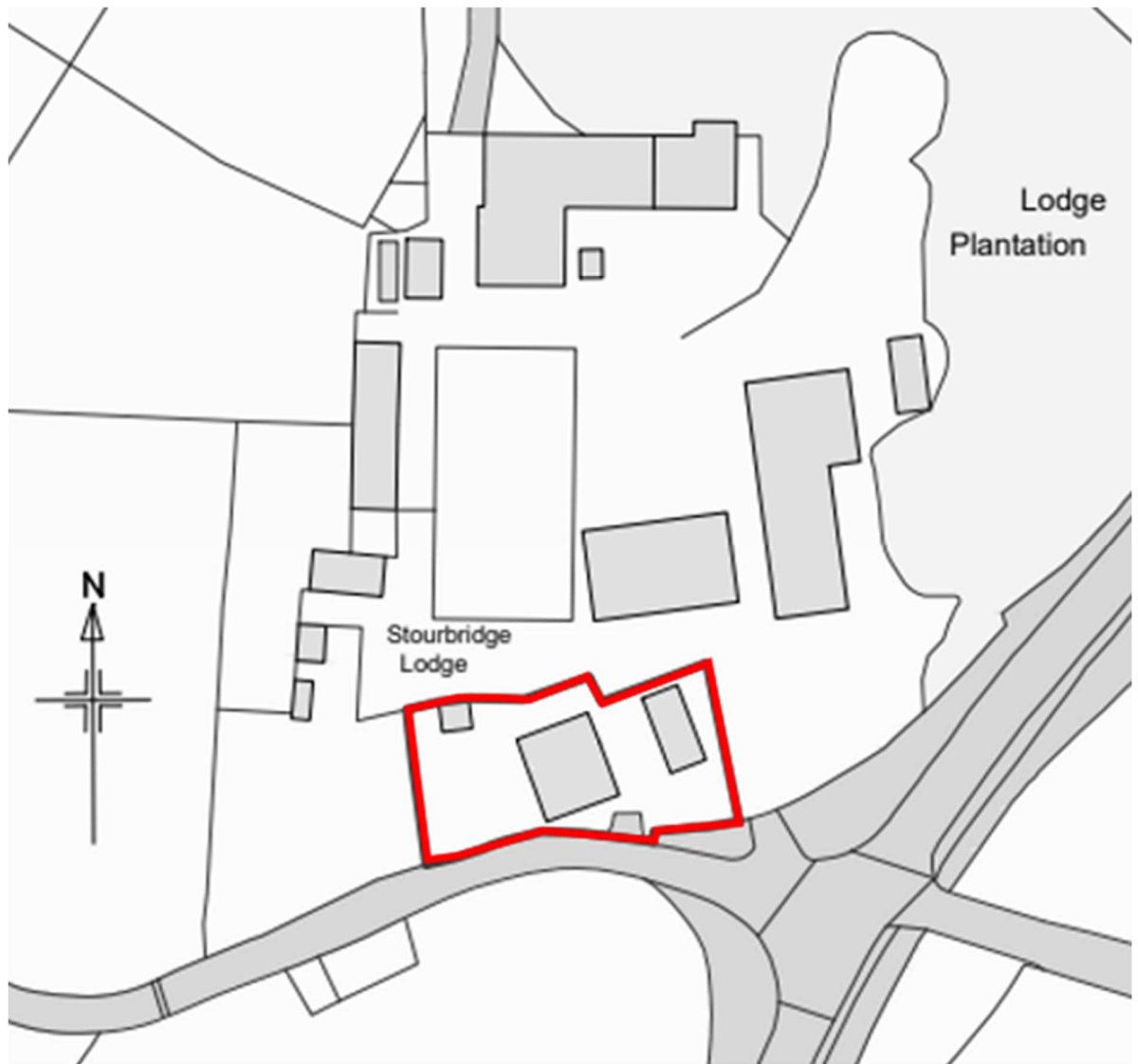
Tel: 01902 696900

E-mail: m.bray@sstaffs.gov.uk

PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE

- i) SARAH ELIZABETH WALKER
Stourbridge Lodge,
Prestwood,
Stourbridge
DY7 5AQ
- ii) ADRIAN LLOYD
Stourbridge Lodge,
Prestwood,
Stourbridge
DY7 5AQ
- iii) NATIONAL WESTMINSTER BANK PLC
Mortgage Centre,
P.O. Box 123,
Greenock
PA15 1EF.

RED LINE PLAN TO ACCOMPANY ENFORCEMENT NOTICE
STOURBRIDGE LODGE, WOLVERHAMPTON ROAD, PRESTWOOD, STOURBRIDGE



Appendix 1

Pre-existing Development Restoration Plan (to include infill extension shaded in blue)



APPENDIX 2

The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.



Official copy of register of title

Title number SF270059

Edition date 13.11.2019

- This official copy shows the entries on the register of title on 04 FEB 2022 at 09:04:10.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 04 Feb 2022.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Birkenhead Office.

A: Property Register

This register describes the land and estate comprised in the title.

STAFFORDSHIRE : SOUTH STAFFORDSHIRE

- 1 (18.09.1989) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Stourbridge Lodge, Prestwood, Stourbridge (DY7 5AQ).
- 2 (18.09.1989) The land has the benefit of the rights granted by but is subject as mentioned in a Conveyance of the land in this title dated 24 January 1983 made between (1) Secretary of State for Social Services (Vendor) and (2) Joseph Arras William Harwood and Florence Lilian Harwood (Purchasers) in the following terms:-

"The Property is hereby conveyed subject to:-

(1) All matters contained or referred to in a Conveyance dated the 15th October 1919 and made between (1) Ebenezer Elias John Roberts, Alfred Ernest Marsh, William Charles Camm, Thomas Clare and James Raybould and (2) The Staffordshire Wolverhampton and Dudley Joint Committee for Tuberculosis so far as they are still subsisting and capable of taking effect.

(ii) All rights of way water light air drainage and/or other easements and/or quasi easements of any kind affecting the Property hereby conveyed whether visible on inspection or not.

5. (i) The Vendor hereby grants to the Purchasers a right of access to and egress from the Property hereby conveyed over that part of the service road shown brown on the plan annexed hereto

(ii) The Vendor hereby grants a right to the Purchasers to drain into the septic tank marked "X" on the plan annexed hereto, the Purchasers being sole responsible for the maintenance thereof.

(iii) The Vendor hereby grants the right to the Purchasers and their licensees to enter onto the Vendor's retained land known as Prestwood Hospital for the purpose of maintaining, cleansing, repairing and renewing the said septic tank."

NOTE 1: Copy plan filed

NOTE 2: The Conveyance dated 15 October 1919 is that referred to in the

A: Property Register continued

Charges Register.

- 3 (02.12.1999) The land has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 22 October 1999 referred to in the Charges Register.
- 4 (02.12.1999) The Transfer dated 22 October 1999 referred to in the Charges Register contains a provision as to light or air.
- 5 (05.02.2002) A Deed dated 25 January 2002 made between (1) Sarah Bannister and (2) Roger Winston Bannister supplemental to the Conveyance dated 24 January 1983 referred to above shows the correct position of the septic tank and grants a right of entry for the maintenance of the same.

NOTE: Original filed.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (05.02.2002) PROPRIETOR: SARAH ELIZABETH WALKER of Stourbridge Lodge, Prestwood, Stourbridge DY7 5AQ.
- 2 (05.02.2002) The price stated to have been paid on 25 January 2002 was £190,000.
- 3 (05.02.2002) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.
- 4 (13.11.2019) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 21 October 2019 in favour of National Westminster Bank PLC referred to in the Charges Register.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (18.09.1989) A Conveyance of the land in this title and other land dated 15 October 1919 made between (1) Ebenezer Elias John Roberts and others and (the Vendors) (2) The Staffordshire Wolverhampton and Dudley Joint Committee for Tuberculosis (the joint Committee) contains the following covenants:-

"And the Joint Committee their successors and assigns also covenant with the Vendors their heirs and assigns (a) with the object and intention of affording to the Vendors or full and sufficient indemnity in respect of the covenant contained in the said Indenture of Conveyance of the Twentieth day of November One thousand nine hundred and seventeen and also in respect of the lands now or formerly belonging to the Vendors that they will not raise or lower the height of any weir situate on the hereditaments hereby conveyed so as to flood any land now or formerly belonging to Paul Henry Foley or to the Vendors above or below the said hereditaments and to regulate any floodgate situate on the hereditaments hereby conveyed so as to avoid so far as is practicable any flooding of the same land"

NOTE: No evidence of the Conveyance dated 20 November 1917 referred to above was produced on first registration.

- 2 (18.09.1989) The land is subject to the following rights reserved by the Conveyance dated 15 October 1919 referred to above:-

C: Charges Register continued

"Reserving nevertheless unto the Vendors any way or easement or quasi easement in respect of any adjoining premises belonging to the Vendors which the Vendors would but for these presents have been entitled to And excepting and reserving unto the Vendors their heirs and assigns all game of Round Hill Farm and the rights of access and egress over such lands for the purpose of sporting killing or taking such game and all other rights and privileges as excepted and reserved by an Indenture of Conveyance dated the Second day of October One thousand nine hundred and three and made between Paul Henry Foley of the first part Joseph Bramah Cochrane and Edward Webb of the second part and the Rural District Council of Kingswindsford of the third part to the owners lessees and occupiers of Prestwood House and Park."

NOTE: No evidence of the Conveyance dated 2 October 1903 referred to above was produced on first registration.

- 3 (18.09.1989) By the Conveyance dated 15 October 1919 referred to above, the land in this title was conveyed subject as follows:

"Subject to the rights and easements obligations acts and deeds set forth in the second part of the Second Schedule

The Second Schedule

Second Part

(b) The rights (if any) vested in the parties entitled to the same of an implied restriction so far as the same exists (if at all) that no building shall at any time be erected within thirty feet of the roadway of Newtown Lane and Prestwood Drive shown on the said plan

(d) The lands are conveyed subject to and with the benefit of any field drains which drain the same lands or any other land drained thereby or through which any such drains run but the Vendors shall not be required to point out the course of such drains."

- 4 (02.12.1999) A Transfer of the land in this title dated 22 October 1999 made between (1) Completelink Limited and (2) Wayne Alan Capewell contains restrictive covenants.

NOTE: Original filed.

- 5 (13.11.2019) REGISTERED CHARGE dated 21 October 2019.
- 6 (13.11.2019) Proprietor: NATIONAL WESTMINSTER BANK PLC (Co. Regn. No. 929027) of Mortgage Centre, P.O. Box 123, Greenock PA15 1EF.

End of register

These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

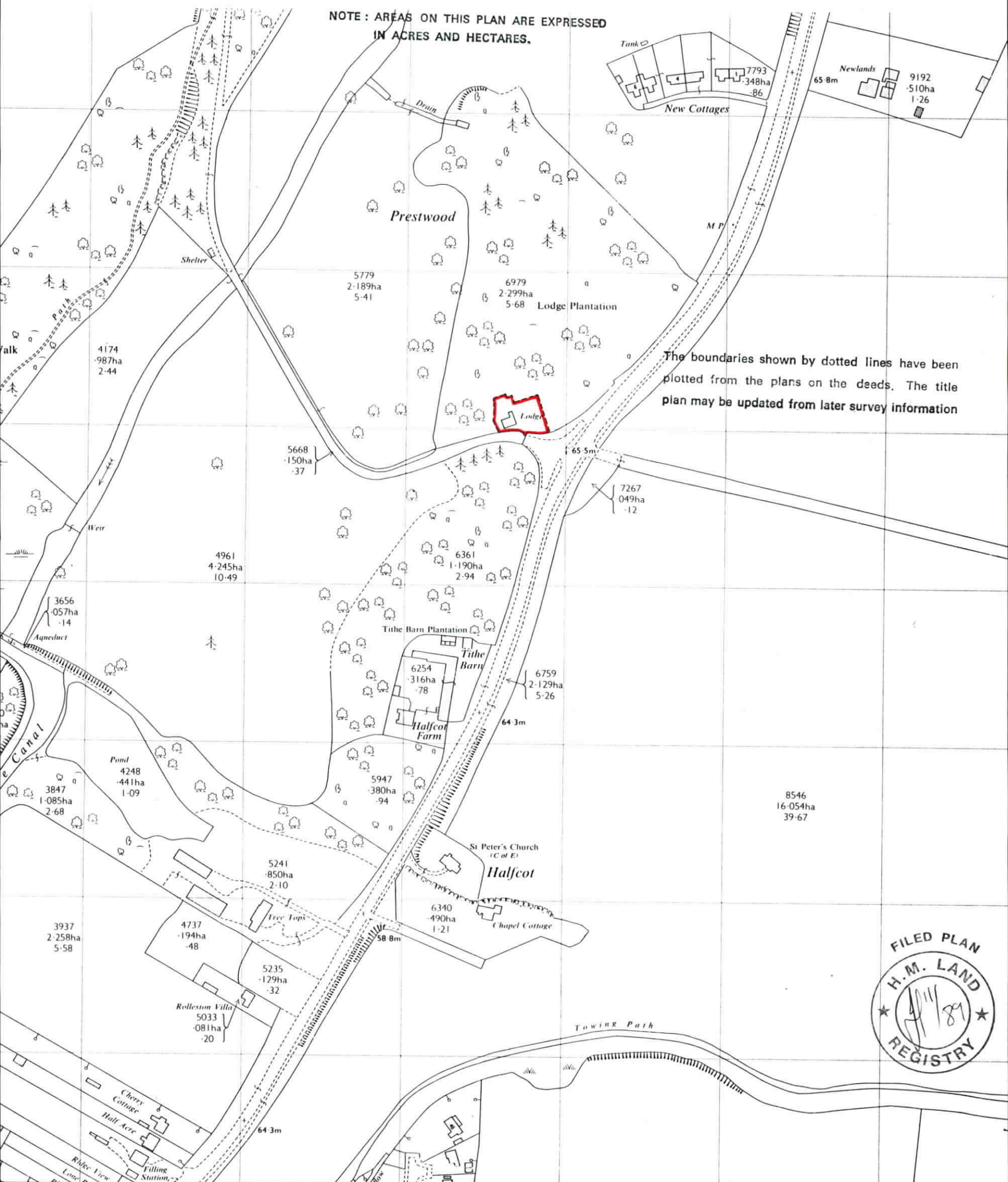
This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from HM Land Registry.

This official copy is issued on 04 February 2022 shows the state of this title plan on 04 February 2022 at 09:04:10. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by the HM Land Registry, Birkenhead Office .

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H.M. LAND REGISTRY		TITLE NUMBER	
		SF270059	
ORDNANCE SURVEY PLAN REFERENCE	SO 8685	SECTION	Scale 1/2500
COUNTY	STAFFORDSHIRE	DISTRICT	SOUTH STAFFORDSHIRE
			© Crown copyright



APPENDIX 3























APPENDIX 4

21/00027/FUL

Ms Sarah Walker

KINVER

Stourbridge Lodge Wolverhampton Road Prestwood STOURBRIDGE DY7 5AQ

Construction of single storey rear extension and double garage.

1. SITE DESCRIPTION AND PLANNING HISTORY

Stourbridge Lodge is a large-detached dwelling situated off the A449 Wolverhampton Road, Prestwood. Immediately to the north is Prestwood Farm which consists of a series of modern portal framed buildings and associated facilities, with open countryside to the south. The site lies within the West Midlands Green Belt and is subject to a Tree Preservation Order (76/1985).

There is an extensive planning history relating to this property which originally provided a floor space of 86sqm over two floors. Planning permission was originally granted in 2001 (01/00725/FUL) for the construction of a double garage and store, however, as part of a later approval in 2006 (06/00966/FUL) the 2001 approval was revoked. Further extensions/alterations to the property were approved in 2007 (07/01216/FUL).

It would appear that extensions to the property and a large two storey building providing garaging and a self-contained residential unit have been constructed without the benefit of planning permission.

Planning History

- 07/01216/FUL - Alterations, extensions, changes to residential curtilage and front dormer window - Approved
- 06/00966/FUL - Alterations, extensions and changes to residential curtilages - Approved, subject to a revocation order relating to 01/00725/FUL
- 06/00099/FUL - Alterations, extensions and changes in residential curtilage - Withdrawn
- 01/00725/FUL - Construction of double garage and store - Application revoked.

2. APPLICATION DETAILS

This application is described as a retrospective application involving the erection of a single storey rear extension and detached garage. However, this does not appear to accurately describe the unauthorised development which has taken place on site which appears to include two storey/first floor additions to the main house and a large detached two store building providing a garage and annex accommodation. The case officer has queried this with the applicant, but no response has been received.

3. POLICY CONTEXT

Strategic Objective 1: To protect and maintain the Green Belt and Open Countryside in order to sustain the distinctive character of South Staffordshire.

Core Policy 1: The Spatial Strategy

Policy GB1: Development in the Green Belt

Core Policy 4: Promoting High Quality Design

Policy EQ1 Protecting, Enhancing and Expanding Natural Assets
Policy EQ4 Protecting and enhancing the character and appearance of the Landscape
Policy EQ9 Protecting Residential Amenity
Policy EQ11 Wider Design
Policy EV12 Parking Provision
Core Policy 11: Sustainable Transport
Appendix 5 Car parking standards
Appendix 6 Space About Dwellings
South Staffordshire Design Guide (SPD)

Green Belt and Open Countryside Supplementary Planning Guidance (GBOC SPD)

National Planning Policy Framework (the Framework)
Chapters 12, 13 and 15

4. CONSULTATION RESPONSES

Kinver Parish Council (04/02/2021) - Recommend Refusal on the grounds that the 2017 application for extended this property and works to the garage was refused by the District Council but appears to have been built regardless without planning approval. Both the house and garage have been developed further and the plan submitted does not match what is on the site at present. It appears that there is living accommodation above the garage and it is a gross overdevelopment of the site and Greenbelt Regulations.

Arboricultural Officer (21/01/2021) - Further information is required. There are a number of trees on site which may be affected by the proposal. A tree survey should be submitted that accords to BS5837:2012 that details the impacts of the proposed-on trees.

No Councillor or neighbour comments.

5. APPRAISAL

The main issues in this case are:

- Whether the proposal is inappropriate development in the Green Belt;
- The effect of the proposal on the character and appearance of the area, including the impact on existing trees;
- The effect of the proposal on the living conditions of nearby residents; and
- Highways/parking; 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 very special circumstances necessary to justify the development.

Whether inappropriate development in the Green Belt

Paragraph 149 of the National Planning Policy Framework (the Framework) confirms that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt unless they fall under certain listed exceptions. Included in this list, and not to therefore be regarded as inappropriate development is 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.' Although the wording of Policy GB1 of the CS differs slightly from the above, it seeks to protect the Green Belt against inappropriate development and is therefore broadly consistent with the Framework.

The Council's 'Green Belt and Open Countryside Supplementary Planning Guidance' (GBOC SPD) sets a range of between 20-40% to establish if extensions are disproportionate over and above the size of the original building. This percentage range relates to the floor area of the original/extended dwelling.

I understand that the original property had a floor area of around 89sqm over two floors. The dwelling has been previously extended in 2006, adding 96sqm of floor space to the original dwelling (increase of 112%). Further additions to the property have been added following a further planning permission in 2007.

It appears that the unauthorised extensions which have been added to the property not only include the single storey additions which are referred to in the application description but also two storey additions. The case officer has queried this with the applicant who has failed to respond. It would appear that the property has been extended by a further 74sqm which, when combined with previous extensions, would result in a 226% increase in the size of the original dwelling. Clearly extensions of this size would represent disproportionate additions over and above the size of the original building and would therefore represent inappropriate development in the Green Belt.

This application also includes the retention of an existing detached building on the eastern side of the plot. Although it is described as a 'garage' it appears to be a large two storey building which provides its own self-contained living accommodation (i.e. entrance lobby, stairs and wc on the ground floor with large open plan kitchen and living area, separate bedroom and bathroom) in addition to a garage. It is also physically and functional separate from the main house and therefore clearly reads as a stand alone building rather than an addition to the house itself.

The building does not fall under any of the listed exceptions in paragraph 149 of the Framework and therefore also represents inappropriate development in the Green Belt. Paragraph 147 of the Framework confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Design and landscape

Policy EQ4 of the Core Strategy seeks for development to respect the intrinsic rural character and local distinctiveness of the South Staffordshire landscape, and should be maintained and where possible enhanced.

Policy EQ11 of the Core Strategy requires that new development "respect local character and distinctiveness, including that of the surrounding development and landscape [...] by enhancing the positive attributes whilst mitigating the negative aspects", and that "in terms of scale, volume, massing and materials, development should contribute positively to the street scene and surrounding buildings, whilst respecting the scale of spaces and buildings in the local area."

The Council's 2018 Design Guide has been adopted and amplifies the principles set out in Policy EQ11 of the Core Strategy. In particular the Design Guide states :
"It is generally not appropriate for extensions (other than small porches or canopies) to project forward of the existing front facade of a building."

In reviewing the proposed elevations of the extensions, the extensions appear out of scale to the original dwelling. Whilst some effort has been made to match the existing form and design of the dwelling, both of the side amendments overwhelm the scale of the original dwelling.

The National Design Guide [2021] states:

"Context is the location of the development and the attributes of its immediate, local and regional surroundings...Well-designed places are: integrated into their surroundings so they relate well to them; and influenced by and influence their context positively." (paragraphs 39 & 40). The Guide further states in paragraph 43 that "Well-designed new development is integrated into its wider surroundings, physically, socially and visually. It is carefully sited and designed, and is demonstrably based on an understanding of the existing situation, including the architecture prevalent in the area, including the local vernacular and other precedents that contribute to local character, to inform the form, scale appearance, details and materials of new development."

The proposed extensions do not appear to consider the local vernacular, and instead propose extensions that focus on size and scale of living area, rather than contributing positively to the local character of the surrounding rural area.

The National Design Guide also notes that "Well-designed new development...includes considering the composition of street scenes, individual buildings and their elements; the scale and proportions of buildings; façade design, such as the degree of symmetry, variety, the pattern and proportion of windows and doors, and their details." (paragraph 53). Further, "Well-designed places contribute to local distinctiveness. This may include: adopting typical building forms, composition, articulation, proportions, features, materials, details, patterns and colours of an area; drawing upon the architectural precedents that are prevalent in the local area, including the proportion of buildings and their openings." (paragraph 56).

5.4.9 It is the Planning Officer's opinion that the design proposed for the front and rear extensions does not attempt to contribute to local distinctiveness. The proposed extensions overwhelm the scale of the original dwelling, as such, it would appear that the proposals do not accord with Policies EQ4, EQ11 or the National Design Guide.

There are several existing trees along the eastern boundary of the site which, given their prominent location adjoining Wolverhampton Road, make an important contribution to the verdant character of this rural area and are therefore of some amenity value. I understand that the property is also subject to a Tree Preservation Order (76/1985).

Whilst it is acknowledged that the works are retrospective, the Council Arboricultural Officer has requested that a tree survey is submitted in accordance with BS5837:2012 to assess the impact of the development on existing trees. Despite requests from the case officer, a tree survey has not been provided. Therefore, insufficient information has been supplied to assess the impact the development has had on existing trees. As such, it would conflict with Policy EQ4 of the CS and the Framework.

Living conditions

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. This policy closely aligns with the Framework objective, to create places that provide a high standard of amenity for existing and future users.

There are no existing residential properties within the immediate vicinity of Stourbridge Lodge. Therefore, the extensions and new detached building do not adversely impact on the

living conditions of nearby residents and would accord with Policies EQ9 and EQ11 of the CS and the Framework in this respect.

Highways/parking

There are no highway or parking issues relating to this proposal, with the original vehicular access having been retained and adequate on site parking provision available for the extended/new residential dwelling(s).

Other considerations amounting to 'very special circumstances'

The applicant has indicated that the extensions and outbuilding are required to meet the needs of a growing family and the care needs of elderly parents. Whilst I acknowledge that the additional accommodation may be of benefit to the applicants and their wider family, this does not outweigh the harm by reason of the scheme's inappropriateness and any other identified harm (i.e. insufficient information to assess the impact on existing trees).

6. CONCLUSIONS

The proposal would represent inappropriate development in the Green Belt. Insufficient information has also been provided to assess the impact on existing trees. Although the other considerations advanced by the applicant have been considered they do not amount to the 'very special circumstances' required to outweigh the harm to the Green Belt by virtue of the scheme's inappropriateness and other identified harm. Therefore, the applications should be refused.

7. RECOMMENDATION - REFUSE

Subject to the following condition(s):

Reasons

1. The proposal represents inappropriate development in the Green Belt. Although the other considerations advanced by the applicant have been considered, they do not amount to the 'very special circumstances' required to outweigh the harm to the Green Belt by virtue of the scheme's inappropriateness. The development therefore conflicts with Policy GB1 of the South Staffordshire Core Strategy and the National Planning Policy Framework.
2. There are several existing trees on the site which due to their size and position make an important contribution to the character and appearance of the area. Insufficient information has been supplied to assess the impact the development has had on existing trees. As such, it is unclear if the development has had a harmful impact on existing trees, contrary to Policy EQ4 of the of the South Staffordshire Core Strategy and the National Planning Policy Framework.
3. The proposed extensions are of such a mass and design that they do not appear subservient to the original design and overwhelm the scale of the original Stourbridge Lodge The design does not consider local vernacular and the surrounding rural area, conflicting with Policies EQ4 and EQ11 of the Core Strategy 2012, as well as the National Design Guide [2021].

4. Proactive Statement -The Local Planning Authority has worked in a positive and proactive manner in accord with National Planning Policy Framework 2021, paragraph 38, by attempting to seek solutions with the applicant to problems associated with the application. A solution could not be found and so the development fails both with regards to the NPPF and the adopted Core Strategy 2012.

APPENDIX 5

Stourbridge Lodge, Prestwood, Stourbridge. DY7 5AQ
Existing Plans & Elevations



Front Elevation 1:100



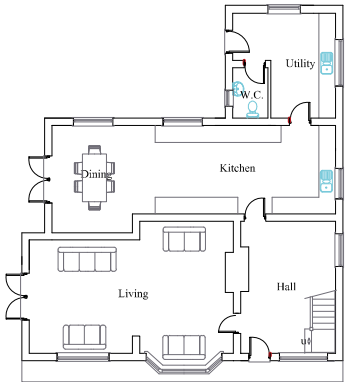
Side Elevation 1:100



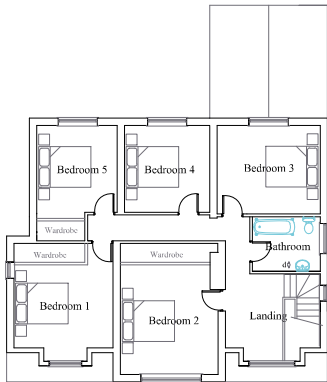
Side Elevation 1:100



Rear Elevation 1:100



Ground Floor Plan 1:100



First Floor Plan 1:100

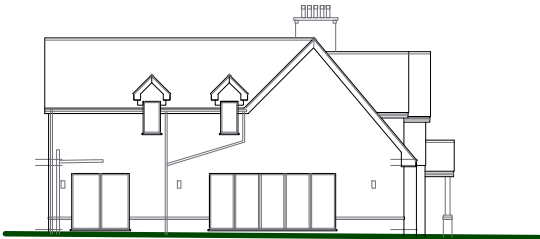


TITLE: Existing Plans & Elevations Stourbridge Lodge Prestwood Stourbridge DY7 5AQ		
DRAWING NO.	SL/3	REV: -
DATE	December 2020	
SCALE:	1:100	

Stourbridge Lodge, Prestwood, Stourbridge. DY7 5AQ
'As-Built' Elevations



Front Elevation 1:100



Side Elevation 1:100



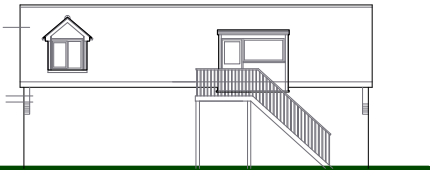
Side Elevation 1:100



Rear Elevation 1:100



Garage Front Elevation 1:100



Garage Rear Elevation 1:100



TITLE: 'As-Built' Elevations Stourbridge Lodge Prestwood Stourbridge DY7 5AQ		
DRAWING NO.	SL/2	REV: -
DATE:	December 2020	
SCALE:	1:100	

APPENDIX 6



Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

REFUSAL OF PLANNING PERMISSION

Application Number: 21/00027/FUL
Proposed: Construction of single storey rear extension and double garage.
At: Stourbridge Lodge Wolverhampton Road Prestwood STOURBRIDGE DY7 5AQ


In pursuance of their powers under the above mentioned Act, South Staffordshire Council, hereby **REFUSE** permission for the development described in the above application.

Reasons for refusal:

1. The proposal represents inappropriate development in the Green Belt. Although the other considerations advanced by the applicant have been considered, they do not amount to the 'very special circumstances' required to outweigh the harm to the Green Belt by virtue of the scheme's inappropriateness. The development therefore conflicts with Policy GB1 of the South Staffordshire Core Strategy and the National Planning Policy Framework.
2. There are several existing trees on the site which due to their size and position make an important contribution to the character and appearance of the area. Insufficient information has been supplied to assess the impact the development has had on existing trees. As such, it is unclear if the development has had a harmful impact on existing trees, contrary to Policy EQ4 of the of the South Staffordshire Core Strategy and the National Planning Policy Framework.
3. The proposed extensions are of such a mass and design that they do not appear subservient to the original design and overwhelm the scale of the original Stourbridge Lodge The design does not consider local vernacular and the surrounding rural area, conflicting with Policies EQ4 and EQ11 of the Core Strategy 2012, as well as the National Design Guide [2021].
4. Proactive Statement -The Local Planning Authority has worked in a positive and proactive manner in accord with National Planning Policy Framework 2021, paragraph 38, by attempting to seek solutions with the applicant to problems associated with the application. A solution could not be found and so the development fails both with regards to the NPPF and the adopted Core Strategy 2012.

Signed

Dated: 16 November 2021



Development Management Team Manager

Ms Sarah Walker
C/O Miss Megan Wilson
Steve Hesmondhalgh & Associates
Hutton Mount
Hutton Bank
Sharow
HG4 5DR

NOTES

APPEALS

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Otherwise, if you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

However, if you are not sure which of these time limits applies to your decision please contact the Planning Inspectorate

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

PURCHASE NOTICE

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or the Secretary of State for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, she/he may serve on the Borough Council or District Council or County Council in which the land is situated, as the case may be, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

COMPENSATION

In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

*Householder development means development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse. It does not include a change of use or a change to the number of dwellings in a building.

APPENDIX 7













APPENDIX 8

06/00966/FUL T.

Mr And Mrs Walker

KINVER

Stourbridge Lodge Wolverhampton Road Prestwood ~~Stourbridge South Staffordshire DY7~~
~~SAQ~~

PURPOSE OF THE REPORT

To determine and application for Alterations, extensions and changes to residential curtilage

RECOMMENDATION PERSON ~~APPROVED~~

*Subject to the confirmation of a } AS. J
Revocation Order in respect of 01/00725, Approve Drive*

Subject to the following condition(s):

1. Before the development commences details of the facing materials to be used for the external elevations shall be submitted to the Local Planning Authority for approval. The development shall be carried out in the approved materials.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any other subsequent equivalent Order, no development within the following classes of development shall be carried out without the prior approval of the Local Planning Authority:
 - a. Schedule 2, Part 1, Class A - extensions and alterations
 - b. Schedule 2, Part 1, Class B - roof alterations including dormer windows
 - c. Schedule 2, Part 1, Class C - other roof alterations including roof lights
 - d. Schedule 2, Part 1, Class D - porches
 - e. Schedule 2, Part 1, Class E - garden buildings and structures
 - i. Schedule 2, Part 2, Class A - gates, fences and walls
 - j. Schedule 2, Part 2, Class B - access
3. No existing trees, shrubs or hedges on the site or its boundaries shall be lopped, topped or cut down without the prior consent of the Local Planning Authority. If any existing trees, shrubs or hedges are cut down or die, they shall be replaced with the same species (unless otherwise agreed with the Local Planning Authority) within the next available planting season and shall be maintained to the satisfaction of the Local Planning Authority.
4. Before the development commences the existing trees, shrubs and hedges on the site shall be protected by fencing constructed in accordance with BS5837:2005 in positions to be agreed with the Local Planning Authority which shall be retained throughout the development of the site in the approved positions.
5. Before development commences all construction work, drainage runs and other excavations within the spread of the trees shown in brown on the approved plan shall be agreed by the Local Planning Authority. All work shall be carried out in accordance with BS5837:2005 Guide for Trees in relation to Construction.
6. The destruction by burning of any materials during the construction period shall not take place within 6 metres of the canopy spread of any trees or hedges shown to be retained on the approved plans.

Reasons

1. To safeguard the visual amenity of the area and the existing building in particular in accordance with policy BE26 of the adopted Local Plan.

*SAP 16.11.
RAD 15/11
PAC 16/11/08*

2. To safeguard the amenity of the area in accordance with policy BE26 of the adopted Local Plan, ^{the site is in the Green Belt, which, in accordance with the planning policies in PPG2 and policy GB1 of the adopted Local Plan, there is a presumption against inappropriate development.}
3. To safeguard the amenity of the area in accordance with policy BE26 of the adopted Local Plan
4. To safeguard the amenity of the area in accordance with policy BE26 of the adopted Local Plan
5. To safeguard the amenity of the area in accordance with policy BE26 of the adopted Local Plan
6. To safeguard the amenity of the area in accordance with policy BE26 of the adopted Local Plan

BACKGROUND INFORMATION

2001, Construction of double garage and store, Approved (01/00725)

2006, Alterations, extensions and change in residential curtilage, Withdrawn (06/00099)

REASONS FOR DECISION

Within the Green Belt.

The application site is set well back from the main A449 and is accessed down a shared private drive. The site is well screened from the south, however it is more open to view when approached from the north. The property is a large detached dwelling with its main garden area to the north side of the property.

The proposal is to provide a two-storey extension to the rear and ^{west} ~~south~~ side of the dwelling. This will comprise of a new kitchen and dining room on the ground floor enabling the existing kitchen to be re-configured as an enlarged hall and WC. The first floor extension is stepped back at the front and north side elevation and would provide three new bedrooms one with en-suite and a further en-suite to the main bedroom. The application also includes a change in the curtilage area surrounding the property.

The property is in the Green Belt and has not previously been extended; however it does have a current permission for a detached garage/store, to the north of the dwelling. The original footprint of the dwelling is approximately 48.89sq.m. The proposed extensions have a footprint of 55.84sq.m, resulting in an increase over and above the original footprint of 114%, which is contrary to policies set out in the Supplementary Planning Guidance. While this would usually be unacceptable, the agent has indicated the ^{agent} ~~intention~~ to revoke the planning permission granted in 2001 for a large detached garage and store, ^{which would have a far greater impact on the surrounding Green Belt, than the proposed extensions.} ~~delete~~

The garage/store building, ^{approved} ~~which was granted permission~~ in 2001, ^{would have} ~~has~~ a footprint of 51.27sq.m. ^{although not completed} ~~Although the permission has not been implemented, the permission is a current valid approval and would have a significant impact on the surrounding Green Belt. Under the Supplementary Planning Guidance, a 30% extension to the original property would result in an increase of approximately 14.66sq.m. When this is added together with the 51.27sq.m of the existing garage permission this would amount to a floor area of 65.93sq.m. As the garage/store is located over 5m from the main dwelling, this increase in footprint would be considered as potentially acceptable in principle.~~

The proposed extensions to the dwelling amount to 55.84sq.m, which is a reduction on the potential floor area of approximately 10.09sq.m. The proposal would result in less harm to the Green Belt as the proposed extensions would be located on the north (rear) and west elevations which are partially screened from the road. The design of the proposal is acceptable and would be in keeping with the existing dwelling. The proposal would result in adequate parking provision and rear amenity space being provided. The proposal would not result in any overlooking issues. Therefore I consider the alterations and extensions to this dwelling are acceptable.

The final element of this application is the change in residential curtilage. The proposal is to omit a section of land approximately 4.5 x 9m to the north (rear) boundary. The section of land would be exchanged by a similar sized section of land to the west, which is currently in the ownership of the neighbouring property. This section of land has a small cluster of young trees on the site. The change in the residential curtilage would not have an adverse impact on the surrounding Green Belt, as it is not open to view. The proposal is therefore acceptable. X

CONSULTATIONS UNDERTAKEN

PC consulted, no objection subject to 2001 application for garage/store being revoked.

~~Neighbours consulted, no objections received.~~

CH consulted, no objections.

EA consulted, no objection subject to foul drainage condition.

HEHS consulted, no objection.

HALS consulted, no reply.

A site notice has been posted and no objections have been received.

Background Documents

CH reply 22/09/06

EA reply 22/09/06

HEHS reply 19/09/06

DEVELOPMENT PLAN POLICIES AND PROPOSALS

BE26 New Development - Design Criteria

GB1 Green Belt - General

SPG Extensions to dwellings in the Green Belt.

C4 Dwellings in the Countryside

C8 Extensions

SPA

APPENDIX 9

SOUTH STAFFORDSHIRE DISTRICT COUNCIL DEVELOPMENT AND BUILDING CONTROL 15 AUG 2006		
PASSED TO:	ACTION:	
	A	R NR

06/00966



TITLE: LOCATION PLAN
STOURBRIDGE LODGE, WOLVERHAMPTON ROAD, PRESTWOOD
FOR MR AND MRS WALKER

DATE: 30/11/05

DRG NO: LOC/05

SCALE: 1:500

AGENT:

MICHAEL DAVIES FCIOB MBAT

BUILDING DESIGN & PLANNING SERVICES

7 MILL POOL CLOSE, WOMBOURNE, SOUTH STAFFORDSHIRE, WVS 8HS.

TELEPHONE & FAX: 01902 893284

FOR INFORMATION PURPOSES ONLY

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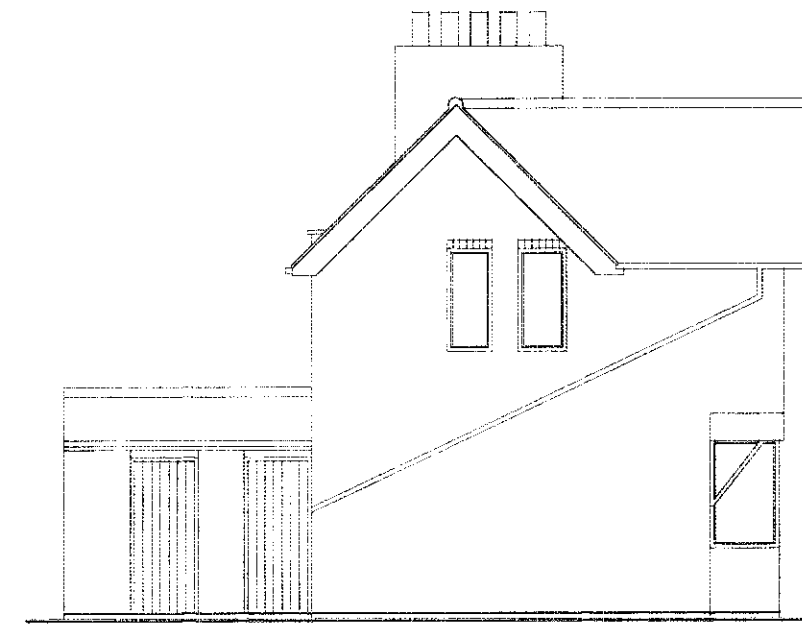
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APPENDIX 10



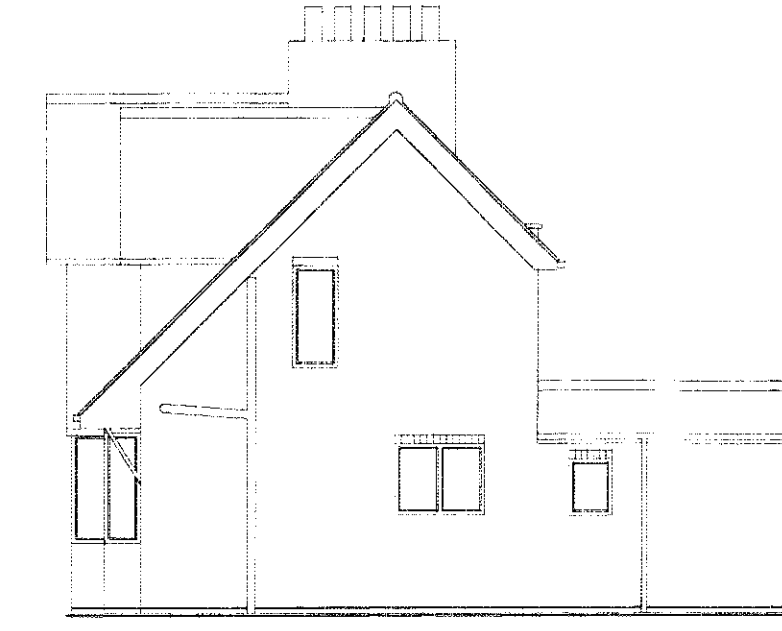
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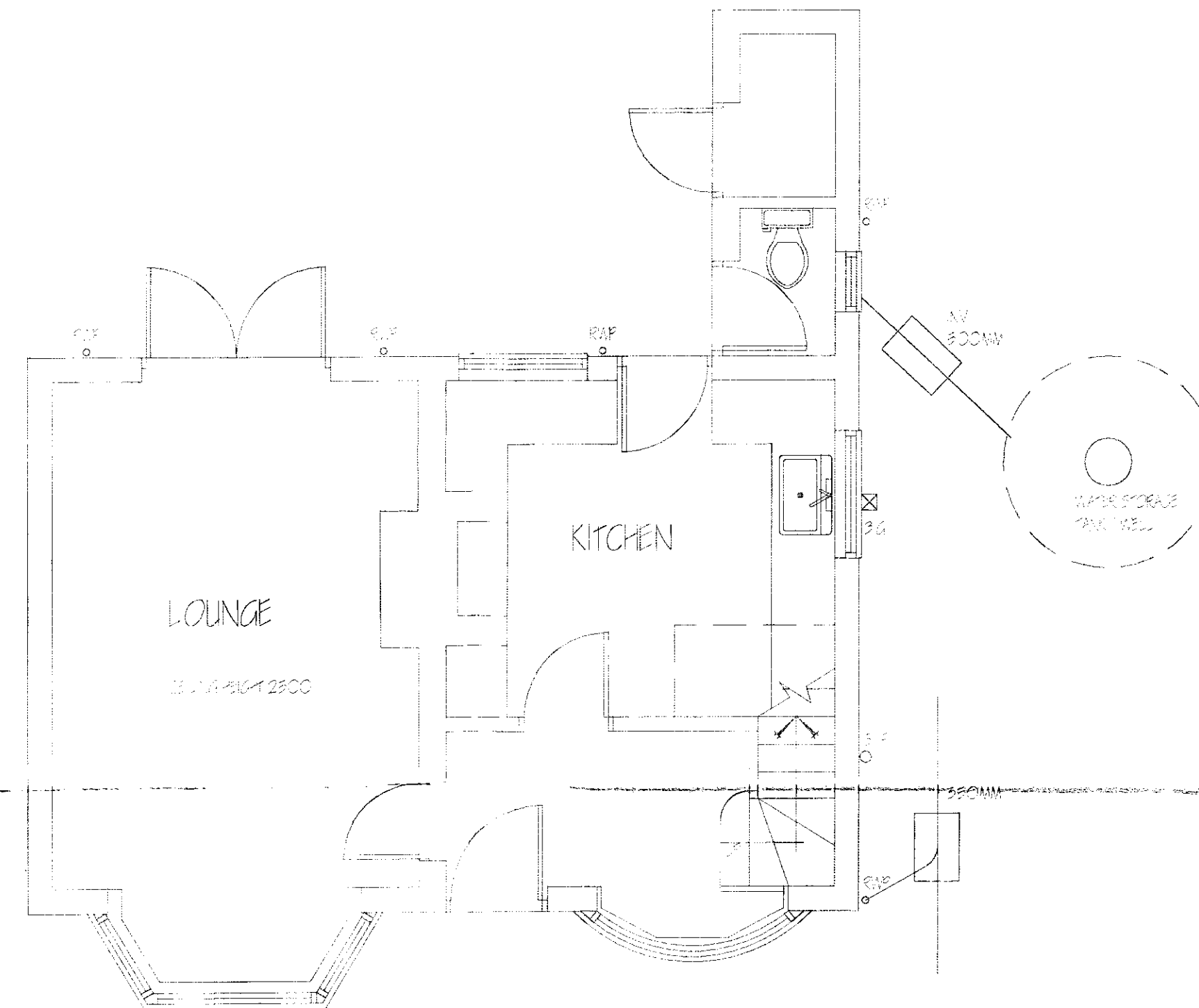
SIDE ELEVATION



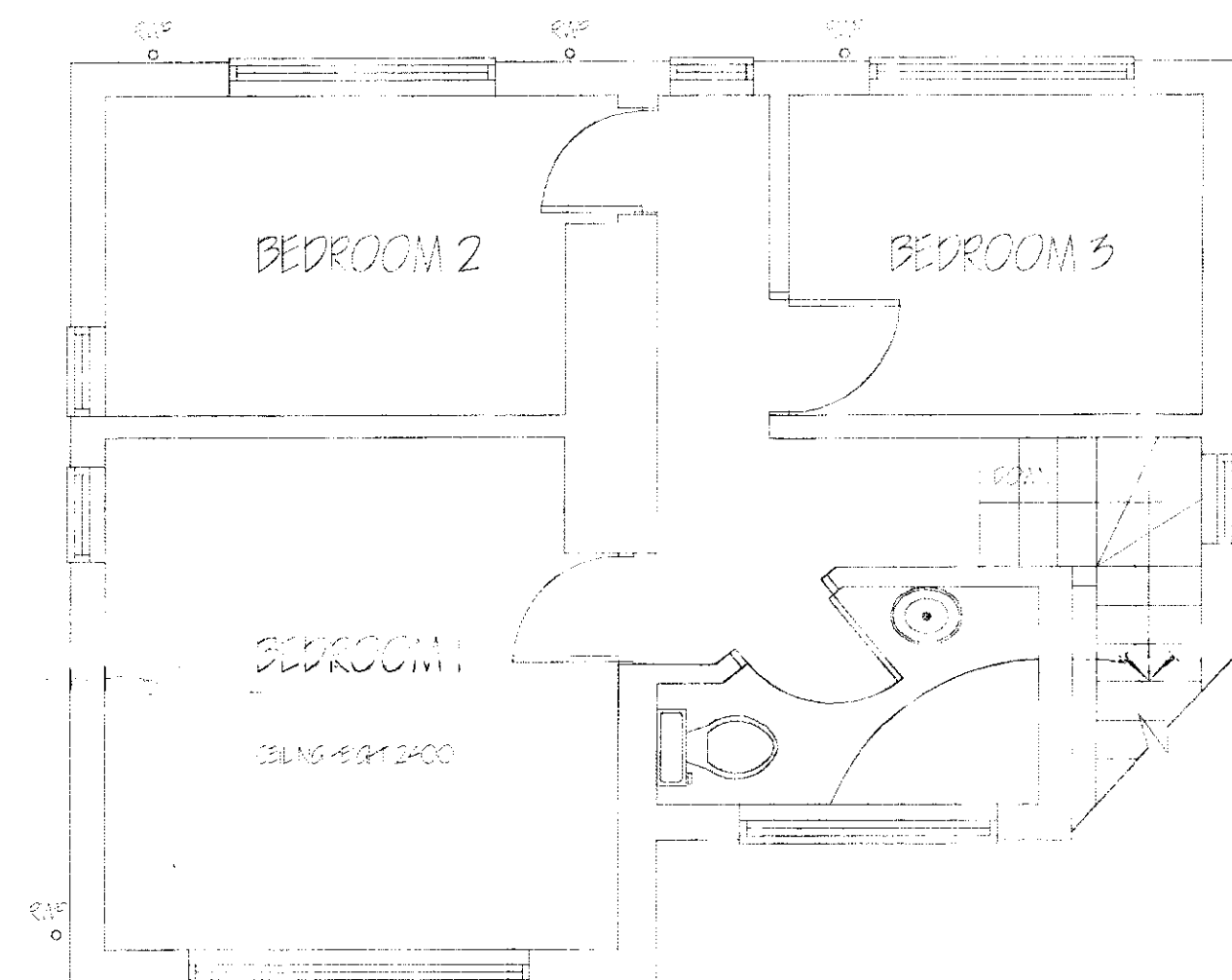
REAR ELEVATION



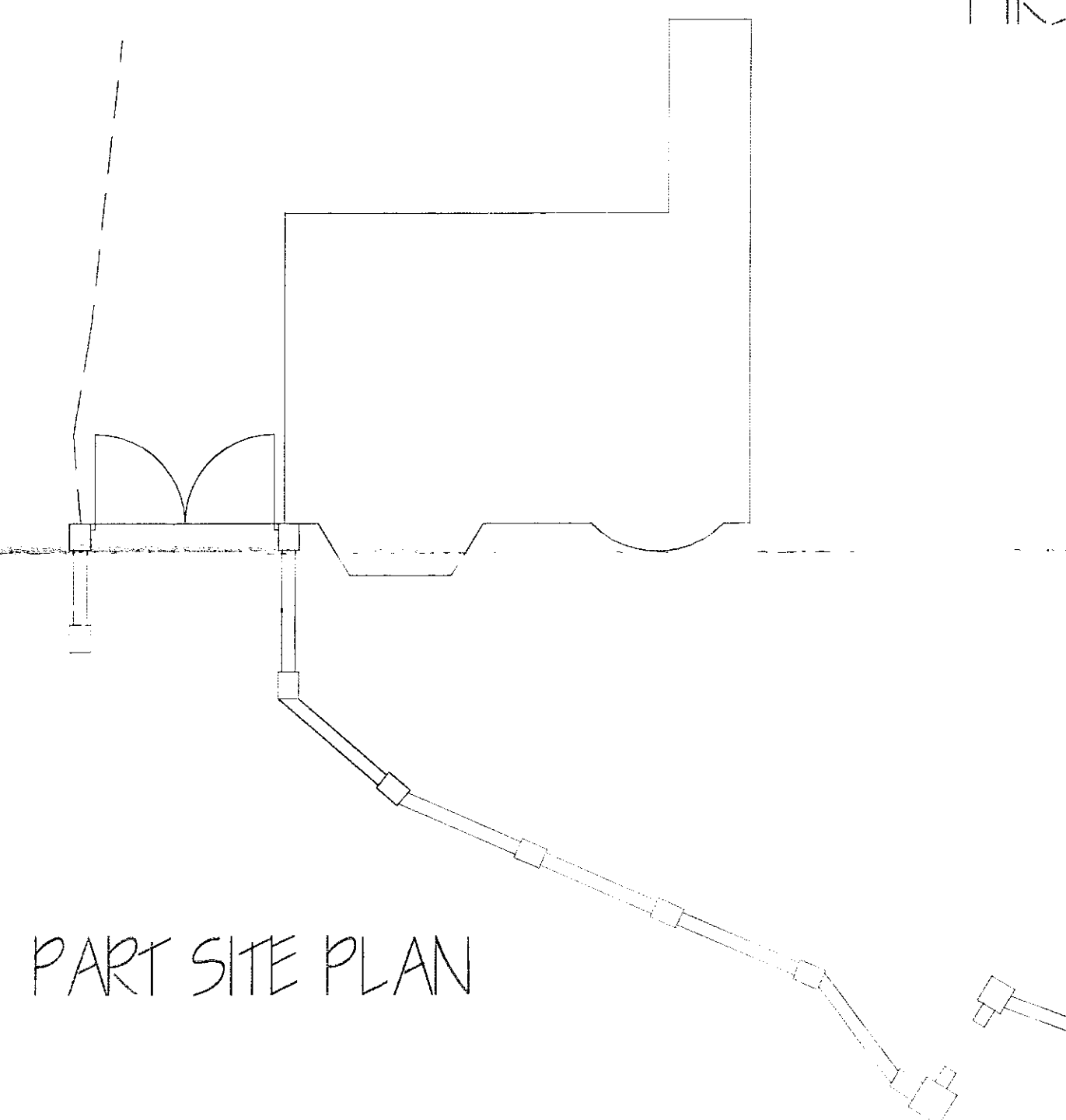
SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



PART SITE PLAN

SOUTH STAFFORDSHIRE
DISTRICT COUNCIL
DEVELOPMENT AND
BUILDING CONTROL
15 AUG 2006
PASSED TO: ACTION:
A R NR

NOTE:	SEE PLANS FOR DIMENSIONS ONLY - CHECK OTHERS ON SITE				
R E V I S I O N S					
TITLE:	PLANS AND ELEVATIONS AS EXISTING 500 BRIDGE LANE, WOLVERHAMPTON ROAD, FRESHWOOD MR AND MRS WALKER				
DATE:	10/1/06	DRG NO:	W/C/06	SCALE:	1/50:1/00
AGENT:	MICHAEL JAMES PUGH BUILDING DESIGN & PLANNING SERVICES 7 MILL POOL, CLIFFS, WOLVERHAMPTON, WVS B65 TELEPHONE & FAX: 01902 894284				
FOR INFORMATION PURPOSES ONLY					

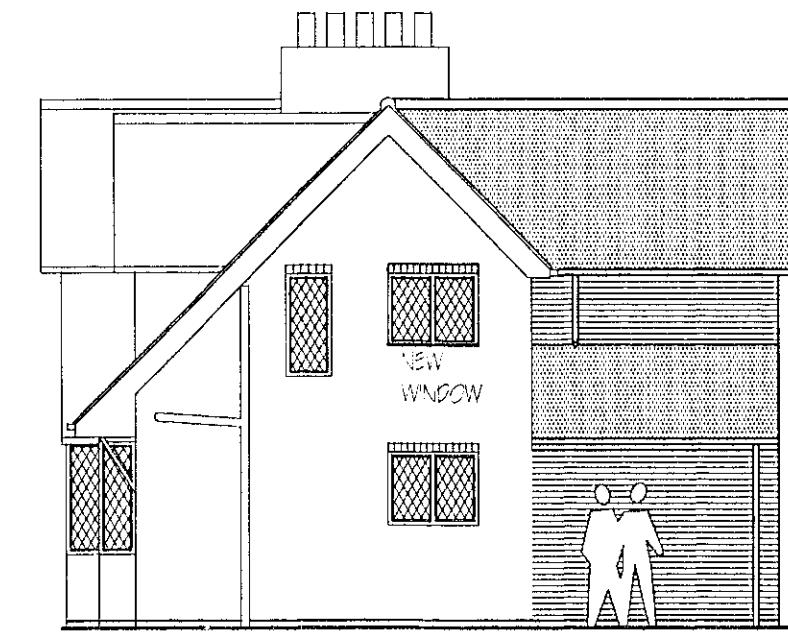
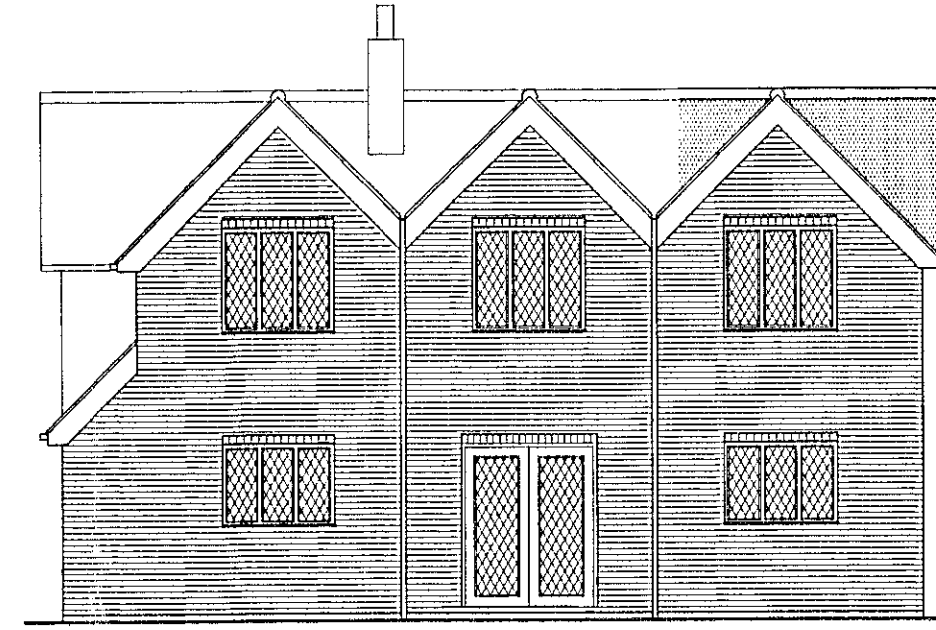
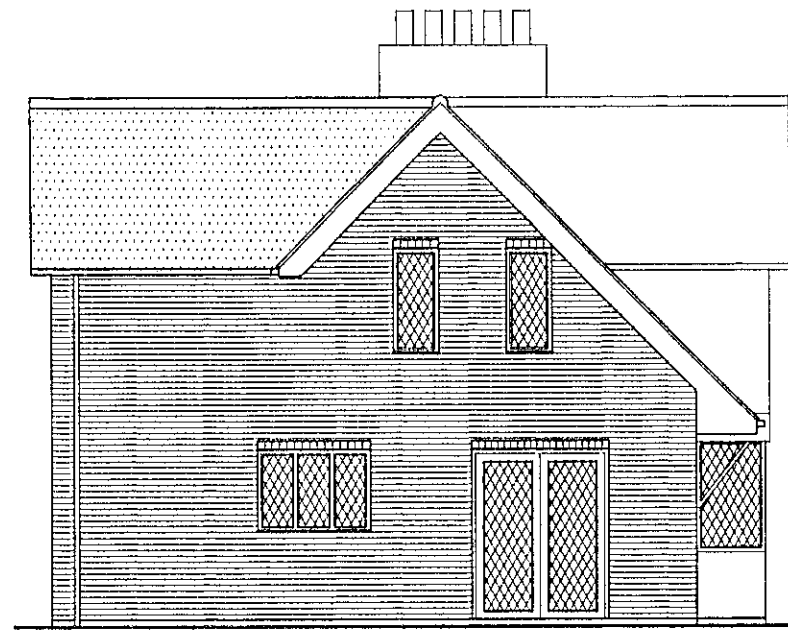
SOUTH STAFFORDSHIRE
DISTRICT COUNCIL
DEVELOPMENT AND
BUILDING CONTROL
15 AUG 2006
PASSED TO: ACTION:
A R NR

SOUTH STAFFORDSHIRE
DISTRICT COUNCIL
DEVELOPMENT AND
BUILDING CONTROL
19 SEP 2006
PASSED TO: ACTION:
A R NR



ROOF TILES
TO MATCH EXISTING

FACING BRICKWORK TO
COMPLEMENT EXISTING

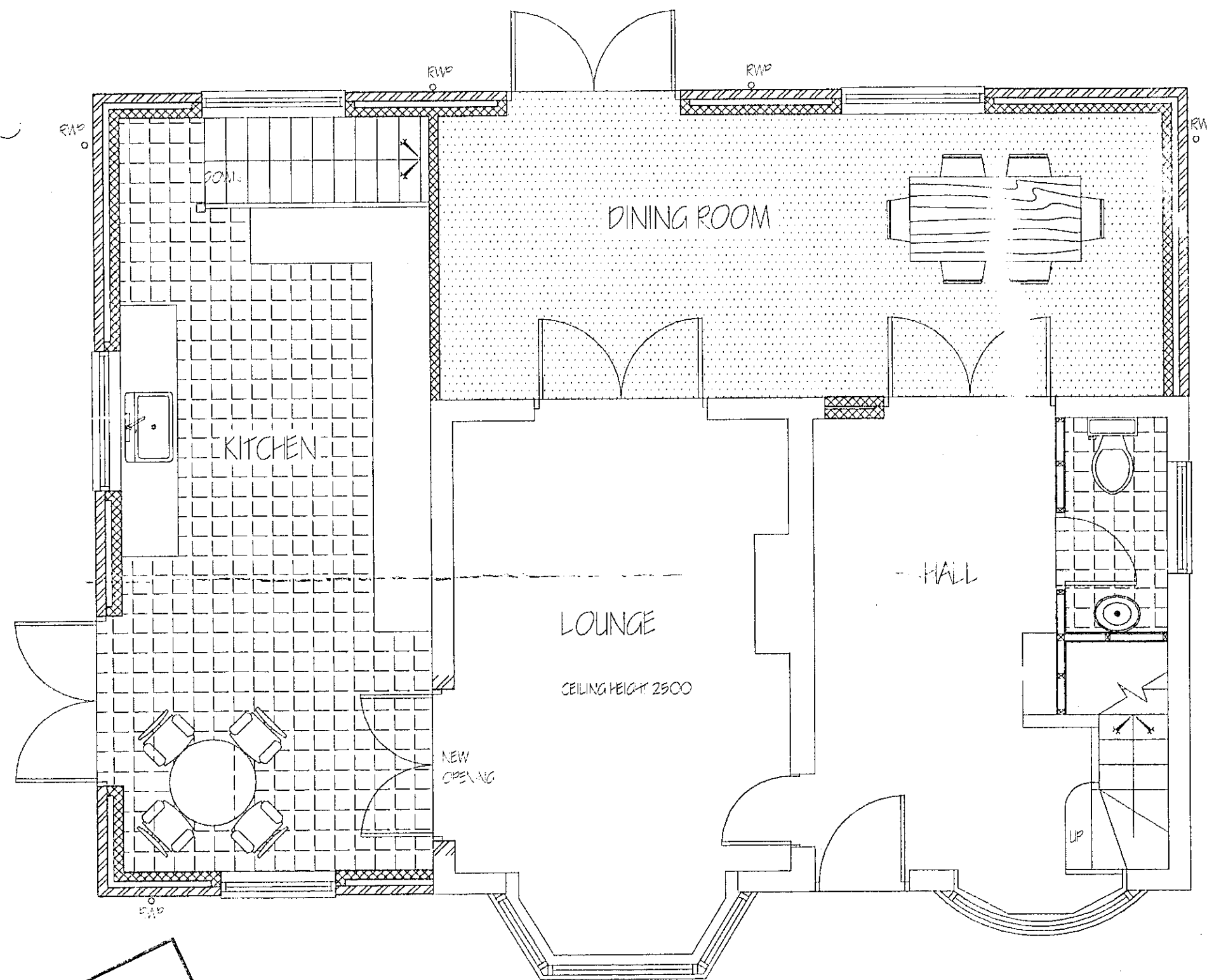


FRONT ELEVATION

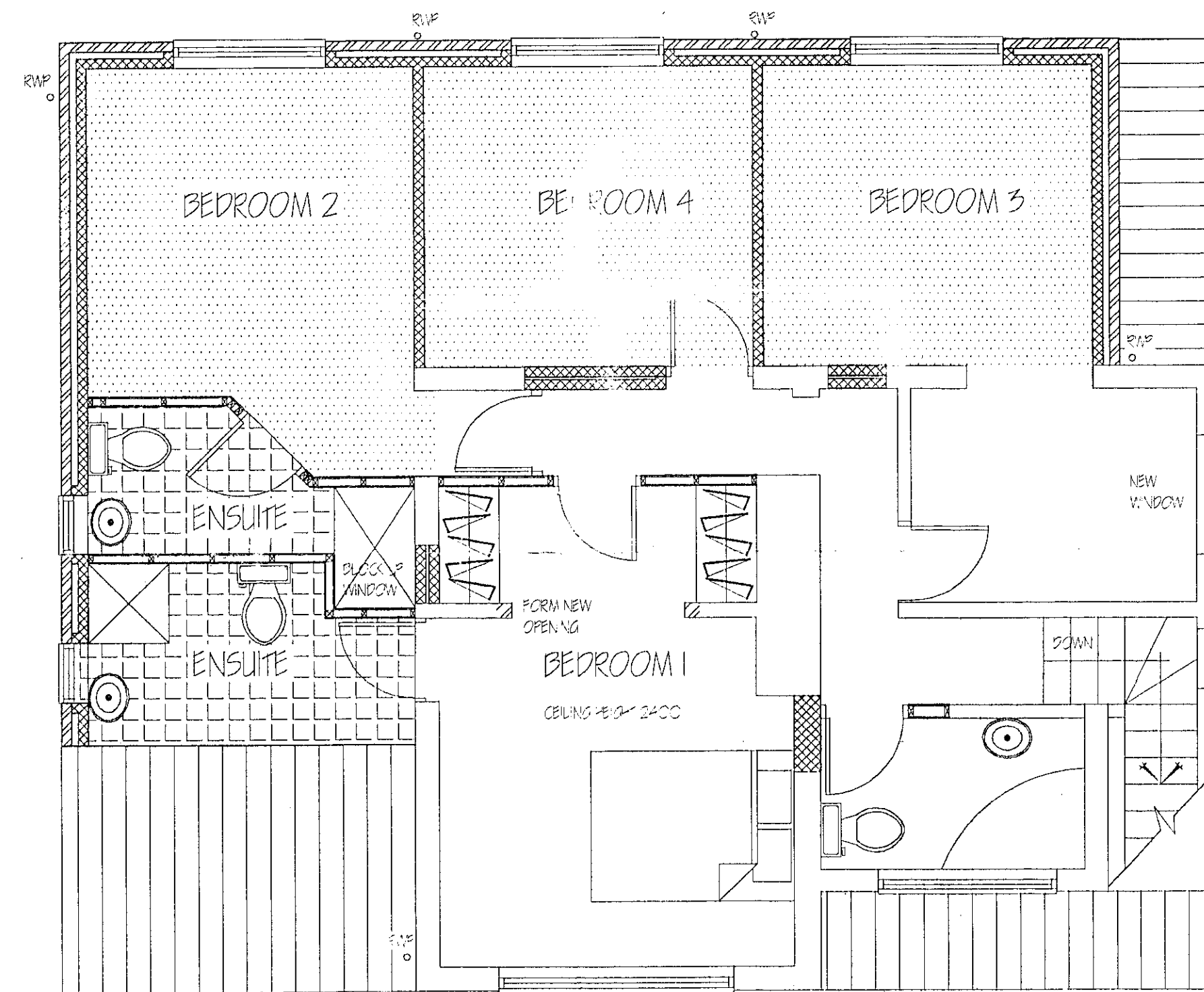
SIDE ELEVATION

REAR ELEVATION

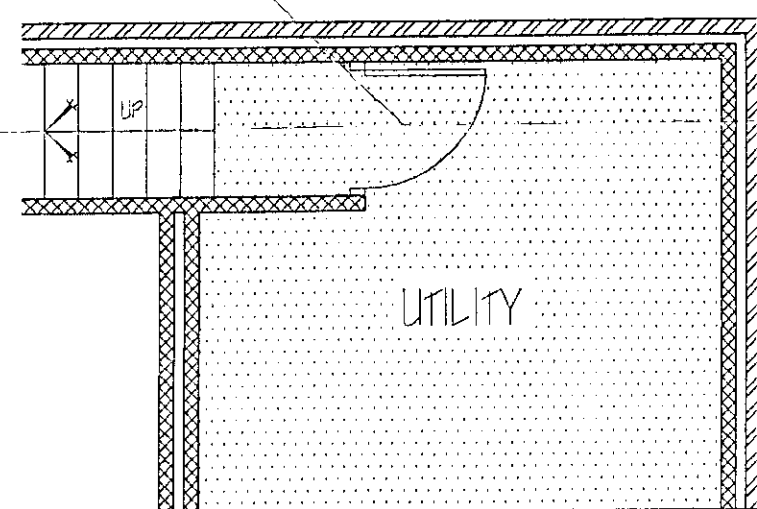
SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



BASEMENT FLOOR PLAN

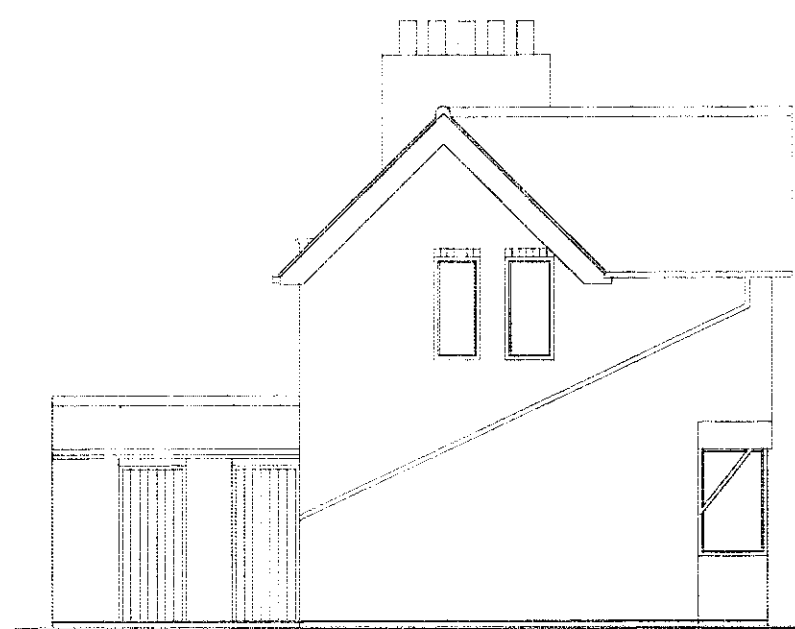
SOUTH STAFFORDSHIRE
DISTRICT COUNCIL
DEVELOPMENT AND
BUILDING CONTROL
19 SEP 2006
PASSED TO: ACTION:
A R NR

04-08-06	04-08-06	04-08-06	04-08-06
04-08-06	04-08-06	04-08-06	04-08-06
04-08-06	04-08-06	04-08-06	04-08-06
04-08-06	04-08-06	04-08-06	04-08-06
NOTE: SEE ALSO MEMORANDUM FOR THE ARCHITECT			
REVISIONS			
TITLE: PLANS AND ELEVATIONS AS PROPOSED 500,000,000 WOLVERHAMPTON ROAD, WOLVERHAMPTON FOR MR AND MRS WALKER			
DATE: 04/08/06	DRG NO: W/04/06	SCALE: 1/125	
AGENT: MICHAEL TAYLOR FOR MCA SOUTH STAFFORDSHIRE DISTRICT COUNCIL 7 MILLER ROAD, WOLVERHAMPTON, WOLVERHAMPTON, WOLVERHAMPTON, WOLVERHAMPTON TEL: 01902 555555 & FAX: 01902 555555			
FOR LA APPROVAL PURPOSES ONLY			

Superseded



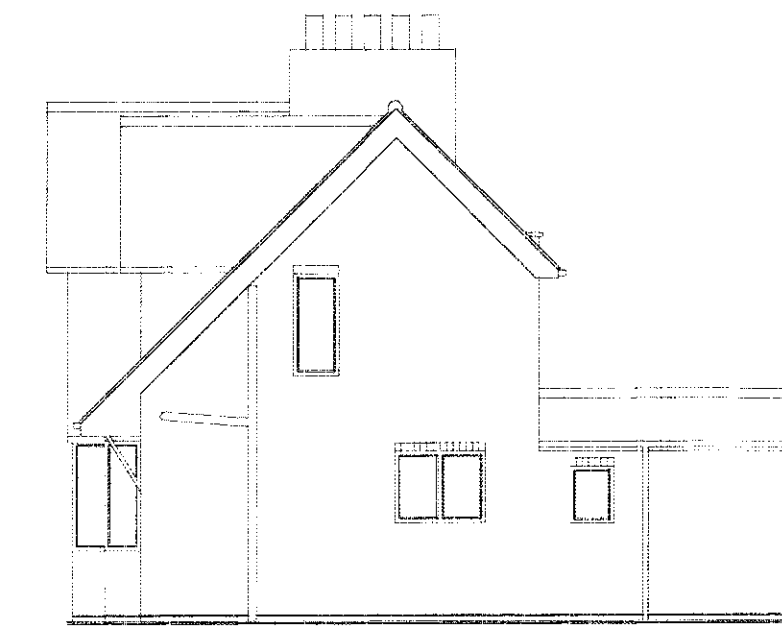
FRONT ELEVATION



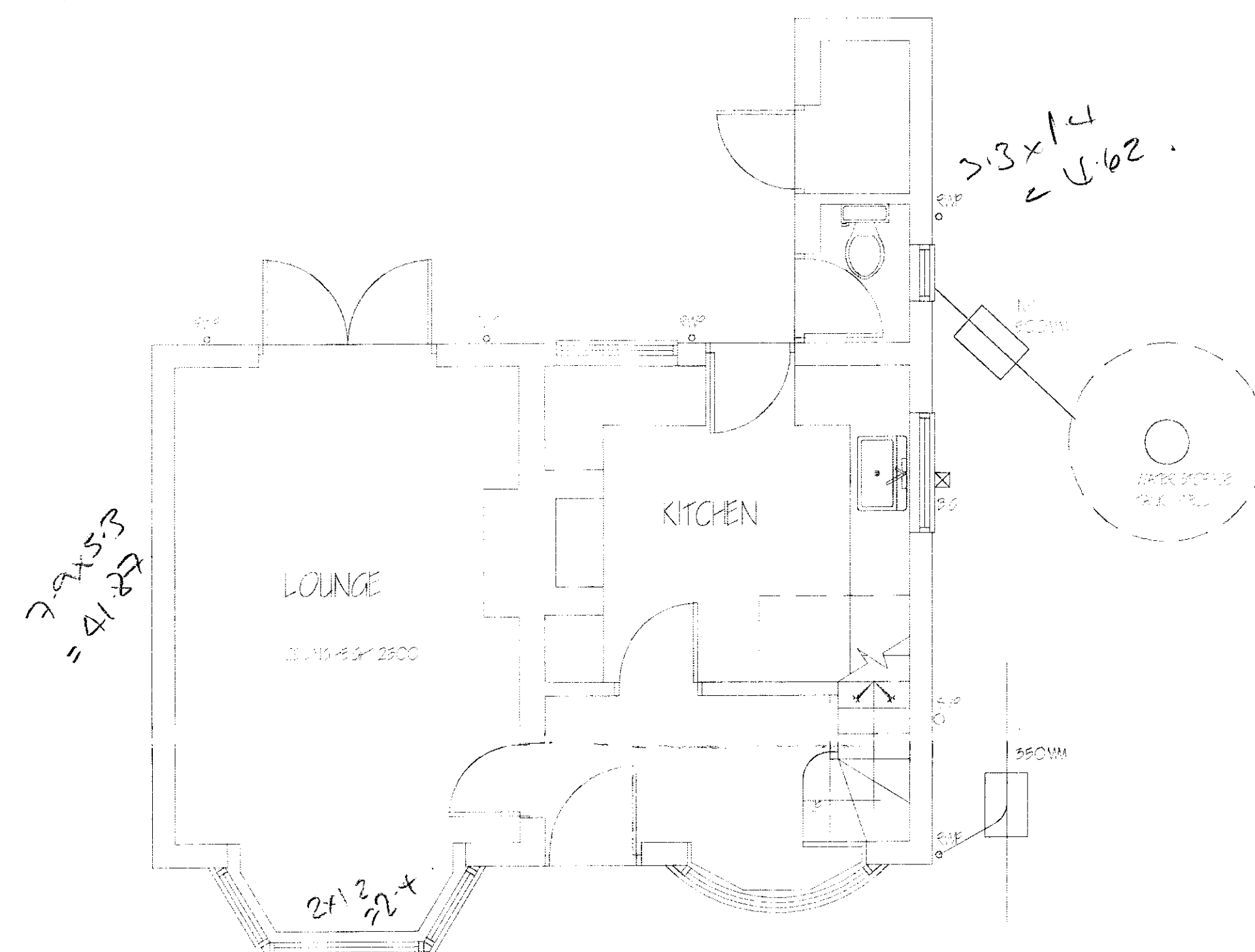
SIDE ELEVATION



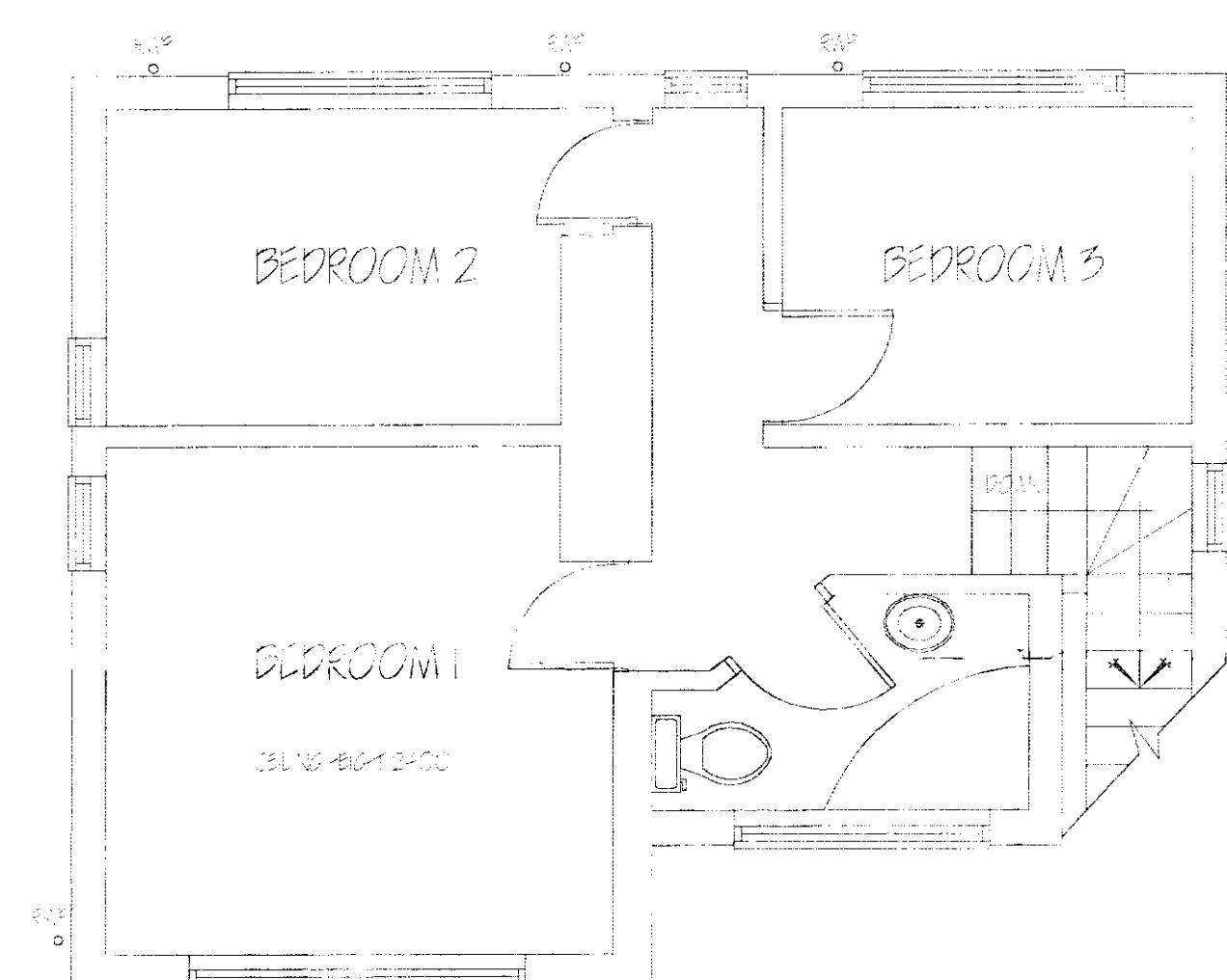
REAR ELEVATION



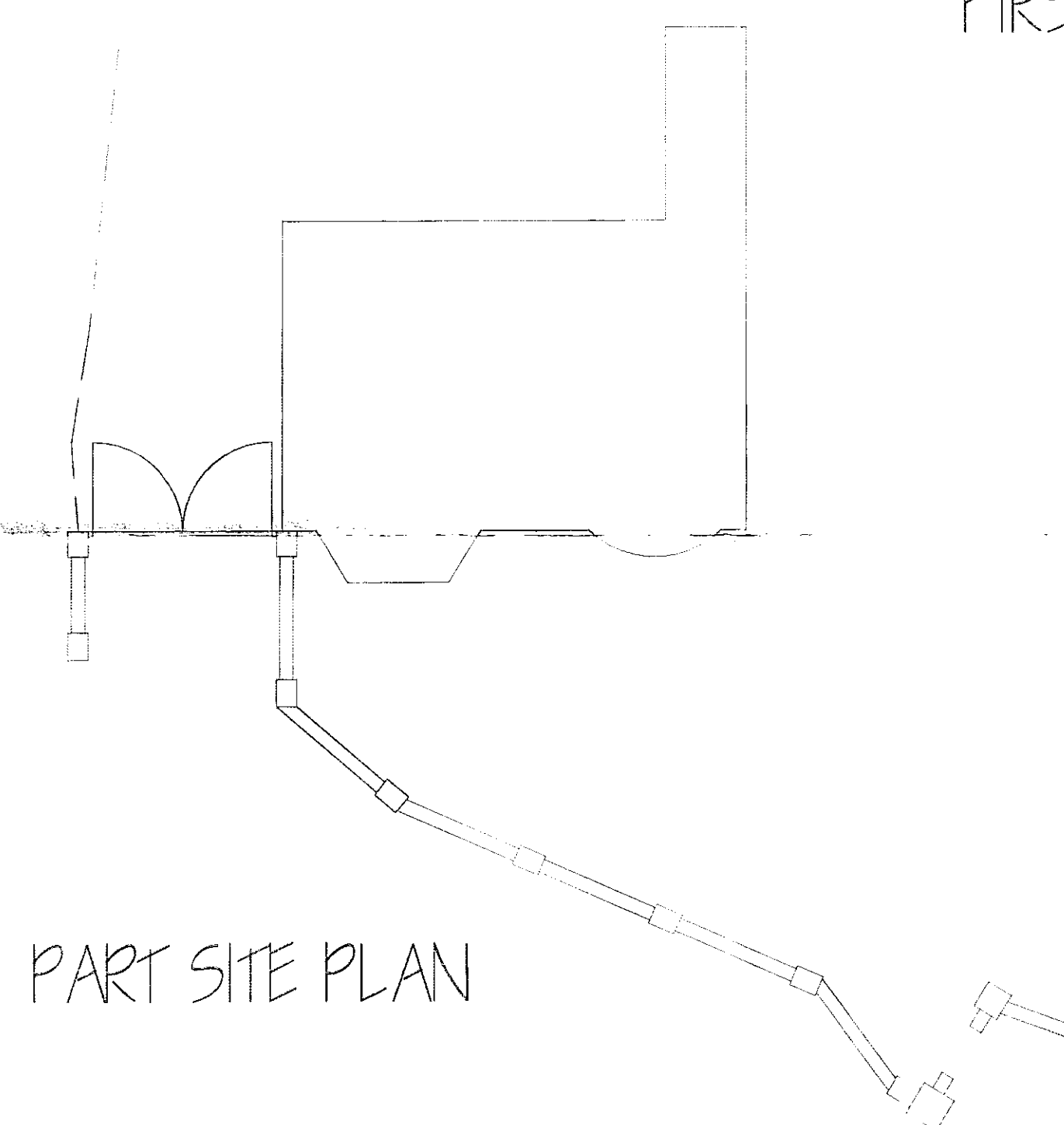
SIDE ELEVATION



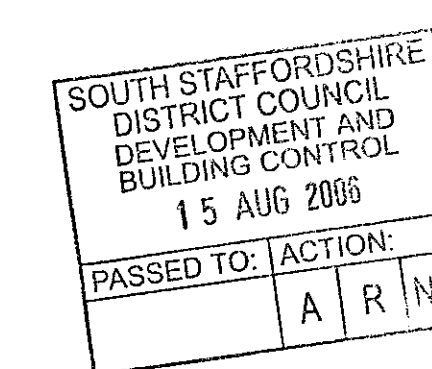
GROUND FLOOR PLAN



FIRST FLOOR PLAN



PART SITE PLAN

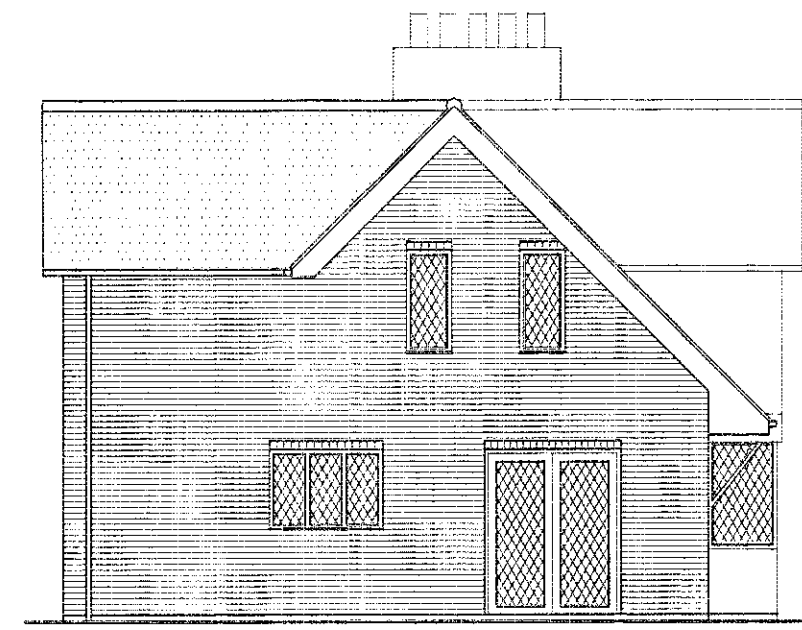


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R E V I S I O N S			
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DATE:	10/1/06	DRG NO:	W/01/06
SCALE:	1:50/1:100		
AGENT:	MICHAEL JAMES ROOPE ARCHITECTS BUILDING DESIGN & PLANNING SERVICES 11 ALL SOULS CLOSE, WOLVERHAMPTON, SOUTH STAFFORDSHIRE, WV6 8AS TEL: 01902 834343 & FAX: 01902 834344		
FOR INFORMATION PURPOSES ONLY			

SOUTH STAFFORDSHIRE
DISTRICT COUNCIL
DEVELOPMENT AND
BUILDING CONTROL
15 AUG 2006
PASSED TO: ACTION:
A R NR



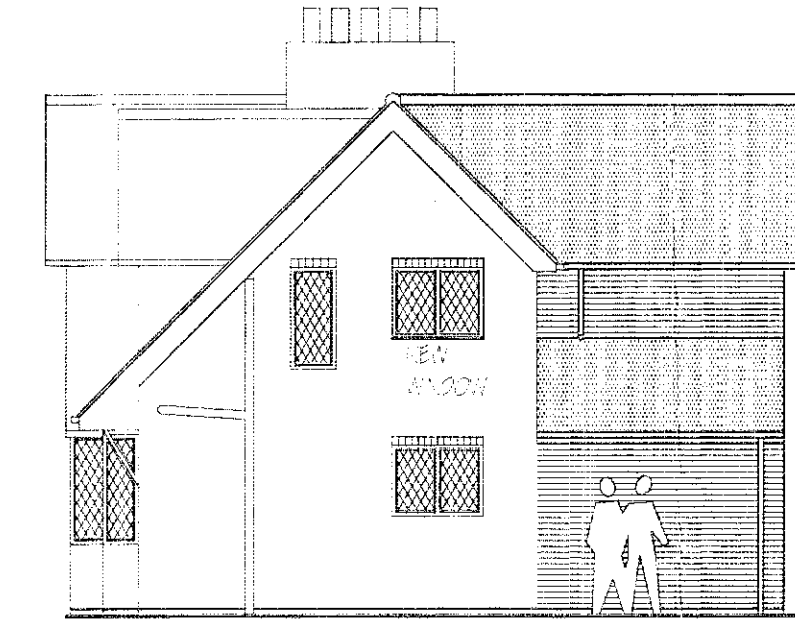
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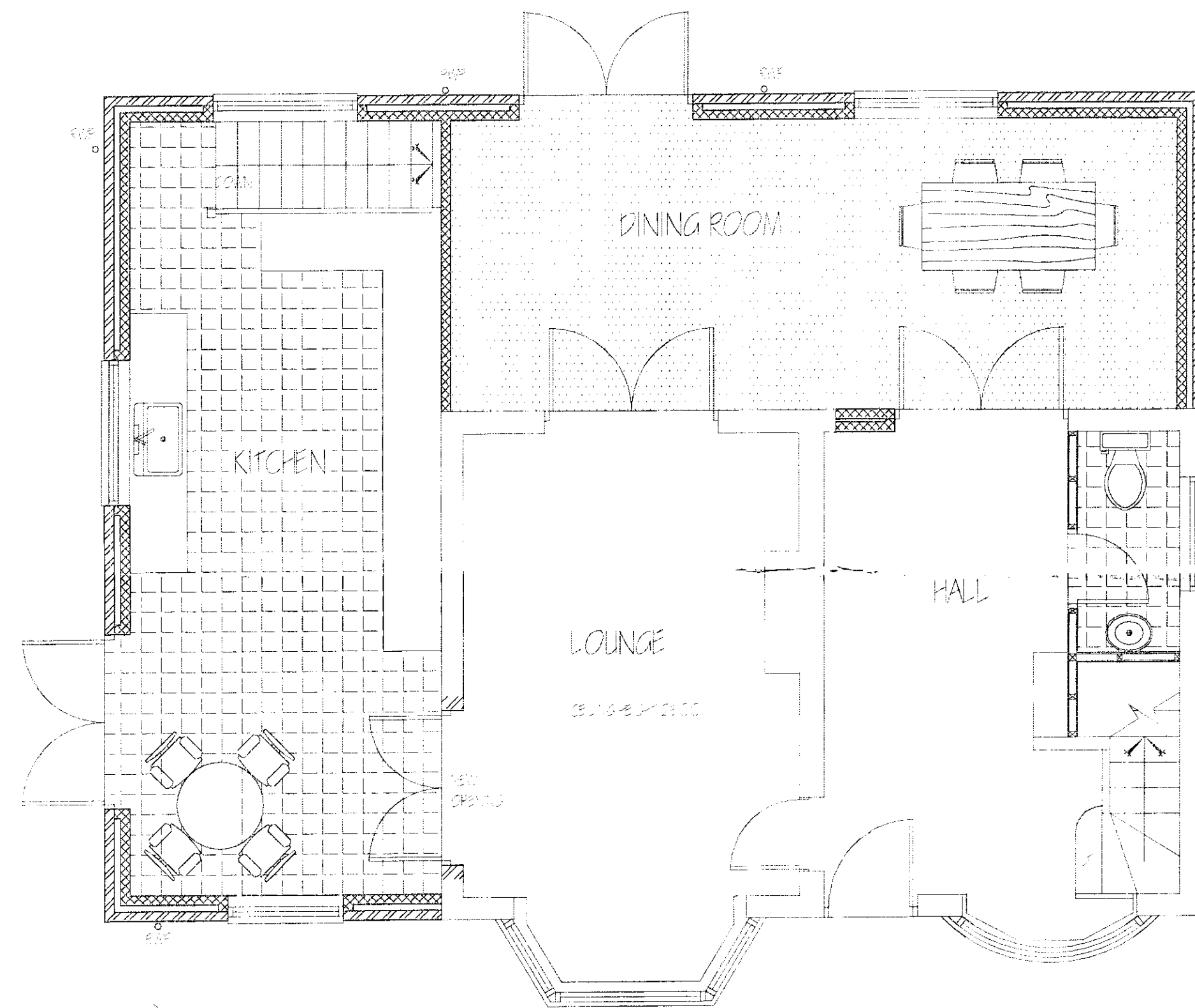
SIDE ELEVATION



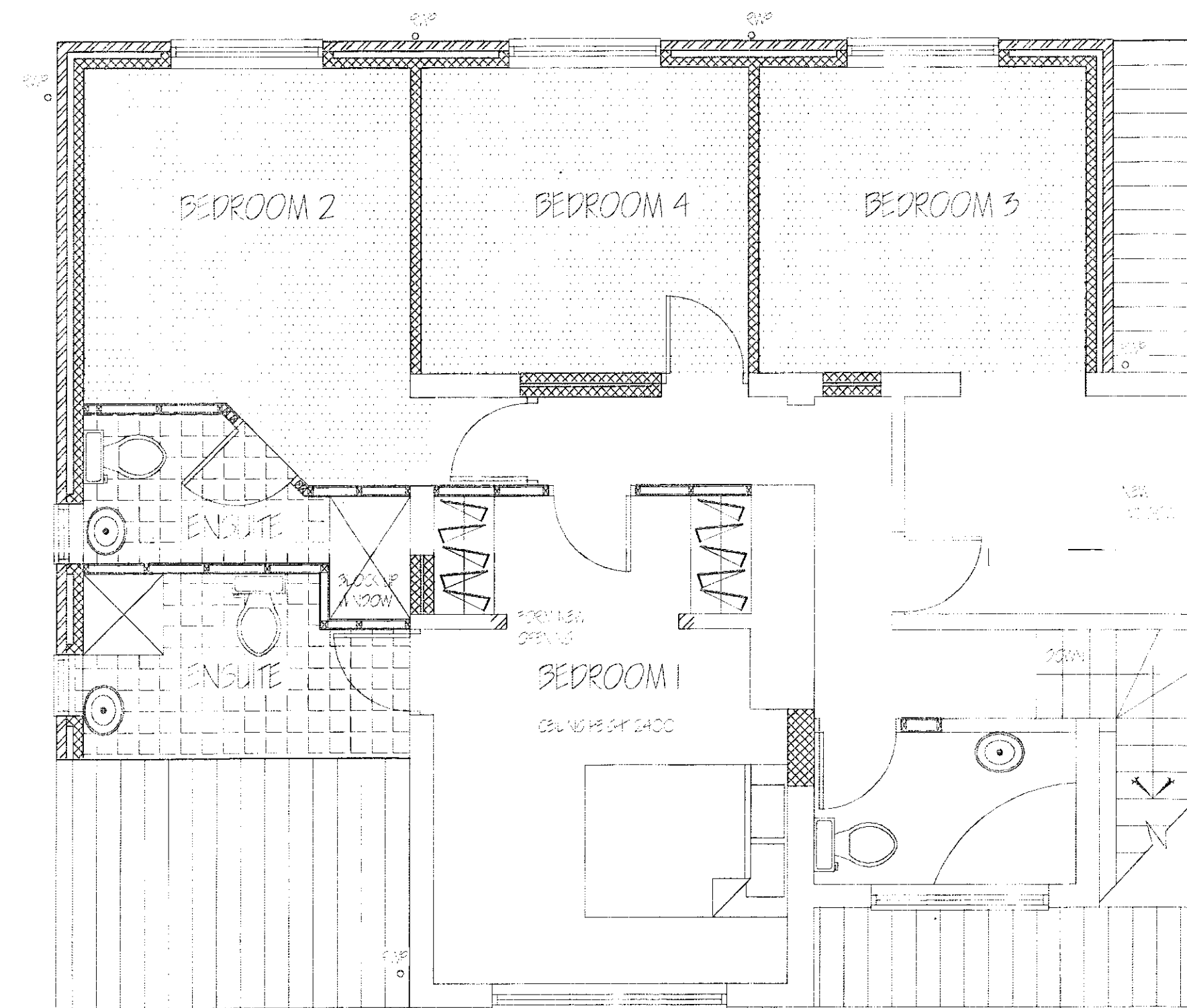
REAR ELEVATION



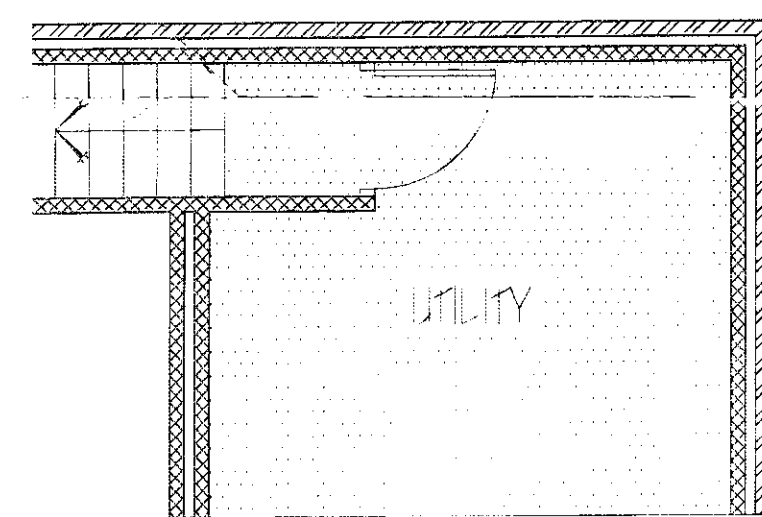
SIDE ELEVATION



GROUND FLOOR PLAN



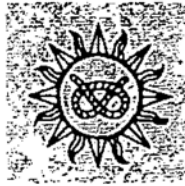
FIRST FLOOR PLAN



BASEMENT FLOOR PLAN

06/02/06	APPROVED
06/03/06	APPROVED
06/07/06	APPROVED
06/04/06	APPROVED
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R E V I S I O N S	
TITLE: PLANS AND ELEVATIONS AS PROPOSED PROPOSED LODGE WOLVERHAMPTON ROAD, PRESWOLD FOR MR AND MRS WALKER	
DATE: 04/01/06	DRG NO: W/02/06
SCALE: 1:50, 1:100	
AGENT: MICHAEL DAVES ROOM 1001 BUILDING DESIGN & PLANNING SERVICES 7 MILL POOL CLOSE WOLVERHAMPTON SOUTH STAFFORDSHIRE WV8 8AS TELEPHONE & FAX: 01902 394554	
FOR LA APPROVAL PURPOSES ONLY	

APPENDIX 11



SOUTH STAFFORDSHIRE COUNCIL

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1995

GRANT OF PLANNING PERMISSION

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

Application Number: 06/00966/FUL

Proposed: Alterations, extensions and changes to residential curtilages

At: Stourbridge Lodge Wolverhampton Road Prestwood Stourbridge South
Staffordshire DY7 5AQ

In pursuance of their power under the above mentioned Act, South Staffordshire Council hereby **GRANT** planning permission for the development described above in accordance with the details given in the application numbered above,

Subject to the following condition(s):

1. Before the development commences details of the facing materials to be used for the external elevations shall be submitted to the Local Planning Authority for approval. The development shall be carried out in the approved materials.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any other subsequent equivalent Order, no development within the following classes of development shall be carried out without the prior approval of the Local Planning Authority:
 - a. Schedule 2, Part 1, Class A - extensions and alterations
 - b. Schedule 2, Part 1, Class B - roof alterations including dormer windows
 - c. Schedule 2, Part 1, Class C - other roof alterations including roof lights
 - d. Schedule 2, Part 1, Class D - porches
 - e. Schedule 2, Part 1, Class E - garden buildings and structures
 - i. Schedule 2, Part 2, Class A - gates, fences and walls
 - j. Schedule 2, Part 2, Class B - access
3. No existing trees, shrubs or hedges on the site or its boundaries shall be lopped, topped or cut down without the prior consent of the Local Planning Authority. If any existing trees, shrubs or hedges are cut down or die, they shall be replaced with the same species (unless otherwise agreed with the Local Planning Authority) within the next available planting season and shall be maintained to the satisfaction of the Local Planning Authority.
4. Before the development commences the existing trees, shrubs and hedges on the site shall be protected by fencing constructed in accordance with BS5837:2005 in positions to be agreed with the Local Planning Authority which shall be retained throughout the development of the site in the approved positions.
5. Before development commences all construction work, drainage runs and other excavations within the spread of the trees shown in brown on the approved plan shall be agreed by the Local Planning Authority. All work shall be carried out in accordance with BS5837:2005 Guide for Trees in relation to Construction.
6. The destruction by burning of any materials during the construction period shall not take place

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within 6 metres of the canopy spread of any trees or hedges shown to be retained on the approved plans.

The reasons for the Council's decision to grant permission for development subject to compliance with the conditions hereinbefore specified are:-

1. To safeguard the visual amenity of the area and the existing building in particular in accordance with policy BE26 of the adopted Local Plan.
2. To safeguard the amenity of the area in accordance with policy BE26 of the adopted Local Plan and the site is in the Green Belt within which, in accordance with the planning policies in PPG2 and policy GB1 of the adopted Local Plan, there is a presumption against inappropriate development.
3. To safeguard the amenity of the area in accordance with policy BE26 of the adopted Local Plan
4. To safeguard the amenity of the area in accordance with policy BE26 of the adopted Local Plan
5. To safeguard the amenity of the area in accordance with policy BE26 of the adopted Local Plan
6. To safeguard the amenity of the area in accordance with policy BE26 of the adopted Local Plan

Signed

Dated: 12 July 2007



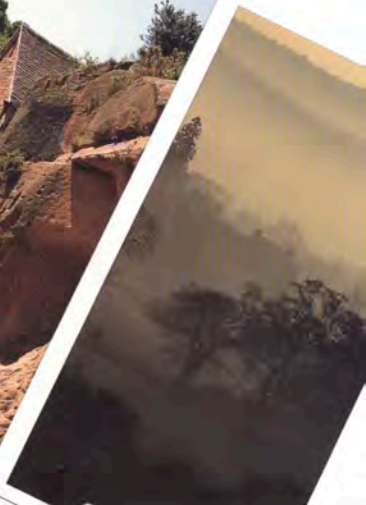
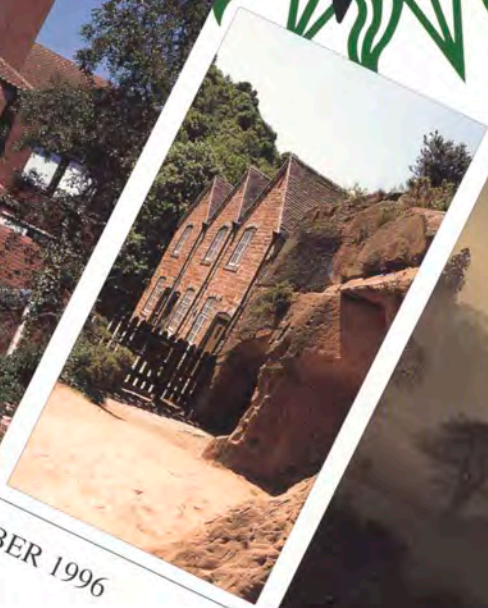
Sarah Poxon
Development Control Manager

Mr And Mrs Walker
C/O Mr M Davies
7 Millpool Close
Wombourne
Nr Wolverhampton
South Staffordshire
WV5 8HS

APPENDIX 12

LOCAL PLAY

SOUTH
STAFFORDSHIRE



ADOPTED DECEMBER 1996

SOUTH STAFFORDSHIRE LOCAL PLAN

Adopted 16th December 1996

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Chapter 1: Introduction

Background

- 1.1 The development plan for South Staffordshire District consists of the Staffordshire Structure Plan 1986-2001 approved by the Secretary of State for the Environment, and Local Plans prepared and adopted by the District Council. The Development Plan may also include Local Plans prepared and adopted by the County Council on particular subjects such as Minerals and Waste Disposal.
- 1.2 The District Council has previously prepared and adopted Local Plans for various parts of South Staffordshire, but this Plan has been drawn up to cover the whole of the District in accordance with legislation making District-wide Local Plans a statutory requirement.
- 1.3 The Staffordshire Structure Plan takes note of the Strategic Planning Guidance for the West Midlands published by the Department of the Environment and sets out the broad framework for planning in the County. It includes general planning policies and lays down the scale and general location of future development.
- 1.4 The purpose of this Local Plan is :
 - a) To develop the policies and general proposals of the Staffordshire Structure Plan 1986-2001 and to relate them to precise areas of land.
 - b) To provide a detailed basis for the control of development through planning applications.
 - c) To provide a detailed basis for co-ordinating the development or other use of land.
 - d) To bring local and detailed planning issues before the public.

Matters Considered in the Plan

- 1.5 South Staffordshire is a rural District on the north-western edge of Birmingham and the Black Country. It has seen a rapid expansion of housing in the past 25 years as its villages have proved attractive to people prepared to travel to work in the nearby urban areas. There have been many other changes which have affected the patterns of life and work in South Staffordshire. Traditional industries, such as agriculture, coal mining and engineering have declined. Their place has been taken by new forms of employment, amongst which mineral extraction, the construction industry, commercial distribution and small manufacturing and service businesses have made substantial contributions to the provision of jobs. New roads, the M6 and M54, have generally eased movement from the District to nearby urban centres, and current proposals for the Birmingham Northern Relief Road around the West Midlands should improve the District's accessibility still further.
- 1.6 New development will have an impact on the landscape of the District and its residents over the next 10 years. Change is not always welcome and the Local Plan intends to ensure that the attractive character of South Staffordshire is not damaged by insensitive developments. The quality of the landscape and the character of its historic villages are the District's greatest assets. It is essential that new development is planned in such a way as to fit unobtrusively into the scene and to enhance rather than detract from its physical surroundings.

1.7 The Green Belt will continue to be a key feature of planning policy in South Staffordshire in line with national policies, which confirm the importance of Green Belts in checking the unrestricted sprawl of large built-up areas, safeguarding the surrounding countryside from further encroachment, preventing neighbouring towns from merging into one another, preserving the special character of historic towns and assisting urban regeneration in the Conurbations.

1.8 Other key objectives of the Plan are:

- a) To make provision for housing demand in accordance with the policies of the Structure Plan;
- b) To meet the local needs for housing;
- c) To encourage employment by the provision of appropriate sites;
- d) To channel development pressures arising from new road building to appropriate locations, particularly the high technology sites required to meet Regional needs;
- e) To reduce the need to travel and encourage the use of energy efficient modes of transport;
- f) To protect and enhance the character and quality of the landscape and settlements of the District;
- g) To protect and enhance features of nature conservation value to ensure long-term protection and enhancement of the landscape and nature conservation resource.
- h) To provide for leisure and recreational needs consistent with the maintenance of the Green Belt;
- i) To promote the growth of tourism to an appropriate degree;
- j) To ensure the working of minerals is consistent with the long term protection and enhancement of the landscape.

1.9 The Council's strategy for achieving these objectives is :

- a) To encourage and facilitate development of the sites identified in the Plan.
- b) To provide information and advice to developers on the Council's planning aims and objectives for the area.
- c) To control the nature and appearance of development through decisions on individual planning applications.
- d) To make use of its own limited resources in appropriate instances.
- e) To seek to influence other official bodies in promoting and implementing the policies in the Plan.
- f) To seek to reduce car travel in particular, by influencing the location of new development relative to public transport provision, and favourably considering forms of development which encourage walking, cycling and public transport use in line with advice contained in Planning Policy Guidance Notes 12 and 13.

The Process of Plan Preparation

- 1.10 Preparation of a Local Plan is a statutory process laid down in the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991. The Local Plan was originally published in draft form in September 1991 under the provisions of the previous legislation. The Draft Plan was the subject of considerable public participation and general publicity and this resulted in significant changes being made, particularly to the housing proposals.
- 1.11 The Deposit version of the Local Plan incorporated these changes including updates and other refinements where appropriate. A Statement of Conformity to the Structure Plan was provided by the County Council. The Regulations require that the Plan is placed on Deposit for a period of six weeks and that all objections and other representations should be made in writing.
- 1.12 The South Staffordshire Local Plan was placed on Deposit in March 1993 and a Public Local Inquiry into objections to the Local Plan was held between May and September 1994. Prior to the Inquiry, in February 1994, the Council published a number of Proposed Changes to the Local Plan in response to certain objections, and a further set of Changes during the course of the Inquiry in June 1994.
- 1.13 The Report of the Inspector appointed to consider objections to the Local Plan was received on 13th June 1995, and was subsequently published by the Council. The Report contains the conclusions and recommendations of the Inspector in relation to all the objections to the Local Plan and the Proposed Changes, which were not subsequently withdrawn.
- 1.14 Following consideration of the Inspector's recommendations, the Council published Proposed Modifications to the Deposit Local Plan, which were placed on Deposit on 17th April 1996. The Council carefully considered all representations received, and published a Statement of Decisions and Reasons in respect of objections to the Proposed Modifications to the Deposit Plan. The Local Plan was adopted by the Council on Monday 16th December 1996.

Format of the Local Plan

- 1.15 The Local Plan is presented in two parts. These are the Written Statement (this document) and the Proposals Map (to be found inside the rear cover).
- 1.16 The Written Statement is divided into sections dealing with specific topics such as housing, employment and transportation. Within each section there is a general introduction to each topic followed by specific policies and proposals with reasoned justifications. Each policy or proposal is given a unique reference and is set out in a distinctive typeface. Many of the policies apply to the whole District, but some only relate to specific areas.
- 1.17 The Proposals Map is reproduced from an Ordnance Survey base map and shows the precise areas where certain policies and individual proposals will apply. Where it is necessary to show these at a larger scale for the sake of clarity Inset Maps and Plans are included in the Written Statement and identified on the Proposals Map with a cross-reference.
- 1.18 Reference is made in some instances to PPG's. These are Planning Policy Guidance Notes which set out the government's policies on various aspects of planning, and which must be taken into account in the preparation of development plans.

Chapter 2: Green Belt & Open Countryside

Introduction

- 2.1 Much of South Staffordshire lies within the West Midlands Green Belt and the remainder to the north of the Green Belt boundary is defined as "Open Countryside". The detailed boundaries of the Green Belt are shown on the Proposals Map and on Inset Plans for the individual villages. These have been defined with regard to PPG2 (Revised) on Green Belts, which contains advice on the treatment of existing villages in the Green Belt.
- 2.2 The Green Belt boundaries defined in the Local Plan are expected to remain unchanged for a substantial period of time. Consideration has been given as to whether room needs to be allowed, in some locations, for future development beyond the end of the Plan period. Many villages in the District have already been the subject of large scale housing development and scope may exist for infilling or limited development within the Green Belt boundary. In settlements where no new development is proposed, Green Belt or Open Countryside policies apply. Settlements where limited infilling may be acceptable although "washed over" by Green Belt, are listed after Policy GB1. The detailed Green Belt boundaries have been defined where possible using readily recognisable physical features such as roads, streams, hedgerows, fences, walls or belts of trees.
- 2.3 The District Council supports policies of the Staffordshire Structure Plan 1986-2001 which aims to ensure that:
 - a) there is no unplanned expansion of the West Midlands Conurbation;
 - b) the expansion of the built up areas within Staffordshire's Green Belts is limited so that towns and villages will not merge either with one another or with the adjoining built-up areas (subject to the strategic proposals for growth in the Plan); and
 - c) areas of mainly open country will be safeguarded as well as improved by appropriate and sensitive landscape enhancement so as to take account of the interests and needs of agriculture and provide a source of recreation and enjoyment for those in adjoining built up areas.
- 2.4 The policies for the Green Belt and Open Countryside are set out below. Both the Green Belt and Open Countryside policies are broadly similar in aim and similar considerations will apply in the control of development proposals. In addition, the policies aim to reflect the following purposes where possible, namely to enhance and improve the natural beauty of the countryside adjoining the major centres of population and to increase opportunities for the quiet enjoyment of the countryside.

Green Belt

- 2.5 The general Green Belt policy is consistent with the national policy for the restriction of developments in Green Belts. It is a policy which is well understood and accepted by the general public. An application for planning permission will need to demonstrate a case strong enough to rebut the general presumption against inappropriate development in the Green Belt. Further information is contained in Planning Policy Guidance Note (PPG) 2 (Revised) January 1995. Policy GB1 should be read in conjunction with Policy NC6 on protected species. Proposals for inappropriate development in the Green Belt will not be approved, except in very special circumstances. Exceptional cases will be treated as departures from the Plan.

POLICY GB1 GREEN BELT - GENERAL

Within the Green Belt, as defined on the proposals map, planning applications for inappropriate development, as set out below, will not be in accordance with the Plan. The construction of new buildings in the Green Belt is inappropriate unless it is for the following purposes:

- a) agriculture and forestry (unless permitted development rights have been withdrawn - see paragraph D2 of annex D of PPG2 (Revised)).**
- b) essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it (see paragraph 3.5 of PPG2 (Revised)).**
- c) limited extension, alteration or replacement of existing dwellings (subject to paragraph 3.6 of PPG2 (Revised)).**
- d) limited infilling in existing villages and limited affordable housing for local community needs under development plan policies according with PPG3, or**
- e) limited infilling or redevelopment of major existing developed sites identified in adopted local plans, which meet the criteria in paragraph C3 or C4 of annex C, PPG2 (Revised).**

Proposals for the re-use of buildings in the Green Belt will be required to satisfy the criteria set out in paragraph 3.8 and Annex D of PPG2 (Revised). Exceptional cases will be treated as departures from the Development Plan and will be referred to the Secretary of State for the Environment under the Town & Country Planning (Development Plans and Consultation) Directions 1992.

The following settlement is considered to be suitable for limited infilling although it is "washed over" by Green Belt: Burnhill Green.

- 2.6 In preparing detailed Green Belt boundaries shown on the proposals map and inset plans, the Council has had regard to the advice given in paragraph 2.11 of PPG2 (Revised). The Council has concluded that the majority of settlements in the Green Belt are appropriately shown as "inset". Other minor settlements are shown as "washed over" by Green Belt. Under the provisions of PPG2 (Revised), Burnhill Green is considered as a Green Belt settlement where limited infilling may be allowed.
- 2.7 The Council is committed to the protection of the Green Belt, but recognises the need to provide some development land to meet the requirements of the Staffordshire Structure Plan 1986 - 2001. It has sought to keep the release of Green Belt land to the minimum consistent with achieving conformity with the Structure Plan. Over 80% of the District lies within the Green Belt and the Council considers that it is not possible to meet all the development requirements for the District either beyond the Green Belt boundaries or within established development boundaries, given the pattern of distribution of existing settlements in South Staffordshire. The Council acknowledges the references in the County Structure Plan to the potential for development "South of Stafford", but considers there are constraints on such development which would mean it is unlikely to come forward within the plan period. (This issue is considered in more detail at the end of Chapter 3: Housing).

- 2.8 The general extent of the Green Belt in South Staffordshire was confirmed in amendment No. 15 (1975) to the County Development Plan, which included areas of Interim Green Belt. The status of Interim Green Belt was superseded by the approval of the Staffordshire Structure Plan in 1978. Detailed Green Belt boundaries were subsequently confirmed through the Local Plan procedure in three statutory Local Plans:

District Plan No.1 North Eastern Area - Adopted 1.9.80.

District Plan No.2 Southern Area - Adopted 1.1.82.

District Plan No.3 Northern Area - Adopted 1.4.87.

District Plan No.4, covering the Central Area of the District, was never adopted because at the time there was no need to make any development proposals to conform with the current Structure Plan. An Interim Policy Statement was approved for the Central Area in January 1987, which showed development boundaries around the settlements of Perton, Pattingham, Codsall, Billbrook, Bishop's Wood, Brewood and Coven.

- 2.9 Paragraph 12 of Planning Policy Guidance Note 10 (Strategic Planning Guidance for the West Midlands) set out the processes for the location of new development which could affect the Green Belt, which the council considered it appropriate to follow during the preparation of this Plan: "Local Authorities are asked when preparing development plans to use the following processes in determining where development needs should be met:

- a) As much development as possible ... should be on sites within the present built-up areas.
- b) For development which has to be outside the present built-up areas, as much as possible should be in areas not covered by Green Belt policies.
- c) For development which cannot be located inside built-up areas, or outside on land not in the Green Belt, as much as possible should be accommodated through the careful drawing of Green Belt boundaries in areas where they have not yet been defined either in adopted local plans or in the former development plans.
- d) Only if a deficiency still remains after a), b), or c) should alterations be contemplated to Green Belt boundaries which have already been defined in adopted local plans or former development plans."

Paragraph 13 of PPG10 states:

"The identification of up to 300ha of land for high-technology development by 2001 will inevitably have some implications for the Green Belt."

- 2.10 Regional Planning Guidance for the West Midlands (RPG11) was published in September 1995, superseding PPG10. Paragraphs 3.6 - 3.16 set out the overall framework for the location of new development. Its main emphasis is on the integration of transport and development, minimising the loss of greenfield sites and maximising the use of existing infrastructure, in addition to the consideration of Green Belt policies.
- 2.11 Paragraph 3.2 of PPG13 (Transport) sets out the overall strategy for housing, which should be to:

"- Allocate the maximum amount of housing to existing larger urban areas where they can be easily accessible to facilities and to a range of transport provision, with particular priority placed on the re-use or conversion of existing sites and properties.

- Insofar as needs cannot be met in central locations in larger urban areas, promotion of land for housing in locations capable of being well served by rail or other public transport.

-Avoid any significant incremental expansion of housing in villages and small towns where this is likely to result in car commuting to urban centres and where the travel needs are unlikely to be well served by public transport.

-Avoid sporadic development in the open countryside.

-Avoid the development of small new settlements."

- 2.12 The Staffordshire Structure Plan 1986-2001 confirmed the housing allocation for South Staffordshire at 5,100 dwellings. The figure in the submitted plan was 5,400, but the Secretary of State reduced this figure by 300 to reduce the need for incursion in the existing Green Belt. His reasoning behind this was that

"the balance of planning and environmental considerations argued for some limitation of development and for protection of strategic open areas, especially those near the Conurbation."

In confirming the allocation at 5,100, the Secretary of State "looks to the District Council to assess the options for the location of new development, which may need to include a review of detailed Green Belt boundaries and the consideration of the possibility of development in the north of the District, in association with Stafford Borough Council."

- 2.13 In preparing this Plan, the Council has carefully considered all options for development in accordance with Regional Planning Guidance, Planning Policy Guidance Notes, the Staffordshire Structure Plan and the key objectives set out in paragraph 1.8 of the plan. Using the four-fold criteria set out in PPG10, the numerical breakdown in allocations of residential land is as follows:

Committed Sites (Not in Green belt)	4332
Windfalls (Not in Green Belt)	200
Proposed sites not in Green Belt	150
Proposed sites in "Unconfirmed" Green Belt	335
Proposed sites in "Confirmed" Green Belt	265
Total:	5282*

* The total exceeds 5,100 to allow for some sites which are committed not being developed.

- 2.14 The table shows that of the Structure Plan requirement, 4682 (88.6%) of dwellings have no impact on the Green Belt, 335 (6.3%) are proposed for areas of Green Belt which have not been defined in adopted Local Plans, and 265 (5%) are proposed for areas where the Green Belt has been defined in a previous Local Plan.
- 2.15 Given the fact that over 80% of South Staffordshire is in the West Midlands Green Belt, a development strategy which involves less than 10% of the total housing requirement

being met in areas where the Green Belt has been defined in an adopted plan is considered to be fully in accordance with the Secretary of State's advice.

- 2.16 The Council has also made realistic provision for the likely construction of windfall sites to the provision of housing land for the remainder of the plan period, but this is still not enough to meet the full requirement for development. Accordingly the following changes to the Green Belt boundary are proposed:

~~POLICY GB2 NORTH OF BLOXWICH~~

~~The area of land known as North of Bloxwich will be designated as Green Belt in accordance with the Staffordshire Structure Plan 1986-2001.~~

~~POLICY GB3 AREAS TO BE DELETED FROM THE GREEN BELT~~

~~The following areas will be deleted from the Green Belt to accommodate the development proposals of the Plan:~~

~~HOUSING PROPOSALS:~~

~~South of Wolgarston Way, Penkridge (INSET PLAN 47).
Land at King's Road / Queen's Road, Galf Heath (INSET PLAN 8).
Off Sparrow's End Lane, Brewwood (INSET PLAN 5).
Church Road, Shareshill (INSET PLAN 31).
Pinfold Lane, Cheslyn Hay (INSET PLAN 45).
Kingswood Drive, Great Wyrley (INSET PLAN 45).
East of Brewwood Road, Coven (INSET PLAN 10).
South of Brewwood Road, Coven (INSET PLAN 10).
East of Watery Lane, Bilbrook (INSET PLAN 46).~~

~~EMPLOYMENT PROPOSALS:~~

~~Wobaston Road, Pendeford (INSET PLAN 43).
Adjoining M54 Junction 1, Hilton (INSET PLAN 20).
Land at Four Ashes (INSET PLAN 15).
Royal Ordnance Factory, Featherstone (INSET PLAN 16).~~

POLICY GB4 LONG TERM DEVELOPMENT NEEDS

The following areas will be deleted from the Green Belt to meet long term needs for development in the District in the period after 2001, in accordance with the requirements of Planning Policy Guidance Note 2 (Revised) "Green Belts".

Land at Hobnock Road, Essington (INSET PLAN 13).
Land at Cherrybrook Drive, Penkridge (INSET PLAN 47).
Land west of Watery Lane, Codsall (INSET PLAN 46).
Land at Engleton Lane, Brewwood (INSET PLAN 5).
Land at Wobaston Road, Pendeford (INSET PLAN 43).

POLICY GB5 LAND SAFEGUARDED UNDER POLICY GB4

Planning permission for the development of land identified within Policy GB4 will not be granted until a review of the Local Plan proposes development of those areas. Proposals for permanent development will be regarded as departures from the Plan.

- 2.17 In addition to these identified changes the opportunity has been taken to review the existing boundaries to the Green Belt set out in the Council's adopted Local Plans and on the County Green Belt Inset Maps. Amendments have been made where necessary to take care of anomalies and to ensure that the boundaries both accurately reflect the current situation and as far as possible relate to physical features on the ground. Minor amendments have been made to the Green Belt boundaries at the following locations:

i) College Farm, Pattingham

A small area of land at College Farm, Westbeech Road is included within the Pattingham Development Boundary. The Council considers that the proposed amendment to the Green Belt boundary would enable the farm to be relocated. The development of the site would remove nuisance associated with the operations at the farm, including movements of lorries and farm machinery and smells from livestock and would be of benefit to local residents.

The redevelopment of the site would not extend into the open countryside or have a detrimental visual impact on the rural character or appearance of this part of the Green Belt and that an amendment to the Green Belt boundary is justified.

ii) Bakers Gardens, Codsall

A small area of land at Bakers Gardens, Codsall is included within the Codsall development boundary. The land is separated from agricultural land to the north and west by a public footpath enclosed by metal railings. The line of the footpath is well defined and represents a logical boundary to the Green Belt. The land enclosed by the amended boundary relates well to the built up area of the village and its inclusion within the development boundary would have no significant effect on the Green Belt.

iii) Land at Westcroft

Land at Cannock Road (A460) and Woodhayes Road, Westcroft, is included in the Westcroft development boundary. The land at Cannock Road was originally protected for development control purposes for a road improvement scheme, but this has now been formally abandoned by the County Council. As the A460 improvement scheme has been abandoned it would be logical and appropriate to include the land within the Westcroft development boundary.

The circumstances concerning the land at Westcroft have changed since the Green Belt boundary was defined in the adopted North Eastern Area Local Plan, and the proposed amendment to the boundary would have very little effect on the Green Belt.

Major Developed Sites in the Green Belt

- 2.18 The South Staffordshire portion of the Green Belt contains two major developed sites which are suitable for redevelopment under the provisions of PPG2 (Revised) Annex C. Complete or partial redevelopment of these sites may offer the opportunity for environmental improvement and should:

- a) have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it, and where possible have less;
- b) contribute to the achievement of the objectives for the use of land in Green Belts;
- c) not exceed the height of existing buildings;
- d) not occupy an area larger than the footprint of the existing buildings, unless this would achieve a reduction in height which would benefit visual amenity.

POLICY GB6 MAJOR DEVELOPED SITES IN THE GREEN BELT

The following areas will be regarded as major developed sites in the Green Belt which are suitable for redevelopment and environmental improvement.

- a) Baggeridge Brick plc site, Gospel End (INSET PLAN 17).**
- b) Former Littleton Colliery Site, Huntington (INSET PLAN 48).**

The Council will prepare site briefs for the redevelopment of these sites in accordance with Planning Policy Guidance Note 2 (Revised) Annex C.

Open Countryside

- 2.19 The strategy of the Staffordshire Structure Plan is to concentrate development in the towns and villages of the County with a strong emphasis on the preservation of the Green Belt, good farmland and areas of special environmental merit. National Planning Policy Guidance (as set out in Planning Policy Guidance Note 7 "The Countryside and the Rural Economy") advises that development should benefit the rural economy and maintain or enhance the environment. Building in the open countryside away from existing development should be strictly controlled.
- 2.20 It will be important to protect the attractive character of the rural landscape in the District for its own sake. An application for permission will need to demonstrate a case strong enough to rebut the strict control over development and each application will be determined on its merits having regard to Policy OC1 overleaf, Policy NC6 on protected species and other relevant policies in the Local Plan.

POLICY OC1 OPEN COUNTRYSIDE - GENERAL

Within the Open Countryside, as defined on the Proposals Map, development will not normally be permitted unless it:

- a) is essential to the operation of agriculture, forestry or other activities appropriate to a rural area and has to be located in the countryside rather than a nearby town or village;**
- b) is limited infilling (i.e. the filling of small gaps within small groups of houses) within the built up area of a village or other settlement and which is environmentally acceptable;**
- c) involves the re-use of a rural building and is consistent with Policy C1.**

Policies for the Control of Development in the Green Belt and Open Countryside

Re-use and Adaptation of Rural Buildings

- 2.21 In January 1992 the Government published a revised version of Planning Policy Guidance Note 7: "The Countryside and the Rural Economy". This lays emphasis on the need to promote diversification of the rural economy as one of the best means of protecting the improving the countryside. It introduced a more liberal planning regime in respect of the conversion of rural buildings to new uses, particularly where the aim of economic diversity is aided. The guidance says that "There are often opportunities for re-using or adapting existing rural buildings for new commercial, industrial or recreational uses... There should generally be no reason for preventing the re-use or adaptation of agricultural and other rural buildings for new uses, provided their form, bulk and general design are in keeping with their surroundings".
- 2.22 Advice on the re-use of buildings in the Green Belt is set out in paragraphs 3.7 - 3.10 and Annex D of Planning Policy Guidance Note 2 (Revised). It recognises that the re-use of buildings should not prejudice the openness of Green Belts, can assist in agricultural diversification and that the alternative may be a building that is vacant, prone to vandalism and dereliction.
- 2.23 The clear intent of this guidance is that proposals for the conversion of rural buildings should normally be approved where they contribute to the aim of promoting economic diversity in rural areas. There is nothing in the Guidance which weakens the general policy objections to new housing development in the countryside. Annex D of Planning Policy Guidance Note 7 advises local authorities to examine applications for changes to residential use with particular care.

"New housing in open countryside is subject to strict control. It may be appropriate to apply similar principles to proposals for the conversion of existing rural buildings to dwellings, especially where such buildings are unsuitable for conversion without extensive alteration, rebuilding and or extension Residential conversions can often have detrimental effects on the fabric and character of historic farm buildings it is important to ensure that the new use is sympathetic to the rural character."

Finally the guidance makes it clear that residential conversions have a minimal impact on the rural economy.

- 2.24 There are many rural buildings in the Green Belt and Open Countryside which make significant contributions to the character of the District. Their conversion to suitable alternative uses which would not damage either the buildings or their rural surroundings may be appropriate. Buildings which are of architectural or historic interest are worth preserving as part of South Staffordshire's heritage, but conversions should not entail altering buildings in such a way as to destroy their original character. In addition, such features as car parking, screen fencing, washing lines, sheds, greenhouses etc. can be obtrusive in rural areas and will be an important consideration in determining the acceptability or otherwise of a proposal. Proposals for the conversion and re-use of rural buildings are also subject to Policies BE20 to BE22 of the Conservation and Built Environment Chapter. Policy C1 below should be read in conjunction with Policy NC6 on protected species.

POLICY C1 REUSE OF RURAL BUILDINGS

Planning Permission will be granted for the re-use of rural buildings where the use proposed is consistent with other policies in the Plan and the advice contained in Planning Policy Guidance Note 7 (The Countryside and the Rural Economy) provided that the building is:

- a) of a form, bulk and general design which is appropriate to the character of the surrounding area;
- b) physically capable of conversion to its new use without significant extension or rebuilding, and the conversion is in keeping with the character of the building and its surroundings without significant alteration.

Proposals for the re-use of rural buildings in the Green Belt should also be in accordance with the criteria set out in paragraphs 3.7-3.9 and Annex D of Planning Policy Guidance Note 2 (Revised).

Agricultural Land and Associated Buildings

- 2.25 Agriculture is an important industry in the District and there are extensive areas of high quality agricultural land. There are strong pressures on farmers to diversify and "set aside" agricultural land for other uses. Many agencies offer grants and there are subsidies for taking land out of arable production. The need to diversify the rural economy is recognised but at the same time there is a need to conserve the best and most versatile farmland. The operational needs of agriculture, as well as the environmental and economic aspects and the need to protect the countryside and amenity of local residents, will be taken into account in considering proposals for development of agricultural land and buildings.

POLICY C2 USE OF AGRICULTURAL LAND

The use of the best and most versatile agricultural land (i.e. that land classified as Grades 1, 2 and 3a by the Ministry of Agriculture, Fisheries & Food) for any form of irreversible non-agricultural development will not normally be permitted. (See also Policy AG1)

POLICY C3 DEVELOPMENT ON AGRICULTURAL LAND

Where development is permitted involving agricultural land, the development shall be carried out so that:

- a) The minimum amount of land, consistent with the nature of the development and the need for its assimilation into the landscape, is taken out of agricultural use;
- b) Where the loss is of a temporary nature, e.g. for mineral working, the land is returned to agricultural, nature conservation or woodland/forestry use or other form of reversible development as soon as possible after the completion of each phase of development.

Housing Development

- 2.26 The building of dwellings in isolated locations away from established settlements can detract from the appearance of the countryside, can be costly to provide with services, and will require special justification.

POLICY C4 DWELLINGS IN THE COUNTRYSIDE

The following development will not normally be permitted in the Green Belt or Open Countryside:

- a) **The building of a new dwelling or conversion of a building to residential use otherwise than in accordance with Policy C1;**
 - b) **The replacement of an existing dwelling which would result in a new dwelling materially larger than the dwelling it replaces;**
 - c) **The alteration of a dwelling which involves substantial rebuilding and results in disproportionate additions over and above the size of the original building.**
- 2.27 Farm or forestry workers should normally be accommodated in an existing dwelling on the holding or in a nearby village. It is acknowledged that in certain cases, the demands of farming or forestry work may make it essential for one or more people engaged in this work to live at, or very close to, the site of their work. Whether or not this is considered to be essential in any particular case will depend on the needs of the farm or forestry enterprise concerned and not on the personal circumstances of the individuals involved.
- 2.28 In particular, it will be important to establish that the stated intentions to engage in farming or forestry are genuine, are reasonably likely to materialise, are capable of being sustained for a reasonable period of time and that it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times.
- 2.29 However, in cases where it may be appropriate for planning permission to be granted for one or more dwellings, other normal planning requirements (such as siting and access for example) must still be satisfied.
- 2.30 In addition, dwellings which are unusually large in relation to the agricultural needs of the unit or unusually expensive to construct in relation to the income the unit can sustain in the long term, will not normally be permitted.

~~POLICY C5 AGRICULTURAL AND FORESTRY WORKERS DWELLINGS~~

~~Apart from the exceptions within Policies GB1 and OC1, a new dwelling will only be allowed in the countryside if it is required for a person solely or mainly working or last working in the locality in agriculture or forestry and a location in the countryside is essential for the efficient working of the farm or woodland. Wherever possible such dwellings should be sited within, and designed in relation to, a nearby group of dwellings or a farm/building complex.~~

~~The applicant will be required to demonstrate to the satisfaction of the District Council that:~~

- ~~a) — There is a long term need for the dwelling;~~**
- ~~b) — The need cannot be met by building in a nearby village;~~**
- ~~c) — A dwelling is essential for the proper functioning of the enterprise. In cases where this evidence is not conclusive, appropriate financial information may also be required;~~**
- ~~d) — The size of the dwelling is not unusually large in relation to the agricultural needs of the unit nor unusually expensive to construct in relation to the income which the unit can sustain in the long term.~~**

~~POLICY C6 AGRICULTURAL AND FORESTRY WORKERS' DWELLINGS - RESTRICTIONS ON OCCUPANCY~~

~~Where planning permission is granted for a new or improved dwelling for a person engaged full time in agriculture the District Council will impose a condition on the planning permission restricting occupation of the dwelling to a person solely or mainly working or last working in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependents. In certain circumstances the District Council may, instead of a condition, request the applicant to enter into an Agreement under S.106 of the Town & Country Planning Act 1990 to similarly restrict occupation of the dwelling. A condition will be imposed on planning permissions for:~~

- ~~a) — The erection of an additional dwelling on a farm holding with existing accommodation;~~
- ~~b) — The erection of a dwelling on a farm holding where there is no existing accommodation;~~
- ~~c) — The conversion of an existing farm building into a dwelling, or extensions, improvements or other alterations to an existing dwelling having an agricultural occupancy condition on a farm holding if the conversion or extension would not otherwise have been permitted under Policies C1 for conversions and C8 for extensions."~~

- 2.31 In considering proposals for agricultural and forestry workers' dwellings, the District Council will have regard to the provisions of Planning Policy Guidance Note 7 (The Countryside and the Rural Economy) Annex E. The advice in paragraphs E13 on temporary accommodation and E17 on the imposition of conditions is of particular note.

~~POLICY C7 AGRICULTURAL AND FORESTRY WORKERS' DWELLINGS - REMOVAL OF CONDITIONS~~

~~The removal of an occupancy condition will only be permitted where:~~

- ~~a) — The condition was not reasonably imposed originally; or~~
- ~~b) — There is no long term need for the dwelling to accommodate workers solely, mainly or last employed in agriculture, or forestry, on that holding or in the locality.~~

- 2.32 In assessing the continuing need for an occupancy condition convincing evidence of the lack of need will need to be provided with any application for the removal of such a condition. This should include a demonstration that the dwelling has been advertised for a reasonable period for sale or rent at a price that reflects the existence of the condition and that no interest has been expressed from within a reasonable travelling distance. The lack of agricultural justification for a condition at the time it was imposed does not in itself justify the removal of the condition and present and future need will require consideration. It is important to retain the character of the rural environment including existing buildings and their settings which contribute much to the appearance of the countryside.

POLICY C8 EXTENSIONS

Planning applications which involve the alterations or extension of an existing dwelling will be determined in relation to the effect of the proposal and any

associated works on the scale, design and general appearance of the dwelling and its immediate setting within the countryside.

- 2.33 There are a number of residential caravan sites in the Green Belt. New sites cannot be justified in the Green Belt and Open Countryside except in cases of special need. Residential caravans require all the services and facilities necessary for permanent residential development. Such proposals will, like all planning applications, be considered on their own planning merits, taking into account their visual and other effects on the surrounding area.

~~POLICY C9 RESIDENTIAL CARAVAN SITES~~

~~Proposals to establish new residential caravan sites or to extend the site area of existing sites in the countryside will not normally be permitted.~~

Other Uses in the Green Belt and Open Countryside

- 2.34 It is recognised that the Green Belt and Open Countryside can play a positive role in accommodating recreational uses to meet local and sub-regional needs. However, it is also important to acknowledge that the countryside in the District has only a limited capacity to accommodate such uses, if other rural land uses are to flourish. In determining applications for outdoor sport facilities, particular regard will be had to the scale of the related built development in order to retain the character of the Green Belt and Open Countryside. Proposals which are considered to be acceptable in principle will also need to be consistent with other policies in the Plan.

~~POLICY C10 SPORT AND RECREATION~~

~~In deciding planning applications, outdoor sport and recreational uses in the countryside will be permitted where:~~

- ~~a) the establishment of such activities will improve the environmental quality of an area;~~**
- ~~b) appropriate redevelopment of redundant sites or conversion of redundant buildings will be achieved;~~**
- ~~e) the proposal will not conflict with the aims and objectives of the Green Belt, and particularly Policies GB1 and OC1.~~**

~~Particular regard will be had to the scale of any built development in order to retain the character of the countryside and to prevent the development from appearing obtrusive in the landscape and the level of traffic likely to be generated.~~

- 2.35 Essential facilities in connection with outdoor sport and recreation uses may be acceptable, such as small changing rooms, unobtrusive spectator accommodation or small stables. Some institutions such as schools require larger sites which cannot always be accommodated in urban areas. Proposals for such uses should make use of existing redundant buildings wherever possible to minimise the costs of providing services, to make the best use of existing resources and preserve the rural appearance of the area. Planning Policy Guidance Note 2 (Revised) on Green Belts makes no reference to institutions in the countryside as an appropriate form of development in the Green Belt. Proposals for such development will, therefore, be treated as departures from the Plan and referred to the Secretary of State for the Environment.

~~POLICY C11 INSTITUTIONS IN THE COUNTRYSIDE~~

~~Within the Open Countryside, beyond the Green Belt as defined on the proposals map, institutions standing in extensive grounds may be allowed where a countryside location is essential. Priority will be given to the change of use of an existing building, rather than the erection of a new building, particularly where this would safeguard the future of a building of architectural or historic value and its setting.~~

- 2.36 It is acknowledged that the extraction of minerals need not be incompatible with Green Belt objectives provided that high environmental standards are maintained and that the site is well restored. The County Council is responsible for determining applications for mineral workings and the District Council will make its recommendations to the County Council on such matters in the light of other policies contained in the Plan. However, the decision will be a balanced judgement, taking into account the applicant's case for the proposal weighed against the effect it would have on the appearance and character of the countryside and on the amenities of local residents. In considering applications for the extraction, dressing and treatment of minerals and the subsequent restoration of land the District Council will have regard to the County Council's Minerals Policy and compatibility with other policies in this Plan.
- 2.37 Forests and woodlands contribute much to the attractiveness of the countryside. They are important sources of timber production and are also of nature conservation and recreation value. The adoption of management techniques may enhance the conservation and recreational value of forests and woodlands. However, it will be important to ensure that intensive recreation uses do not damage the character or appearance of woodlands. The District Council will encourage the adoption of forestry and woodland management techniques which enhance amenity, recreation and/or nature conservation, timber production and environmental improvement.
- 2.38 Development by statutory undertakers and telecommunication code system operators can have an impact on the countryside. It will be important to minimise the impact of such developments on settlements and the landscape and reduce possible interference with agriculture. Planning Policy Guidance Note 2 (Revised) on Green Belts sets out the types of development that are appropriate within the Green Belt. Proposals for inappropriate development in the Green Belt will, therefore, be treated as departures from the Plan and referred to the Secretary of State for the Environment.

~~POLICY C12 DEVELOPMENTS BY STATUTORY UNDERTAKERS AND TELECOMMUNICATION CODE SYSTEM OPERATORS~~

~~Development by statutory undertakers and telecommunication code system operators which require planning permission will only be allowed in the countryside outside the Green Belt if it can be shown that there is no acceptable alternative location which would be less harmful to the environment, their siting, design and landscape would be visually acceptable in the chosen situation and all reasonable steps are taken to reduce to a minimum any environmental damage.~~

Businesses in the Green Belt and Open Countryside

- 2.39 There are many business and commercial establishments in the Green Belt and Open Countryside. Further building for business or commercial purposes if allowed could lead to a demand for more labour and, in turn, create a need for the development of additional dwellings. A positive argument for allowing such development would need to be established to override the general policy objectives to the contrary. While each

application will be considered on its merits, the District Council will take account of such matters as:

- a) the needs of agriculture;
- b) the size and scale of the proposed development;
- c) the extent to which the development would satisfy a particular demand for employment for people living in the locality;
- d) in the case of a change of use of a rural building, the particular architectural or historic merits of the building and the effects of the proposal on those merits;
- e) the extent to which a particular location is essential for the proposal and the absence of suitable alternative locations;
- f) the effect of the proposal on the appearance and character of the countryside and on the amenities of local residents;
- g) the compatibility of the proposals to other policies in the Plan.

- 2.40 The reasonable requirements of existing industrial and commercial establishments for expansion will be given special consideration on their merits. Proposals for inappropriate development in the Green Belt will not be in accordance with the Plan and will therefore be referred to the Secretary of State for the Environment. Proposals for the redevelopment of major developed sites at Huntington and Gospel End identified in Policy GB6 will be subject to the provisions of that policy.

POLICY C13 EXPANSION OF BUSINESSES

Although the general policy restrictions contained in Policy OC1 will continue to apply, the minor expansion of existing businesses and commercial establishments in the countryside outside the Green Belt may be allowed within their established planning unit, if it can be carried out without detriment to the overall policy for the area, the appearance and character of the countryside and the amenity of local residents.-

Halfpenny Green Airport Policy Area

- 2.41 The following policies (designated HG1 to HG4) will apply in the Halfpenny Green Airport Policy Area as shown on Inset Plan 19. They are to be read together with the general Green Belt policies in this chapter under the GB designation.
- 2.42 Halfpenny Green Airport is located in the Green Belt about one kilometre to the east of the village of Bobbington. It is the only airport within easy reach of the western part of the Conurbation which is licensed by the Civil Aviation Authority.
- 2.43 With the significant increase in large aircraft movements over recent years at Birmingham International Airport the importance of Halfpenny Green as a General Aviation airport has increased and it has developed a recognised regional role, particularly for training and recreational flights. In recent years there has been an increase in the use of helicopters, and police helicopters are now based at Halfpenny Green. The business sector is also represented and it is likely that this will become more important in the future.
- 2.44 For many years the commercial viability of the airport has been maintained by the letting of surplus buildings for non-aviation uses and the holding of outdoor markets

within the limits permitted by the General Development Order. Although the site is entirely within the Green Belt the District Council's former Southern Area Local Plan accepted the informal guidance from the Secretary of State for the Environment as stated in his 1977 appeal decision letter that carefully selected uses could be permitted in certain existing buildings to provide support income for the aviation activities, at least on a temporary basis. While these uses do not have the benefit of planning permission the evidence suggests that this special policy has worked well and has been accepted by the parties involved. It is considered that this policy should be maintained to provide stability and so that the further potential of the airport, particularly for business aviation, can be realised. In order to safeguard the amenity of local residents only the smaller buildings are considered suitable for non-aviation use for income-support purposes.

POLICY HG1 HALFPENNY GREEN AIRPORT

The District Council recognises that certain buildings are ancillary to the permitted use of the Policy Area as an airport and that some of them are necessary to its proper operation. The use for non-aviation purposes of those buildings identified on the Policy Area Inset Plan 18 as "Buildings for Aviation Use" will not normally be permitted.

- 2.45 The District Council accepts that there are special circumstances governing the use of the policy area as an operational airport and that these override the normal presumption against unacceptable uses in the Green Belt. It is considered that light industry, repository or office uses (excluding those referred to in Policy HG1) for a temporary period would generally be acceptable, provided such uses are compatible with the need to safeguard the amenity of local residents.

POLICY HG2 SUPPORT USES

Development which falls within Classes B1 or B8 of the Town and Country Planning (Use Classes) Order 1987 within those existing buildings identified on the Policy Area Inset Plan 18 as "Buildings for Support uses" will normally be permitted. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (and any subsequent amendments) no extensions or external alterations to these buildings will be allowed. Permission under this Policy will be for a temporary period only and will not be renewed if the Policy Area ceases to be used as an airport. The fact that a building is identified for "Support Uses" will not preclude its use for aviation purposes in accordance with the permitted use of the Policy Area as an airport.

- 2.46 Support income for the airport is also obtained from the periodic holding of open markets on parts of the site which are not in use at the time for operational flying. Temporary use of land outside the curtilage of a building, except as a caravan site, is development which is permitted under the General Development Order providing it occurs on not more than 28 days in any calendar year; but only 14 of these may be used for specified purposes including the holding of a market. In order to preserve the amenity of local residents the District Council does not wish to see this activity extended beyond this level. Local roads are not considered to be adequate to cope with the amount of traffic which it generates. Outdoor recreational use of land is generally acceptable in the Green Belt and the District Council is prepared to consider any proposal to use part, or the whole, of the Policy Area for any recreational purpose on its merits, subject to conformity with other Policies in the Plan. It is accepted that this could involve the adaptation of existing buildings for recreational use. There could even be a requirement to use existing buildings for indoor recreational uses and this would be considered on its merits.

POLICY HG3 OTHER NON-AVIATION USES

The District Council will ensure that the use of part or the whole of the Policy Area for non-aviation use (excluding any use permitted under Policy HG2) is restricted to permissions granted under Schedule 2, Part 4, Class B of the Town & Country Planning General Development Order 1988. Any proposals to use part, or the whole, of the Policy Area, including the existing buildings, for recreational use will be treated on its merits within the overall policy framework of the Local Plan.

- 2.47 It must be accepted that the special circumstances in the Policy Area derive from the grant of planning permission, subject to conditions, for its use as an aerodrome for light aircraft by the Minister of Housing & Local Government in May 1967. If this use should ever cease then the normal Green Belt policies would apply to the Policy Area and the special policies would cease to be relevant.

POLICY HG4 CESSATION OF USE

The District Council will require any uses permitted under Policies HG1 and HG2 (and where applicable HG3) to cease as soon as practicable if flying operations within the Policy Area are discontinued and the airport becomes no longer operational. Subject to any existing use rights the land and buildings shall be returned to agricultural or other beneficial use, providing that such use is compatible with the policies controlling development in the Green Belt.

Smestow Bridge Policy Area

- 2.48 The Smestow Bridge Area lies to the north and west of the Smestow Brook just beyond the western edge of Wombourne. The area covers over 40 acres and is occupied by both established and temporary industrial and commercial uses including a small industrial estate and the ARC pipe and concrete manufacturing site.
- 2.49 The area is defined by clear physical boundaries and is generally self-contained. There is a well wooded slope to the south-east of the brook, extensive planting on the B4176 frontage and there are established trees and hedges on the northern and western boundaries. The northern part of the area adjacent to the Smestow Brook includes part of a Grade 1A Site of County Biological Importance.
- 2.50 The District Council accepts that the Smestow Bridge area is, in practical terms, a permanent industrial and commercial site and is suitable for alternative employment uses. A policy area boundary has been defined for Smestow Bridge and is shown on Inset Plan 51. Within this policy area, proposals for development or redevelopment will be regarded as appropriate if they meet the criteria set out in Annex C, paragraphs C1 - C10 of Planning Policy Guidance Note 2 (Revised). Any intensification of activities in this location should have regard to the need to upgrade foul drainage facilities in an established area. The site of nature conservation importance should be safeguarded and retained as screening within the site, in accordance with Policy NC4.

POLICY SB1 SMESTOW BRIDGE POLICY AREA

Within the Policy Area, shown on Inset Plan 51, proposals to intensify or expand the existing industrial and commercial uses, or to redevelop the site for alternative employment uses will be regarded as appropriate if they meet the criteria set out in Annex C, paragraphs C1 - C10 of Planning Policy Guidance Note 2 (Revised). Special consideration will be given to measures to enhance the screening of employment uses and their assimilation within the

wider landscape. The nature conservation site should be retained as screening within the site.

Chapter 3: Housing

Introduction

- 3.1 South Staffordshire has a key role to play in preventing the expansion of the adjoining Conurbation into the attractive countryside of the Green Belt. There has been a rapid expansion of housing in the past 25 years, as the villages of South Staffordshire have proved attractive to people prepared to travel to work in the nearby urban areas. The character of some of the villages has suffered as a result and Structure Plan policies now recognise that the time has come to reduce this rate of expansion and give priority to the primary objectives of the Green Belt. New housing provision should be directed towards meeting special needs and as far as possible locally generated housing requirements.

Population

- 3.2 The Registrar General's estimate of the population of South Staffordshire at mid-1991 was 106,100. This was based on the 1991 Census population of 105,487 and compares with an estimated 86,000 when the District was formed in 1974. At a steady growth rate this indicates an increase of about 1,180 persons annually over the last 17 years. Table 1 overleaf shows the population structure of the District.

TABLE 1 POPULATION STRUCTURE

[illegible]

90 and over 338 49 2 14 33 289 13 13 263

Source: 1991 Census 100% Local Base Statistics © Crown Copyright Reserved.

- 3.3 Between now and the turn of the century the population of the District is expected to continue to rise, but at a much reduced rate, largely as a result of the Structure Plan policy of not fully meeting the overall perceived housing demand in order to conserve the Green Belt, but also resulting from the continuing trend towards smaller households. In recent years in-migration has played a large, but diminishing, part in the growth of population in the District as locally generated housing demand has risen, much of it from the families of earlier migrants. The Strategic Planning Guidance for the West Midlands (PPG10) forms the basis for the migration assumptions built into the Structure Plan's new dwelling requirement for the District which also takes into account natural increase of the existing population established from demographic studies and household formation rates from Department of the Environment statistics. In line with nationally observed trends there is likely to be a significant change in the age structure of the District in the 1990s with a reduction in the number of adolescents and young adults matched by an increase in pre-retirement, retired and elderly groups.
- 3.4 The continuing changes in population structure and perceived social trends will both influence the type of housing that needs to be provided in South Staffordshire over the Plan period. Particular social trends and demographic factors which can be identified include:
- a) The continuing increase in single person households, particularly among the elderly, but also because of social trends such as the increase in the divorce rate.
 - b) The decline in married couple households in the under 40 age group due to both demographic and social causes.
 - c) The decline in the population of under 40s, particularly the 20-30 age group, resulting from lower birth rates in the 1970s.
 - d) The increase in the population of over 50s and pensioners resulting from ageing of the large number of migrants from the 1960s and 1970s.
 - e) The large percentage increase in the over 80 age group, particularly the over 85s due to advances in medical science.

The net result of taking these trends into account is that the average household size in the District is likely to continue to reduce from the 1991 Census figure of 2.68 to somewhere between 2.6 and 2.5 by 2001.

If the rate of new dwelling provision required by the Structure Plan is achieved, and the average household size continues to reduce as expected, the population of the District is likely to be approximately 109,000 by 2001.

Strategic Planning Guidance for the West Midlands

- 3.5 This Guidance was published by the Secretary of State in 1988 as Planning Policy Guidance Note 10, and set the context for planning policy in the former West Midlands County and the adjoining Shire Counties. It placed strong emphasis on revitalising the economy of the region and directing new development and investment to inner city areas where it can contribute to the regeneration effort. It set out agreed levels of migration to surrounding areas, quantifying the resulting housing provision to be made

and reaffirmed the importance of the Green Belt in safeguarding surrounding countryside.

Staffordshire Structure Plan 1986 - 2001

3.6 The Structure Plan establishes a need for 5,100 new dwellings to be built in South Staffordshire in the period 1986-2001. This figure, however, does not fully reflect the likely level of demand for new homes. The number of new houses required has been reduced because of the particular priority of protecting the Green Belt. The intention of the Structure Plan is to deflect pressure from the Green Belt to adjoining Districts beyond South Staffordshire, particularly Stafford Borough.

3.7 In his Notice of Approval to the Structure Plan the Secretary of State for the Environment recognised the pressure for housing in South Staffordshire but concluded:

“The proposed housing allocation for South Staffordshire was the subject of a number of representations, particularly from developers who argued for a higher figure. However, the Secretary of State is satisfied that his proposed allocation, taken together with the allocations for adjacent Staffordshire Districts and those being proposed by the Metropolitan Districts, will in total be adequate and will also satisfy the need to protect existing settlements, the open countryside, the Green Belt and valuable agricultural land. He therefore confirms the allocation of 5,100. He looks to the District Council to assess the options for the location of new development, which may need to include a review of the detailed Green Belt boundaries and the consideration of the possibility of development in the north of the District, in association with Stafford Borough Council.”

~~POLICY H1- STRUCTURE PLAN REQUIREMENTS~~

~~The District Council will make provision for 5,100 houses in accordance with the requirements of the Staffordshire Structure Plan 1986-2001.~~

3.8 The main requirement for new land takes account of completions between 1st April 1986 and September 30th 1993 and sites which are already available for building. An additional allowance of 10% of the figure for commitments has been added to allow for the fact that some sites may not be taken up during the Plan period.

TABLE 2 -HOUSING LAND REQUIREMENTS AT 30TH SEPTEMBER 1993

New Dwellings required 1986-2001	5,100
Subtract houses built 1986-1993	3,022
Subtract dwellings under construction	211
Subtract dwellings committed	1,099*
Subtract windfall allowance	200
SUB - TOTAL	4532 (4532)
Requirement for new dwellings to be allocated	568
Add 10% of committed dwellings* to allow for sites which may not be taken up	110
New requirement for new dwellings to be allocated	678
Add 10% of allocated dwellings to allow for sites which may not be taken up	68
TOTAL REQUIREMENT	746 Rounded to 750

- 3.9 In accordance with Policy 57 of the Structure Plan an allowance of 200 dwellings (Approximately 27 per year) has been made for windfall development on small sites. Although the actual rate of windfall consents has been considerably higher in recent years the District Council considers that the scope for further development of this kind is limited without an undue degree of "town cramming". The figure of 200 completions arising from windfalls is considered to be realistic.

~~POLICY H2 NEW LAND ALLOCATIONS~~

~~Sufficient new land will be allocated in the Plan to accommodate about 750 dwellings.~~

- 3.10 Specific sites have been identified using the following criteria:
- a) They should keep the impact on Green Belt to a minimum.
 - b) They should make effective use of existing infrastructure and services.
 - c) They should be well related in scale to existing villages.
 - d) They should where possible take advantage of existing public transport networks.
 - e) They should have minimal impact on the environment.

In selecting the proposed sites, the Council has also been concerned to ensure that potential new housing sites are well distributed throughout the District, taking account of the location of sites which already have planning permission for development and the need to protect areas which have experienced significant development in the past. The Council recognises that there will inevitably need to be changes to established Green Belt boundaries to accommodate the development proposals of the Plan, but has sought to keep such changes to a minimum

- 3.11 Planning Policy Guidance Note 3 (Land for Housing) urges Local Authorities to make an exhaustive search for sites which are not in the Green Belt before proceeding with proposals to amend confirmed Green Belt boundaries. The District Council has examined many sites which could have reduced the need to propose sites in the Green Belt for new housing development. A realistic assessment has been made of the likely contribution of windfalls to the housing requirement. The District Council has examined potential sites over 0.4 ha within Development Boundaries and is satisfied that opportunities offered by such sites have been fully taken into account in the preparation of the Plan. In many cases, however, environmental and other constraints indicate that some sites cannot be relied upon to contribute to the supply of housing during the Plan period.
- 3.12 Finally, the District Council has explored the possibilities of development to the south of Stafford. This is examined in more detail in paragraphs 3.30 - 3.33 of this chapter. After careful consideration the Council has concluded that there is little prospect of the necessary road infrastructure being implemented during the Plan period and that development in this location would make no contribution to South Staffordshire's current housing requirements.

POLICY H3 PROPOSED HOUSING SITES

The following sites have been identified for housing development during the Plan period:

Location	Estimated Capacity	Inset Plan No.
1. Church Close, Dunston	10	11
2. South of Wolgarston Way, Penkridge	150	47
3. Oaklands Farm, Huntington	65	48
4. Land at King's Road/Queen's Road, Calf Heath	15	8
5. East of Church Road, Shareshill	15	31
6. Off Sparrows End Lane, Brewwood	50	5
7. Pinfold Lane, Cheslyn Hay	60	45
8. Kingswood Drive, Gt. Wyrley	25	45
9. East of Brewwood Road, Coven	55	10
10. South of Brewwood Road, Coven	50	10
11. East of Watery Lane, Bilbrook	180	46
12. West of the Bratch, Wombourne	75	51
TOTAL	750	

SITE 1 : CHURCH CLOSE, DUNSTON

INSET PLAN NO. 11

(0.6 Ha / 1.5 acres - approx. 10 dwellings)

The site is bounded by the A449 Trunk Road (which is slightly below it), Dunston Lane, Church Close and a line extending the southern boundary of the existing properties to the A449. It is Grade 2 agricultural land, and is not in the Green Belt. The land between the new development and St. Leonard's Church would remain open. Access would be from Church Close and housing could be sited with back gardens extending to the Trunk Road to provide extra screening. Foul drainage would be to the existing sewerage system. Storm drainage to the site may have to discharge to individual soakaways.

SITE 2 : SOUTH OF WOLGARSTON WAY, PENKRIDGE

INSET PLAN NO. 47

(10.1 Ha / 25 acres - approx. 150 dwellings)

This site lies to the south of the village and is bounded by Wolgarston Way (B5012), the Staffs & Worcs Canal, a green lane, the M6 motorway and the new housing site recently completed. The land is partly in agricultural use and varies from Grade 2 nearest to Wolgarston Way, to Grade 4 adjacent to the M6. The junction between B5012 and the A449 trunk road will have to be improved before this proposal is implemented and any houses are occupied. Access would be from culs-de-sac from the housing site under construction and an area to the eastern side of the site would need to be set aside to continue the buffer zone for the M6 motorway. It will be particularly important to ensure that the development is designed to enhance the setting of the Canal Conservation Area.

Foul drainage would be to the existing sewerage system although there is likely to be a time constraint on development if Penkridge Works has to be extended to cope with the extra flows. There is no further capacity in the existing public surface water sewer and alternative arrangements will be required to provide for storm drainage.

SITE 3 : OAKLANDS FARM, HUNTINGTON**INSET PLAN NO. 48**

(2.7 Ha / 6.7 acres - approx. 65 dwellings)

This site lies to the south of Limepit Lane adjacent to the former Oaklands Farm. It is Grade 3 agricultural land. This site was not allocated in the earlier Local Plan because of the Structure Plan allocation target, but was specifically excluded from the Green Belt to allow the position to be reconsidered once housing needs after 1991 were established.

Access to the site would be from Limepit Lane opposite the proposed access to the housing site which is under construction. The Highway Authority has agreed to the construction of a small roundabout in this location. The site should not be developed until this roundabout is constructed and improvements are carried out to the junction with the A 34 trunk road. These improvements are covered by the provisions of an agreement signed before planning permission was granted for the housing development north of Limepit Lane currently under construction, but yet to be implemented. Foul drainage would be provided to the existing sewerage system. Storm drainage would be via Bell Brook to the River Penk.

SITE 4 : LAND AT KINGS ROAD/QUEENS ROAD, CALF HEATH INSET PLAN NO. 8

(1.75 Ha / 4.3 acres - approx. 15 dwellings)

This site includes two separate parcels of land on either side of the Hatherton Branch Canal and Lock Cottage, which is a large modernised residence set in its own grounds. The area was in the Green Belt but it is proposed to include it all within a revised development boundary.

The land to the north of the canal is open in character and suitable for a small number of houses with frontage access to King's Road.

The land to the south of the Canal between "Lock Cottage" and the existing housing on Queen's Road is partly used for boat - building and maintenance, but has a semi derelict appearance. This would be suitable for frontage residential development.

A relatively low density is envisaged for both areas. Proposals for restoration of the Canal are under consideration and the relationship between the new houses and the canal will have to be carefully considered. Foul drainage would be to the new public sewer system. Storm drainage would be to the Saredon Brook, via an off - site sewer.

SITE 5 : EAST OF CHURCH ROAD, SHARESHILL**INSET PLAN NO. 31**

(0.97 Ha / 2.4 acres - approx. 15 dwellings)

This site lies to the east of the village and consists of the semi-derelict grounds of Hall Farm. It is partly Grade 3 agricultural land. Most of the site is enclosed within a high brick wall which, although in need of repair, forms an important part of the village character. As much of the wall as possible should be retained and incorporated into any layout for the site.

Access would be from Church Road. Foul drainage would be to the existing sewerage system. Some off site works may be required to provide storm drainage.

SITE 6 : SPARROWS END LANE, BREWOOD**INSET PLAN NO. 5**

(2.4 Ha / 5.4 acres - approx. 50 dwellings)

This site lies to the east of the village. It is predominantly Grade 4 agricultural land, with some 2 and 3b land and is used for grazing. A small watercourse forms the southern boundary.

Access to the site would be from Sparrows End Lane and off-site improvements would be required to nearby roads and junctions. There is a foul sewer running directly across the site which may need to be diverted. Foul drainage would be to the existing sewerage system. Storm drainage would be to the adjacent watercourse.

SITE 7 : PINFOLD LANE, CHESLYN HAY

INSET PLAN NO. 45

(3.35 Ha / 7.5 acres - approx. 60 dwellings)

This site lies to the west of the village. It is Grade 3 agricultural land and is used for grazing. There is a valid permission for mineral extraction which could be implemented at any time. The site lies to the east of an important ridgeline which will reduce its visual impact but there is a need for careful treatment of the open boundaries to the south and west.

Access to the site would be from Pinfold Lane which will require some improvements. Foul drainage would be to the existing sewerage system. Off-site improvements will be required to provide storm drainage.

The site immediately adjoins an active marl pit which is the subject of a long standing planning consent with few restoration conditions. The Council will not grant consent for the development of this site for housing until it is absolutely certain that there would be no adverse environmental effects from the adjacent quarry, including restoration works.

SITE 8 : KINGSWOOD DRIVE, GREAT WYRLEY

INSET PLAN NO. 45

(1.83 Ha / 3.9 acres - approx. 25 dwellings)

This site lies to the north-east of the village and is bounded by the rear gardens of houses in Norton Lane and Kingswood Drive to the south and west and by the A5 Trunk Road to the north. The land is unclassified and is used for grazing. It is in the Green Belt. The Preferred Route for the Birmingham Northern Relief Road passes about 200 metres to the north of the site, with a proposed toll station about 400 metres away. Close attention will therefore need to be paid to landscaping proposals incorporated in the development of the site. In view of the particular topography of this site a planning brief will be prepared, notwithstanding that it falls below the minimum site size specified in Policy H4.

The capacity of the site is limited to 25 dwellings by a major sewer which crosses the site. Access would be from Kingswood Drive. Off-site works will be required to provide both foul and storm drainage.

SITE 9 : EAST OF BREWOOD ROAD, COVEN

INSET PLAN NO. 10

(3.15 Ha / 7.8 acres - approx. 55 dwellings)

The site lies in the floodplain of the River Penk to the west of the village. A High Voltage transmission line crosses the site and a public footpath runs across the northern tip. The scale and location of the site is more appropriate to the form and character of the village than Grange Farm and its contribution to the character of the Green Belt is less. With new planting on the northern boundary an appropriately

designed development could comprise a satisfactory firm edge and rounding off to the settlement.

The creation of an access involving a small roundabout would help reduce the loss of hedgerow, as well as slowing traffic. Advance planting to minimise the effect of hedgerow loss should be given consideration by the developers. Foul drainage would be to the existing sewerage system which may require some improvement. Storm drainage would be to the River Penk.

SITE 10: SOUTH OF BREWOOD ROAD, COVEN

INSET PLAN NO. 10

(2.63 Ha / 6.5 acres - approx. 60 dwellings)

This site lies to the south of the village and is in the Green Belt. It is Grade 2 and 3a agricultural land; it is used for grazing and there is also an orchard.

Access would be from either Brewood Road or by extending the estate road (Birchcroft) through the adjoining housing development to the west. Foul drainage would be to the existing sewerage system. Surface water would drain to the River Penk via the Featherstone Brook to the south.

SITE 11: EAST OF WATERY LANE, BILBROOK

INSET PLAN NO. 46

(11.75 Ha / 29.0 acres - approx. 180 dwellings)

This site lies to the north of the village and is in the Green Belt. It is Grade 3a, 3b, 3c and 4 agricultural land and is used for grazing. It includes a substantial area of washland for the Moat Brook. The site is well screened by the topography and the trees along the brook course when approached from the north.

Access would be from Watery Lane and Bilbrook Road. Off-site road improvements may also be required at their junction. Foul drainage would be to the existing sewerage system. Storm drainage would be to the Moat Brook. The Moat Brook is a 'main river' here and there is a substantial area of washland on each side of the brook. The land adjoining the brook could be used as an open landscaped area with river-side walks which would provide an attractive amenity area.

SITE 12: WEST OF THE BRATCH, WOMBOURNE

INSET PLAN NO. 51

(3.0 Ha / 7.4 acres - approx. 75 dwellings)

This site is not in the Green Belt. It lies within the Wombourne Development Boundary and the Bratch Policy Area and is bounded by existing development; the Staffordshire & Worcestershire Canal and the old quarry face beneath Bratch Common Road.

The site is not agricultural land but is used for rough grazing and contains several old and somewhat dilapidated buildings. The site has a certain romantic charm but no special landscape designation, although the Canal (a Conservation Area) forms an important feature in this area.

The site was previously allocated as a Recreation and Open Space Proposal adopted in January 1982. This proposal has not, however, been implemented primarily due to a lack of available resources and difficulties in achieving a satisfactory access.

It is proposed to allocate the western part of this site for housing in association with the provision of a substantial linear area of open space alongside the Canal (Policy R6), to complement other policies and proposals for The Bratch Policy Area (Policy R7 and

also Policy R8 - land east of the canal). A well designed residential development, set well back from the canal along the line of the brook, with generous landscaping and water features, offers potential to enhance the setting along the canal walkway and extend public access, whilst securing nature conservation benefits.

Access to the site will be from Ounsdale Road, in accordance with a scheme which has been agreed in principle with the Highway Authority. The District Council remains concerned over the possible impact of the proposed access arrangements on the safety of traffic and pedestrians using Ounsdale Road, and will have particular regard to this in considering any planning application. Foul drainage will be to the existing public foul water sewer which crosses the site. Surface water will discharge into the brook course, via an on-site balancing facility.

POLICY H4 PLANNING BRIEFS

~~The District Council, in conjunction with landowners and developers where appropriate, will prepare detailed Planning Briefs for housing sites of 50 dwellings or over identified in Policy H3. These will contain information on factors affecting development, advice on the design principles to be employed and specific requirements for access, drainage and landscaping.~~

POLICY H5 DEVELOPMENT BOUNDARIES

~~Within the Development Boundaries shown on the Inset Plans applications for the following types of housing development, which accord with the Built Environment policies set out in Chapter 6, will normally be permitted:~~

- ~~a) Housing on the sites proposed for residential development identified on the Proposals Map;~~
- ~~b) Small groups of houses, including redevelopment of existing sites;~~
- ~~c) Infilling (i.e. The infilling of small gaps within small groups of houses);~~
- ~~d) Restoration or conversion of existing buildings to residential use.~~

Special needs housing

- 3.13 In common with many rural Districts, South Staffordshire faces a growing problem in meeting the housing needs of all its residents. House price inflation has put owner-occupation beyond the reach of many people, particularly those on low incomes. Social changes have brought about an increase in divorce rates and the number of single parent households. At the same time the Council rented sector has declined and the availability of privately rented accommodation is very restricted. This has led to a reduction in realistic alternative housing opportunities.
- 3.14 The District Council acknowledges the role played by residential mobile homes in providing low cost accommodation for small households. However, given the Green Belt constraints on development in the District it does not consider that there is much scope to provide for new accommodation in this way.
- 3.15 Local Authorities can make land available in Local Plans and the private housing market can usually be relied upon to provide the number of new houses required. However, the house building industry does not always respond to locally generated needs, particularly for low cost housing, special needs and rented accommodation.

- 3.16 There has been a growing tendency in recent years for the house building industry, local authorities and housing associations to work in partnership to provide a range of social housing which the market would not be able to provide if left to its own devices. The Council considers this to be an effective means of increasing housing choice in the District and will continue to seek opportunities for partnership on sites allocated in the Plan. On the major sites allocated in Policy H3 (i.e. those expected to provide 50 or more dwellings) the Council considers that up to 20% of the total should be set aside for affordable housing. In the context of the relatively stable housing market conditions prevailing in South Staffordshire in the mid-1990s affordable housing is considered to fall within the range of £45,000 to £55,000 or a weekly rental of £40 - £50.
- 3.17 In seeking partnership opportunities the Council will examine the potential for providing affordable housing through the conversion of appropriate buildings (including "living over the shop" schemes), the re-use of redundant buildings and the development or redevelopment of appropriate sites within development boundaries.
- 3.18 The Council will maintain an up-to-date record of need for affordable housing and will carry out local surveys of need as appropriate and particularly where and when development opportunities occur.

POLICY H6 AFFORDABLE HOUSING PROVISION

In deciding planning applications, the District Council will seek to increase the range of housing choice available in the District in partnership with Housing Associations and private house builders. Encouragement will be given to proposals which provide affordable housing whether for sale, rent or shared ownership. On the major sites allocated for development in Policy H3, the District Council will negotiate with developers to achieve a mix of housing types, including a proportion of affordable housing.

- 3.19 Many new households which will form during the 1990s will require specialised housing that is not currently available. There will be an increase in the number of elderly people living alone, as well as young single people wanting their own home. The philosophy of "Care in the Community" will also require housing for other groups with special needs, e.g. specialised housing for the handicapped.
- 3.20 Windfall plots within existing boundaries and close to village centres can be suitable for this type of housing. The District Council will encourage developers to build for this sector, subject to the environmental policies set out in Policies H13 to H19 below.
- 3.21 A large proportion of the new homes needed in the 1990s will fall into this category and it is reasonable to expect the private sector to build for this market within the general housing requirement of the Structure Plan. Building for these special needs can help to contribute to general needs by freeing up the existing housing stock for new occupiers.
- 3.22 As with affordable housing the Council considers that partnerships with the housebuilding industry and the voluntary sector offer the way forward for the provision of a range of special needs housing which the market would not be able to provide if left to its own devices. The Council considers this is an effective means of increasing housing choice in the District and will continue to seek opportunities for partnership on sites allocated in the Plan.
- 3.23 In seeking partnership opportunities the Council will examine the potential for providing special needs housing through the conversion of appropriate buildings (including "living over the shop" schemes), the re-use of redundant buildings and the development or redevelopment of appropriate sites within development boundaries.

- 3.24 The Council will maintain an up-to-date record of need for special needs housing and will carry out surveys of need where and when development opportunities occur

~~POLICY H7 SPECIALISED HOUSING~~

~~The District Council will encourage proposals which meet the need for specialised housing in the District. Development schemes for major sites allocated in Policy H3 should provide a mix of dwelling types, including provision to meet special housing needs, housing suitable for single and elderly person households and dwellings adaptable for disabled people. (Note: A major site is one which is expected to provide 50 or more dwellings).~~

~~POLICY H8 RESIDENTIAL NURSING HOMES~~

~~The building of new residential homes and nursing homes will not be allowed in the Green Belt and not normally allowed in the Open Countryside. The change of use of existing private dwellings to residential or nursing homes will normally be allowed, provided that the new use can be accommodated predominantly within the existing structure of the building.~~

~~POLICY H9 EXTENSIONS TO RESIDENTIAL NURSING HOMES~~

~~The extension of existing residential homes and nursing homes must be in scale and character with the existing building and the size and character of the site. The extensions must not have an adverse or detrimental effect on the character of the site or of its surroundings.~~

~~POLICY H10 SHELTERED HOUSING~~

~~Applications for sheltered housing in the Green Belt or Open Countryside will be considered in the same way as any other new residential development.~~

Low Cost Housing in Rural Areas

- 3.25 In rural areas, the Government has encouraged Local Authorities to consider granting planning permission for low cost housing on sites which would not normally be considered appropriate for housing. The aim of this is to enable the land to be made available at low cost and to make arrangements to ensure that the houses remain available for local people in perpetuity, for example through a village trust or Housing Association. This policy is intended to provide for people who have a strong connection with a village, and have a need to live locally, but who are not otherwise able to afford to buy or rent a property on the open market. "Local need" will be defined as need arising within the boundaries of an individual Parish or an immediately adjoining Parish within the Administrative District of South Staffordshire. The assessment of local need should be based on up to date survey work carried out locally within Parishes or groups of Parishes. The District Council will work with Parish Councils to carry out housing need surveys. Survey work has already been carried out in some Parishes in the District. This policy is not generally applicable in the Green Belt, but small scale schemes may be permitted in the more extensive areas of Green Belt away from the urban fringe.

POLICY H11 LOCAL NEEDS HOUSING IN RURAL AREAS

Exceptionally, planning permission may be granted for low cost housing on land that would not normally be released for development, within villages in the Green Belt and within or on the edge of villages in rural areas outside the Green Belt, provided that:

- a) **The scheme would meet a genuine local need that would not otherwise be met;**
- b) **There are secure arrangements to ensure that the benefits of low cost housing will be enjoyed by subsequent occupiers as well as the initial occupiers;**
- c) **Any such land released will be additional to the provision made for general housing demand;**
- d) **The scheme is of a scale and of a character appropriate in the location;**
- e) **There is no element of cross-subsidy in the proposal.**

(Note: "Cross subsidy" is defined as the funding of affordable housing by the construction of more expensive housing for sale on the same site).

POLICY H12 LOCAL NEEDS - ASSESSMENT CRITERIA

To be considered favourably under Policy H11 any housing proposal submitted which is not on an allocated site must demonstrate:

- a) **A detailed assessment of the local need to be met and how the scheme will meet it in perpetuity:**
- b) **That it has regard to development control standards relating to location, design, scale, layout, parking and landscaping.**

Area Improvements

- 3.26 Within some existing housing areas, particularly where older housing predominates, there is scope for general environmental enhancement in addition to the improvement of the housing itself. The District Council will undertake or promote environmental improvement works in housing areas where circumstances and financial resources permit. Consideration will be given to achieving additional environmental improvements where other necessary works are carried out by the District Council or bodies such as statutory undertakers.

Environmental Policies - Housing

- 3.27 Planning Policy Guidance Note 1 gives advice to Local Authorities on design considerations in development control. Good design should be the aim of all involved in the development process, but it is primarily the responsibility of designers and their clients. The District Council will seek to achieve a high standard of design in all proposals for development, whilst recognising that aesthetic judgements are to some extent subjective. Consideration will be given to original or innovative designs in appropriate contexts. Applicants for planning permission should demonstrate that they have considered the wider setting of buildings and that proposals for development respect the character of their surroundings. Landscape schemes should be considered as an integral part of the design process and not as a cosmetic afterthought. It should be borne in mind that in rural areas new development can sometimes be visible from significant distances.
- 3.28 The following policies will apply to all housing proposals and are designed to ensure that new developments provide a high standard of amenity for residents, that services can be effectively provided and that the character of individual settlements is retained and enhanced. With this aim in mind, the Council will consider the scale, density,

height, massing, layout, landscape and access when assessing proposals for new housing development.

- 3.29 Standards to which the Council will have regard in determining planning applications are set out in the Appendices at the back of this document, the County Council's Highway Design Guide and Design Bulletin 32 in respect of access and service roads; and PPG24 in respect of noise.

~~POLICY H13 CHARACTER OF SETTLEMENTS~~

~~In considering applications for new housing development, the District Council will expect proposals to be well related to the size, structure and character of individual settlements.~~

~~POLICY H14 LAYOUT AND DESIGN OF HOUSING DEVELOPMENTS~~

~~In considering applications for new housing developments or improvements the District Council will expect a high standard of layout and design to be achieved.~~

~~NOTE: This policy should be read in conjunction with the design criteria in Policy BE26.~~

POLICY H15 FINANCIAL CONTRIBUTIONS TO INFRASTRUCTURE

The District Council will seek to co-ordinate the provision of social and physical infrastructure with the release of housing land. Financial contributions will be expected from developers for the provision of any new infrastructure or improvements to the existing infrastructure made necessary by a development proposal. Obligations under Section 106 of the Town and Country Planning Act 1990 as amended will be appropriate for this purpose in most instances, having full regard to the guidance in Circular 16/91.

POLICY H16 CHARACTER OF SURROUNDINGS

In considering planning applications the District Council will expect new development to respect the character of its surroundings especially in design, scale and colour and the type of materials used. The District Council will expect designers to pay particular attention to the impact of development in the countryside as a whole and especially in environmentally sensitive areas, such as Conservation Areas, the Cannock Chase Area of Outstanding Natural Beauty, the Historic Parkland Areas and the Special Landscape Area.

POLICY H17 SPACES ABOUT BUILDINGS

In considering planning applications for development, the District Council will expect designers to pay particular attention to the appearance and treatment of the spaces between and about buildings. New development should have proper regard to the appropriate standards for access, parking, servicing, open space, space about buildings, landscaping and noise attenuation.

POLICY H18 DENSITY OF NEW DEVELOPMENT

In considering applications for new residential development within an area defined as a Development Boundary in the Plan, the District Council will ensure that the development has regard to the density and character of the surrounding area.

POLICY H19 INFILLING

In considering applications for infilling or the sub-division of existing spacious house plots, the District Council will have regard to the character of the surrounding area and will seek to ensure that the development is not cramped or out of character with the scale and layout of the surrounding area, and that the amenities of adjoining properties are not unreasonably harmed through increased traffic and disturbance, overlooking and loss of privacy.

Development to the South of Stafford

- 3.30 In his letter of approval to the Staffordshire Structure Plan 1986-2001 the Secretary of State refers to the possibility of residential development to the south of Stafford associated with the provision of a southern by-pass between the A34 at Wildwood and the A449 at Acton Gate. Paragraph 4.1.7 of the Secretary of State's letter of approval of the Staffordshire Structure Plan 1986-2001 says:
- "He looks to the District Council to assess the options for the location of new development, which may need to include a review of detailed Green Belt boundaries and the consideration of the possibility of development in the north of the District, in association with Stafford Borough Council."
- 3.31 The Council has taken account of this comment in preparing the South Staffordshire Local Plan and has also commented on the emerging Stafford Borough Local Plan. Neither South Staffordshire nor Stafford Borough consider that development to the south of Stafford is an attractive or realistic option during the current Structure Plan period.
- 3.32 The deposit version of the Stafford Borough Plan included a housing allocation on land at Rickerscote. The proposed development would lie wholly within Stafford Borough, but would be dependent on the construction of a new road bypassing Rickerscote which would link with a new roundabout on the A449 at Acton Gate, just within South Staffordshire. In any event, doubt has been cast on the need for the Rickerscote By-pass by Stafford Borough's recent decision to recommend the deletion of the proposed housing site at Rickerscote from the Stafford Borough Local Plan, on the basis that the housing land availability figures show that it is no longer necessary to meet the housing land requirements in the Staffordshire Structure Plan. In the light of Stafford Borough Council's current position, there does not seem any likelihood of development to the south of Stafford occurring in the current Structure Plan period. The Inquiry into Stafford Borough's Local Plan concluded in August 1995.
- 3.33 The issue of development to the south of Stafford is wider in scope than the consideration of development at Rickerscote and is related to a proposal for a southern bypass for Stafford. At one time it was suggested that this road could be funded by development, but this is no longer seen as a realistic prospect. The County Council has carried out public consultation on routes for the proposed Stafford Southern By-pass linking the A449 at Acton Gate and A34 at Wildwood and has now published a preferred route as shown on the proposals map. However, the scheme is not included in the current TPP and, therefore, has no priority in terms of the County Council's future construction programme.

Gypsy Sites

- 3.34 The context for the consideration of Gypsy Caravan Sites is given by Circular 28/77 "Caravan Sites Act 1968 - Part 2 Gypsy Caravan Sites" and Circular 57/78 "Accommodation for Gypsies - Report by Sir John Cripps". In response to this policy guidance and the growing problems of illegal gypsy sites, Staffordshire County Council

undertook a survey and in 1979 adopted a policy for the provision of gypsy sites in the County. This policy identified a need for a further 12 transit pitches in South Staffordshire. The Council will also have regard to the provision of Circular 1/94 and Annex E of PPG2 (Revised) (where applicable).

- 3.35 Since the publication of this Policy a number of transit and permanent pitches have been provided in the District, mainly as a result of appeal decisions. Land off the A34 at Newtown, Essington, was granted permanent permission for 20 pitches (5 transit), in 1989. A permanent permission has also been granted for 8 pitches at land off New Road, Featherstone. In 1987 an appeal decision allowed a further four pitches for gypsies at the New Bungalow, High House Lane, Four Crosses. In October 1988 an appeal decision allowed a further 8 residential gypsy caravan pitches at Brickyard Cottage, Bursnips Road, Essington and an appeal decision in December 1988 allowed a further 12 transit pitches at Lea Manor Caravan Park, New Road, Featherstone. In addition to these sites there are pitches at Cavans Wood in Huntington, Walsall Wood at Newtown, Clee Park at Newtown, and Harrows at School Lane, Coven.
- 3.36 The high level of consents granted over recent years has resulted in a situation where South Staffordshire has a greater number of authorised pitches, and now provides more than 30% of the County total. All of these sites are privately owned and operated and the Council does not consider that there is a necessity to make any further provision for additional pitches. There is a potential problem which was recognised by an Inspector considering an enforcement appeal at New Acre Stables, Penkridge, that if one District is seen to be providing more sites than others, more and more gypsies will tend to frequent it, and needs will never be satisfied.
- 3.37 A recent (February 1992) decision by the Secretary of State at the Fishing Pond Caravan Site, New Road, Featherstone (DoE Ref: APP/C3430/A/90/154623) sets out a clear policy context for the consideration of further proposals for Gypsy Sites. The Secretary of State reached the following conclusions:

"The main issue is whether the need for gypsy accommodation is sufficient to constitute the very special circumstances necessary to override the strong policy presumption against inappropriate development in the Green Belt.

The Secretary of State notes that South Staffordshire District has by far the highest proportion of Green Belt land in the County. He also notes that, compared to other Districts in the County, South Staffordshire has a disproportionately high number of Gypsy caravan sites, including some in the Green Belt. In his view, the increasing demand for gypsy sites in the District will, if this appeal is allowed, almost inevitably result in demand for further gypsy caravan sites within the Green Belt. He is therefore unable to agree with the Inspector that the development in this case would not weaken the Council's stance in resisting future development proposals. Furthermore he is unable to accept that the demand for gypsy sites in the area is by itself a sufficient reason for permitting the further erosion of the Green Belt by inappropriate development of this nature."

~~POLICY H20-GYPSY CARAVAN SITES~~

~~In considering further proposals for gypsy caravan sites the District Council will have regard to the genuine needs of travelling people residing in or resorting to the area in the context of existing levels of provision in the District. Very special circumstances will have to be demonstrated to overcome the strong policy presumption against inappropriate development in the Green Belt.~~

Travelling Showpeople

- 3.38 Circular 22/91 advises local planning authorities to consider the needs of travelling showpeople when preparing local plans and make a realistic assessment of the amount of accommodation required to provide the basis for relevant and appropriate local plan policies. The circular draws attention to the problems caused by "displacement" where travelling showpeople have had to leave traditional sites which have been displaced by other forms of development, sometimes following compulsory purchase.
- 3.39 Although there are two long established travelling showmen's sites in South Staffordshire which function as "winter quarters" (at Featherstone and the former Kingswood Colliery at Great Wyrley) this hardly constitutes a tradition of such sites. Problems of displacement do however occur in neighbouring urban areas of the Black Country and this has resulted in pressure to find a single site to accommodate 10 showmen's families. It is not considered that the scale of demand is so overwhelming as to require the allocation of a specific site in the plan. Equally to expect the plan to give a commitment to making good a potential deficiency of sites caused by redevelopment and displacement from the Black Country Area would be at variance with established Green Belt policies and would invite a number of similar proposals. The circular notes that very special circumstances have to be demonstrated to justify allowing development for purposes not normally appropriate in the Green Belt.

POLICY H21 TRAVELLING SHOWMEN'S PERMANENT QUARTERS

In considering proposals for travelling showmen's permanent quarters the District Council will have regard to the criteria for site selection set out in Circular 22/91. Very special circumstances will have to be demonstrated to overcome the strong policy presumption against inappropriate development in the Green Belt.

Chapter 4: Employment

Introduction

- 4.1 South Staffordshire is well placed to take advantage of the improvements in road communications which are programmed for the mid 1990's. It will be important to view the opportunities in the context of a firm commitment to the protection of the South Staffordshire Green Belt. The new roads will pass through areas which are particularly sensitive in terms of Green Belt and landscape quality. Proposals for industrial and commercial development other than those provided for in the Local Plan will be firmly resisted.
- 4.2 The location of South Staffordshire to the north and west of the Black Country means that the economic fortunes of the District and the prosperity of its residents are closely tied to the adjoining Conurbation boroughs. It is estimated that up to 75% of South Staffordshire residents who are in work commute to jobs in other areas and whilst towns such as Stafford and Cannock attract a proportion of this workforce the majority travel to Wolverhampton, Walsall and Dudley and further into the conurbation.

Structure of the Local Economy

- 4.3 There is a relatively high level of employment in the agricultural sector in South Staffordshire with 5.8% of total employment compared with 1.6% for the County as a whole. Manufacturing jobs in the District are concentrated in the "metal goods" sector, which accounts for almost 63% of all manufacturing employment. This reflects the close relationship between this District and the Black Country which is a national centre for the metal trades.

- 4.4 Following the relative decline in manufacturing during the latter part of the 1980's the manufacturing sector has become less important as a direct employer. At the same time the service sector has become relatively more important although it is still under - represented in comparison with national levels of service employment and has not fully made up the short fall caused by the loss in manufacturing.
- 4.5 Although industrial and commercial activity in South Staffordshire was not as badly affected as other parts of the West Midlands, the impact of restructuring was felt and several areas in the District did suffer from major factory closures and subsequent unemployment, e.g. in Wombourne and Great Wyrley. In addition traditional industries such as agriculture, coal mining and engineering have declined and their place has been taken by new forms of employment, amongst which mineral extraction and processing, the construction industry, commercial distribution and an influx of small manufacturing and services businesses have made substantial contributions to the provision of jobs.
- 4.6 Existing and potential employment sites are well distributed throughout the District and lie generally within or adjoining the major settlements. There are important sites at Heath Mill in Wombourne, Lyne Hill in Penkridge and Landywood and Lodge Lane in Cheslyn Hay. In addition there are free standing sites at Pendeford, Hilton Main and Four Ashes. The larger villages also act as centres for surrounding rural areas and provide a wide range of local shopping facilities, personal and professional services such as medical, banking and legal services which, together with schools and other public services, are important sources of local employment.
- 4.7 South Staffordshire falls within the Travel to Work Areas of four neighbouring employment centres. The overall rate of unemployment in these areas at January 1997 was as follows:

Stafford TTWA	4.3%
Walsall TTWA	8.0%
Wolverhampton TTWA	8.3%
Dudley and Sandwell TTWA	7.6%

- 4.8 For comparison, the corresponding figure at County, Regional and National level are:

Staffordshire	5.6%
West Midlands Region	6.7%
Great Britain	6.7%

- 4.9 The TTWA rates include many inner city wards within the Conurbation where unemployment is a chronic structural problem. These extremes are not represented in South Staffordshire and it is likely that the true employment rate in the District is more in line with the national average, although higher rates can be found in certain wards.

Factors Influencing Economic Development

- 4.10 It is expected that national trends will tend to be mirrored at a local level. The main trends are towards a more flexible work situation with increasing part-time work, casual labour, home working and self-employment. This means that jobs are being created which do not necessarily require additional land to be found, and some existing employment sites are being used more intensively. In addition, a particular feature of South Staffordshire's employment profile is the number of people who commute to jobs in other areas. In this respect, the District's economic well- being is closely tied to that of the adjacent Conurbation and this is unlikely to change to any significant degree, despite the major employment proposals made in this plan.

- 4.11 South Staffordshire's link with the West Midlands Conurbation has been further strengthened in recent years with the inclusion of parts of the District as an Assisted Area - allied to the travel to work areas of Walsall and Wolverhampton - which has enabled sites to be developed with grant aid from the European Community.

European Regional Development Fund

- 4.12 Since 1985 certain parts of the District (covered by the Wolverhampton and Walsall Travel to Work Areas) have been included within the West Midlands Intermediate Assisted Area. This has enabled the District Council to obtain grant aid towards a number of schemes bringing either land or derelict premises forward for industrial development.
- 4.13 Until 1989 the submission of schemes for grant aid was dealt with on a one-off basis and individual schemes were accordingly put forward for financial assistance. The District Council have been successful in obtaining grant towards a number of projects which have been undertaken, amounting to over £2.5 million of assistance.
- 4.14 Since 1989 revised procedural arrangements for dealing with local authority grants from the European Regional Development Fund has seen the District Council's proposed development programme included in a joint submission with adjoining authorities in Shropshire and Staffordshire known as the Shropshire/Staffordshire Operational Programme.
- 4.15 The E.C.'s RECHAR programme has been established to aid the economic reconstruction of areas which have been hit by the closure of coal mines. The Parishes of Hilton, Featherstone, Essington, Cheslyn Hay, Great Wyrley, Hatherton and Huntington all fall within the RECHAR area. The Programme covers the provision of economic and social infrastructure, provision of factory units and premises, tourism, business support measures and environmental improvements.

Premium Peripheral Sites

Regional Planning Guidance for the West Midlands - RPG11

- 4.16 The Regional Planning Guidance for the West Midlands (RPG11, published September 1995) establishes a need to provide for up to a maximum of 120 hectares (gross) of land to meet the needs of the Black Country. Sites at Greenfield Lane and Hilton totalling 25 hectares have been granted planning permission. The area of search comprises Southern Staffordshire as well as the Black Country Districts and several sites are being taken forward in development plans. Priority should be given to sites that allow advantage to be taken of the Development Area status of the Wolverhampton Travel-to-work-area.

The Guidance requires that the identification of any new sites should be in accordance with the following criteria:

- sites must be readily accessible from the urban area by public transport, particularly rail, but also bus. Consideration should be given to limiting parking provision to discourage reliance on the car;
- a workforce should be available locally and measures should be in place, if necessary, to retrain the indigenous workforce;
- sites should be in or adjacent to the built-up areas of the metropolitan area in locations that are easily reached from local housing and that minimise the need to travel. Only exceptionally should sites separated from the urban edge be considered. Sites not in the Green Belt should be considered first. However, in the particular circumstances of the West Midlands, with its tight Green Belt boundaries and shortage of suitable sites

within the built-up area, some sites may, exceptionally, need to be in the Green Belt. The potential of major brownfield sites should be fully considered;

- although sites should be accessible by public transport, the capacity of the motorway and trunk road system to deal with potential extra traffic will need to be assessed;
- sites should be in attractive settings or offer the opportunity for environmental improvement, and should be capable of being developed to a very high standard; and
- sites of less than 15 hectares are unlikely to meet these requirements, and sites of 40 hectares or more may be best suited to the nature of the demand.

Staffordshire Structure Plan 1986-2001

4.17 Policy 5 of the approved Structure Plan sets out the following requirement:

"In South Staffordshire District, provision for up to 80 ha of development will be made to meet the Black Country's requirements for high quality peripheral development sites. There should be at least 3 sites including one already identified (Greenfield Lane) to the north of Wolverhampton, one further site to the north of Wolverhampton and one to the west of Wolverhampton or Dudley. The sites will be for high-technology development as set out in the Strategic Guidance for the West Midlands. Use of the land will be restricted to high quality industry research or office uses falling within Class B1 of the Town and Country Planning (Use Classes) Order 1987. Sites will be considered in relation to the following criteria:

- a) Easy access to the motorway system;
- b) Proximity to the Conurbation;
- c) Ready access to the Black Country's workforce, preferably by both public and private transport (but sites need not immediately adjoin the built up area); and
- d) The setting, which should be attractive. There is no minimum site size, but sites of 40 ha or more may be best suited to the nature of the demand".

Although Policy 5 of the Structure Plan has been superseded by RPG11 in respect of permitted uses and some of the locational criteria to be used in site identification, it remains important in setting out the quantity of land to be identified in South Staffordshire. A review of the Staffordshire Structure Plan commenced in mid-1995 which will, amongst other things, bring it into line with RPG11.

Black Country Sector - Premium Employment Sites First Monitoring Report: July 1992

- 4.18 Following the approval of the Staffordshire Structure Plan a group was set up to monitor the implementation of PPG 10 in the Black Country Sector, consisting of officer representatives of South Staffordshire District Council, Staffordshire County Council and the four Metropolitan Boroughs of Dudley, Sandwell, Walsall and Wolverhampton. This group produced its first report in July 1992.
- 4.19 The Report examines the proposals emerging through the Development Plan process to implement the requirements of PPG 10 and broadly supports the sites identified in the Draft South Staffordshire Local Plan and the Sandwell Unitary Development Plan. The Draft South Staffordshire Local Plan identified land at M54 Junction 1, Hilton and land at Wobaston Road, Pendeford in addition to a site at Greenfield Lane, Fordhouses which already has permission for development. It also included an area of search for a site west of Dudley, to be defined once the route and junction arrangements of the Birmingham Western Orbital Route have been confirmed (see paragraphs 5.12 and 5.13). The Sandwell Unitary Development Plan puts forward the Patent Shaft/Moorcroft

Site at Wednesbury as a site for Premium Employment Uses with potential to meet the requirements of PPG 10. 4.20 The Joint Monitoring Report sets out the following position with regard to the timing and sequence of implementation of the various sites which have been proposed (Paras 7.1 - 7.3):

"Strategic Guidance laid particular emphasis on the need to make land available in the short term. One site totalling 12 hectares has been granted planning consent at Greenfield Lane, Junction 2, M54 on the boundaries between Wolverhampton and South Staffordshire. Development has yet to commence on this site. To provide for continuity of choice in the short term it would be possible to release the Junction 1, Hilton Site as soon as possible following adoption of the South Staffordshire Local Plan. The site is not affected by any major constraints and despite being smaller than the 40 ha. guideline has the advantage of being the only site directly adjacent to an existing motorway junction and is immediately available for development. It is the strategic imperative for the early release of land for high technology development which underpins the release of this site. It should not be seen to undermine the need for the release of other premium sites evenly distributed around the Black Country.

The Patent Shaft / Moorcroft site needs to be progressed immediately but could be regarded as providing for medium term needs in view of proposals to improve access and carry out advance landscaping to achieve the required environmental standards. The Wobaston Road site could be a medium term site to allow time for appropriate access and decontamination solutions to be devised and implemented.

The implementation of a site west of Dudley will be programmed to co-incide with the development of the Birmingham Western Orbital Route and its associated link roads which are due for completion in the late 1990's."

Note: The Birmingham Western Orbital Route was withdrawn from the road programme in November 1996.

- 4.21 The District Council considers that Wobaston Road is an employment site of strategic significance for the region and that it should be removed from the Green Belt to encourage access solutions to be developed which would obviate the need to use A449/Wobaston Road as the principal access. However as this site cannot be regarded as being immediately available, it is necessary to identify a further site in the north of Wolverhampton sector. The District Council takes the view that the Hilton site is essential, as it represents the only premium peripheral site so far identified which is genuinely available in the short term, with the exception of the already approved site at Greenfield Lane.
- 4.22 Some concern was expressed at the consultation stage on the Draft South Staffordshire Local Plan that in total the proposals for the District exceeded the upper limit of 80 hectares of land for premium peripheral development allowed for in the County Structure Plan. However the gross areas quoted in the draft Plan are considerably reduced when allowance has been made for the necessary degree of landscaping, roadworks and the presence of undevelopable land in the form of a toxic waste tip on the Wobaston Road site.
- 4.23 In terms of net developable areas the allocations would then read:

Greenfield Lane	9 hectares
Wobaston Road	35 hectares
Junction 1, Hilton	15 hectares
TOTAL	59 hectares

4.24 Whilst the subsequent identification of a further site within the area of search west of Dudley may take the eventual total over the Structure Plan figure of 80 Hectares, the District Council would argue strongly that Strategic Guidance must make allowance for the realities of development on the ground and the constraints on site identification which prevail at Local Plan level.

North of Wolverhampton

- 4.25 The District Council carried out an assessment of potential locations adjoining or close to the Conurbation to the north of Wolverhampton in accordance with the criteria set out in the Structure Plan. Planning policy is influenced by the importance of preserving the Green Belt though it is recognised that an exception will have to be made to accommodate the requirements of Structure Plan Policy 5, as set out in paragraph
- 4.17. The M54 is a key physical factor in this location both in transportation and landscape terms and the preferred route of the Western Orbital motorway was also a major determinant of the identification of potential sites during the preparation of the Plan, although this proposal was subsequently withdrawn.

POLICY E1 PREMIUM SITES (NORTH OF WOLVERHAMPTON)

North of Wolverhampton the following sites are identified to meet the requirement for high technology development as set out in the Regional Planning Guidance for the West Midlands (RPG11). Use of the land will be restricted to high-quality development within Classes B1 and B2 of the Town & Country Planning (Use Classes) Order 1987.

A. Land at Junction 1, Hilton, 15 hectares.

B. Land at Wobaston Road, Pendeford, 35 hectares.

Site A has been granted planning permission and is immediately available.

Site B will only be released when the following two criteria have been met:

- i) When joint monitoring indicates that there is a particular shortfall in the portfolio of employment land in the Black Country Sector that needs to be addressed.**
- ii) When details have been submitted and agreed by the District Council to effectively deal with the contaminated waste tip and that these operations will be implemented before site development works are commenced.**

A. LAND AT JUNCTION 1, HILTON

INSET PLAN 20

(19 ha gross: 15 ha net)

- 4.26 This site forms the south western quadrant of Junction 1 of the M54 and is approximately 1.5 miles from both Junctions 10a and 11 of the M6. The site which is some 19 ha in extent has strong boundaries on each of its three sides; the A460 to the east, M54 to the north and White Houses Lane to the west. Outline planning consent for development was granted in 1994.
- 4.27 The gross site area of 19 ha includes approximately 4 ha of mature landscape features, consisting of the remnant of Whitgreave's Wood and tree belts flanking the old Cannock Road (which was realigned during the construction of the M54). Further opportunities for landscaping exist to the west of Whitehouses Lane although no built development

would be permitted in this area. The site is well screened from the M54 and the A460 to the east, but is visible when approaching along the A460 from the Wolverhampton direction. White Houses Lane has a well-developed mixed hedgerow boundary with some mature standard trees. Access to the site will be from a new roundabout at Bognop Road / Whitehouse Lane junction with the A460. Further access will be achieved from the existing signal controlled junction on the A460. The implementation of this proposal is conditional upon the production of an agreed Traffic Impact Assessment demonstrating that the scheme, including highway improvements, provides for adequate capacity and safe operation of the motorway slip roads and the A460 Cannock Road in the vicinity of the site. The development shall not be occupied until the highway works identified have been implemented. Access will be achieved by dualling a short length of the A460 and providing a signal controlled roundabout opposite the entrance to BP Truckstop.

- 4.28 The site includes the former playing fields and recreational facilities of the Hilton Sports and Social Club (now demolished.) It is acknowledged that these features will be lost when the site is developed, but the proposed recreation site north of the M54 (Policy R6) will compensate to some degree for the loss and provide facilities nearer the village.

B. LAND AT WOBASTON ROAD, PENDEFORD

INSET PLAN 43

(52 ha gross: 35 ha net)

- 4.29 The original proposals for the Birmingham Western Orbital Route drew attention to the potential of an area of land to the north of Wobaston Road for employment uses, south of the M54 and east of the preferred route. The site itself contains some Grade 3a agricultural land to the north of Wobaston Road and two small pockets of Grade 2 land. The majority of the site is classified as being in nonagricultural use, reflecting its use for sewage sludge disposal. There is a chemical waste tip in the extreme eastern part of the site, adjoining the Staffs & Worcs Canal. This tip is understood to have been in existence since 1927 and consists of waste from the former Courtaulds viscose rayon production. Tipping ceased in 1970 and the tip is included as a derelict site in the 1993 Derelict Land Survey.
- 4.30 The site is criss-crossed by hedgerows and there are individual trees and some areas of woodland. The land is generally level at the eastern end, but it rises in the south-western corner towards the Pendeford Business Park. The Staffs & Worcs Canal forms the boundary to existing development north of Wobaston Road. On the south side of Wobaston Road there is extensive residential development at Pendeford and the Pendeford Business Park. There is an area of private open space immediately south of Wobaston Road (Wombourne Hockey Club).
- 4.31 Although the site is currently in the Green Belt the requirements of RPG11 set out above provide the exceptional justification necessary for the removal of land from the Green Belt. In addition the Council proposes that land to the west of the current site proposal, bounded by the M54, the original preferred route of the Western Orbital Road and Wobaston Road is deleted from the Green Belt and safeguarded from potential longer term development needs during the Plan period in accordance with PPG2 (Revised). Policies GB4 and GB5 apply to this site.

Note: The Birmingham Western Orbital Route was withdrawn from the road programme in November 1996.

- 4.32 The draft plan identified constraints on development which will have to be overcome if the site is to be developed and marketed successfully as a Premium Employment Site.

It will be necessary to prepare a Master Plan for the site which fully addresses the following issues:

Access

- 4.33 A number of access options have been investigated including:
- i) access across the Staffordshire and Worcestershire Canal, through the industrial area to the east to a new or improved junction with the A449;
 - ii) access via Wobaston Road and an improved junction with A449 at Vine Island;
 - iii) a more direct access to the M54 to the north.
- 4.34 In view of the strategic role of this employment site and the difficulties involved in creating a satisfactory junction with the A449 the District Council considers the third option to be preferable to the other two. This option would involve "stretching" the existing Junction 2 on the M54 Motorway, moving the west facing slip - roads to the west and providing access into the site from the western part of this interchange. Initial discussions with officers at the Department of Transport have identified that such a solution would be acceptable in principle and would be consistent with current Departmental Policy . Such a proposal would be fully consistent with the criteria laid down in RPG 11.

Contamination

- 4.35 The former Courtaulds tip which lies at the eastern end of this site contains a large volume of toxic material which will need to be treated in an appropriate manner. Consultations with the Environment Agency have indicated that although the tip is currently stable and does not cause problems for the surrounding groundwater, attempts to remove it off - site could create major problems with run - off of surface water, quite apart from the difficulty and cost of finding a site capable of receiving the toxic materials. In this situation the favoured option is to leave the tip in situ and cap it with an impermeable membrane prior to spreading topsoil which could be planted as part of the overall landscaping of the site.
- 4.36 The land owned by Severn Trent which has been used for the deposition of digested sewage sludge became operationally redundant in 1994 when a new incinerator at Roundhill Sewage Works was commissioned. Investigations are being undertaken to determine the type and extent of waste contamination and methods of treatment required to make the land available for development.

Landscaping

- 4.37 A landscape master plan will need to be prepared detailing an overall scheme for structural landscaping and the potential for the site to make a contribution to the Forest of Mercia Community Forest.

Conclusion

- 4.38 It seems clear that the obstacles to the development in this location are such that any site identified could not contribute to the short term need for the release of high technology land. The Council accepts, however, that there may be an argument for granting an early planning consent to provide an appropriate lead-in period for the access to the site. This would be conditional upon: (i) Agreement being entered into with the Department of Transport providing for access to the site from a modification to Junction 2 of the M54. (ii) A comprehensive scheme for the treatment and, where

necessary, removal of contaminated wastes and sewage sludge being agreed in advance by the Environment Agency. (iii) No access other than for the use of emergency vehicles, pedestrians, cyclists and public transport vehicles being permitted from Wobaston Road.

NOTE: It is no longer appropriate to require a condition referring to the "trigger mechanism" as this has been abandoned in RPG11.

West of Wolverhampton or Dudley

- 4.39 The identification of a site to the west of Wolverhampton or Dudley is in large measure dependent on the alignment, junction strategy and timing of the construction of the Birmingham Western Orbital Route, with associated link roads between the motorway and the Conurbation boroughs. Given this constraint it has not been possible to make an assessment of the relative merits of potential sites in the same way as has been done to the north of Wolverhampton. The District Council does not consider that it is either feasible or sensible to define a precise site in this sector at the present time. In reaching this conclusion it has taken account of paragraph 7.17 of Regional Planning Guidance Note 11 (Regional Planning Guidance for the West Midlands Region) which sets out the position as follows:

"In each of the Birmingham/Solihull and Black Country sectors the release of such sites should be phased to ensure that development does not commence until a need is demonstrated. The sites with planning permission should prove adequate for current requirements. Planning permission for additional sites should not therefore be given unless the joint monitoring indicates that there is a particular shortfall which needs to be addressed."

- 4.40 A preliminary assessment of the possible areas of search of a site in this sector indicates the desirability of identifying a site to the west of Dudley rather than Wolverhampton and this is in accordance with the preferences expressed by the Black Country Boroughs at the Examination in Public into the Structure Plan. This would ensure a wider geographical spread of premium peripheral sites around the Conurbation than would be the case if a site were to be identified to the west of Wolverhampton.
- 4.41 In planning terms the identification of a specific site is problematical in that the quality of the landscape to the West of Wolverhampton or Dudley and its value to the Green Belt is high. However, in recognition of the Structure Plan requirement an area of search has been identified to the west of Dudley with the commitment that when highway issues are resolved a specific site will be defined which relates well to the proposed network. Material considerations including agricultural land quality and the location of Sites of Biological Importance will be taken into consideration when a specific site is defined. Care will be taken to minimise the impact on areas of acknowledged environmental sensitivity including Himley Hall and Parkland, the Kingswinford Railway Walk, Himley Plantation, and Himley and Swindon villages. The District Council will define a specific site for premium employment development when proposals for the Birmingham Western Orbital Route and Dudley Link Road have been confirmed, either as a departure or a modification to the Plan. With the withdrawal of the Birmingham Western Orbital Route from the road programme it is highly unlikely that this proposal will proceed.

~~POLICY E2 AREA OF SEARCH~~

~~An area of search for a high technology site to the west of Dudley is defined on the Proposals Map and in detail on Inset Plan 44. Normal Green Belt policies will apply until such time as proposals for the Birmingham Western~~

~~Orbital Route and the proposed Dudley Link Road are confirmed through public inquiry.~~

Note: The Birmingham Western Orbital Route was withdrawn from the road programme in November 1996.

General needs

- 4.42 The Structure Plan 1986-2001 identifies a need for a total of 85 hectares of land for Class B employment purposes in sites throughout South Staffordshire. Of the sites included in the 1991 Industrial Land Availability Survey the District Council considers that the sites set out in Table 3 are genuinely available or are likely to become available within the Structure Plan period.

TABLE 3 INDUSTRIAL LAND AVAILABILITY AT 1st APRIL 1992

STRUCTURE PLAN REQUIREMENT 1986 - 2001	85.0 Hectares
less COMPLETIONS 1986 - 1992	26.5 Hectares
TOTAL LAND NEEDED 1992 - 2001	58.5 Hectares

LAND ALREADY IDENTIFIED AT 1ST APRIL 1992

Land Immediately Available

Four Ashes	2.7 Hectares
South Staffordshire Business Park	3.36 Hectares
Hilton Main	0.15 Hectares
Balliol Business Park, Pendeford	5.5 Hectares
North of Cocksparrow Lane, Huntington	2.6 Hectares

Available within 5 years

Four Ashes	4.0 Hectares
Acton Gate	16.0 Hectares
South of Coppice Lane, Cheslyn Hay	2.4 Hectares

Available beyond 5 years

Churchbridge, Great Wyrley	2.1 Hectares
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TOTAL ALREADY IDENTIFIED 38.8 Hectares

LAND NEEDED 1992 - 2001	58.5 Hectares
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less LAND ALREADY IDENTIFIED AT 1st APRIL 1992	38.8 Hectares
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LAND TO BE IDENTIFIED IN THE LOCAL PLAN 19.7 Hectares

- 4.43 The District Council is actively pursuing the development of several sites including Four Ashes and Littleton Business Park at Huntington - which will ensure that they come forward for development in the short term, and development of the Balliol Business Park at Pendeford has recently been completed. Others have constraints which may mean they cannot be developed until later in the plan period. The balance of land to be found for general employment uses in the Local Plan is approximately 20 ha.

- 4.44 The Council has examined opportunities for employment development within existing development boundaries and considers that these are fully taken into account in Table 3. Apart from the major site at Acton Gate, which already has planning consent, there are no opportunities for the identification of employment sites in the northern part of the District, which is in general remote from the large centres of population, and served by an unsuitable road network. The need to comply with the Staffordshire Structure Plan has of necessity, therefore, involved the identification of sites within the Green Belt.

POLICY E3 GENERAL EMPLOYMENT PROPOSALS

20 Hectares of land for Class B1 and B2 employment uses is allocated at the following locations:

A. East of Four Ashes 6 hectares (INSET PLAN 15)

B. Royal Ordnance Factory, Featherstone 14 hectares (INSET PLAN 16)

A. LAND EAST OF FOUR ASHES

INSET PLAN 15

- 4.45 Recent developments have established Four Ashes as a strategically important industrial location and there are strong arguments for identifying further industrial land to meet the requirements of the Structure Plan and make best use of the large investment in infrastructure to date. The area is well screened by regenerated vegetation on its southern side and although development to the east could initially be prominent, careful planting associated with the proposed Gailey Link from the Birmingham Western Orbital Route to the M6 (which should be on embankment at this point) could provide an effective screen in the medium to long term.
- 4.46 Since Four Ashes was identified as an industrial location in District Plan No 1 natural regeneration has occurred on the land between the site and the Saredon Brook which has created a diverse and interesting wildlife habitat, particularly as it adjoins the "wildlife corridor" of the Saredon Brook. An initial survey suggests that the most valuable wildlife area is the wet woodland to the west of the new surface water drain, between the existing development boundary and the Saredon Brook. This area will be protected as a Local Nature reserve. Although the land is currently in the Green Belt it represents a modest extension to the existing site and will do little damage to the objectives of Green Belt designation. It will be particularly important to ensure that new development takes account of the sensitive location alongside the Staffordshire and Worcestershire Canal Conservation Area and that the existing hedgeline is retained and reinforced. The concrete batching plant has been accepted as a permanent fixture in this location.

B. ROYAL ORDNANCE FACTORY, FEATHERSTONE

INSET PLAN 16

- 4.47 This is an area of mainly derelict land and buildings dating from the second world war located immediately to the north of the M54 between Junctions 1 and 2, although it has no direct link to this road. The site is currently in the Green Belt but it is somewhat derelict in appearance, particularly when viewed from the M54. Although Planning Policy Guidance Note 2 (Green Belts) makes it clear that dereliction is not in itself a sufficient reason for allowing development in the Green Belt, in this instance a limited amount of development on the site could bring about a significant environmental gain. In view of its prominence in the Green Belt any development at Featherstone would need to meet a high standard of environmental design and be accompanied by extensive on-site landscaping and tree planting as a contribution to the Forest of Mercia (Community Forest). It is proposed to delete the whole of the site from the Green Belt.

- 4.48 The site is in total 38 hectares in extent. Part of the site is still used by Royal Ordnance for the processing and manufacture of dense metals; part of the site has been redeveloped and is used for manufacturing purposes; and part of the site is used by the Department of Transport for the testing of heavy vehicles. The remainder of the site is no longer occupied.
- 4.49 The Royal Ordnance land has been a significant employment site in the District for many years. In addition to Sandvik's manufacturing operations and the testing of heavy duty vehicles, Royal Ordnance have plans to rationalise their operations on the site, replacing existing sub - standard buildings with a similar amount of floorspace. Royal Ordnance intend to consolidate their business in the northern part of the site. Additional land will then become available, which will provide the opportunity whereby the site can be developed for a limited amount of employment use, providing significant environmental improvements.
- 4.50 The development will be required to meet a high standard of environmental quality. A master plan will be prepared by the developer in consultation with the local authority, outlining the principles of development and at least 10 hectares of forest planting will be carried out.
- 4.51 Suitable provision will be made for a high standard of vehicular access. The County Surveyor considers that the principal access should be from the A460 via an improved junction with New Road. The A460 is a primary route which forms a link between the M6 and the M54. It has high approach speeds, particularly under free flow conditions and there is a high proportion of HGV's. The junction therefore requires appropriately high design standards. Consideration will need to be given to the imposition of weight restriction orders and effective signing to discourage traffic from using the inadequate network of side-roads by which the site can be approached from the A449 and the Bushbury area of Wolverhampton.

POLICY E4 ROYAL ORDNANCE FACTORY

Redevelopment of the Royal Ordnance Factory will be carried out in accordance with the following principles:

- a) At least 10 hectares of forest planting shall be implemented in accordance with a master plan to be agreed with the District Council before development commences;**
- b) Car parking and other operational space shall be provided within the site after allowing for the requirement set out in a) above;**
- c) A high standard of design and detailing shall be achieved in the layout and construction of the development;**
- d) No external storage shall be permitted at the site.**
- e) The development will require the improvement of the A460/New Road junction to a high standard, together with improvements to other roads where necessary.**
- f) The area of new development at the site shall not exceed 14 hectares (net). This excludes the sites currently occupied by Sandvik, the Vehicle Testing Station and the 6.5 hectares of land required by Royal Ordnance to consolidate their business in the northern part of the site.**

- g) **Traffic management measures shall be required where appropriate to discourage the movement of heavy goods vehicles and other traffic from using inadequate side roads linking the site with the A449, A460 and the Bushbury area of Wolverhampton.**

General policies for employment

- 4.52 New employment will be focussed on those sites specifically identified in the Plan. However there may be further opportunities for small scale employment uses within the built up area of existing settlements which, if sensitively handled, could contribute to the provision of jobs. Employment developments already exist in a number of the settlements and provide an important source of employment for local people as well as adding diversity to the District's economic base. Employment uses can create problems, and given the residential and historic character of the villages, many of which have Conservation Areas, any proposals for new employment development or extensions to existing uses would need to be carefully examined to ensure that they would be compatible with nearby residential uses and the character of the area.

~~POLICY E5 INDUSTRIAL USES IN VILLAGES~~

~~Within the Development Boundaries defined on the Proposals Map and Insets, proposals for small scale employment uses and extensions to existing uses will normally be permitted where it can be shown that they:~~

- ~~a) Respect the form, character and setting of the area and the amenity of adjacent properties;~~
- ~~b) Are compatible with nearby residential uses and do not give rise to nuisance by virtue of noise, fumes, smell and traffic movements;~~
- ~~c) Do not create significant highway problems;~~
- ~~d) Do not involve the development of open spaces of environmental or recreational value;~~
- ~~e) Achieve a good standard of design, having regard to scale, siting and materials.~~

- 4.53 The District Council is anxious to achieve a high standard of appearance within employment areas and considers that outside storage uses including storage of machinery can detract from the appearance of employment sites.

POLICY E6 OUTSIDE STORAGE

In considering proposals for new development outside storage will not be permitted, unless contained within compounds and/or adequately screened with planting or other satisfactory means of enclosure.

- 4.54 By their nature, employment uses can generate a significant number of vehicle movements which can be hampered by inadequate parking space and turning facilities. Problems have been experienced within existing employment areas where inadequate provision has resulted in industrial estate roads being used for parking and vehicle turning. The District Council's current standards are set out in Appendix 2.
- 4.55 The District Council will continue to work in partnership with landowners and other agencies to bring forward allocated employment sites for development, making use of Derelict Land Grant and European funding where appropriate.

~~POLICY E7 EMPLOYMENT USES -- PARKING AND ACCESS~~

~~All new employment uses and extensions to existing uses will be required to provide adequate on-site parking for employees and visitors, together with suitable vehicle manoeuvring facilities in accordance with standards laid down by the Highway Authority.~~

POLICY E8 RELOCATION OF NON-CONFORMING USES

Where it is consistent with local environmental conditions and other policies in the plan, the District Council will give favourable consideration to proposals which help the development of local firms and for the relocation of non - conforming industrial development which is causing environmental problems.

~~POLICY E9 EXPANSION OF EXISTING BUSINESSES~~

~~Where it is consistent with local environmental conditions and other policies in the plan (in particular Policies C14 and E5) the District Council will allow for the expansion of existing industrial and commercial enterprises.~~

- 4.56 The area of land to the south of Station Road at Four Ashes has been successfully developed for general industrial uses within Class B2 of the Town and Country Planning (Use Classes) Order 1987. The Council considers that the presumption in favour of special industrial development contained in Policy 10.2.3 of the North Eastern Area Local Plan is no longer appropriate as such uses would not be compatible with existing recent development.

~~POLICY E10 LAND AT STATION ROAD, FOUR ASHES~~

~~Proposals for development involving special industrial uses within Classes B3 --B7 of the Town and Country Planning (Use Classes) Order 1987 will not normally be permitted on land to the south of Station Road, Four Ashes.~~

Shopping

- 4.57 Most of the shops in South Staffordshire perform an essentially local function, serving the immediate communities in which they are located. The larger villages of Kinver, Wombourne, Perton, Codsall and Bilbrook, Brewood, Penkridge, Cheslyn Hay and Great Wyrley all have established shopping areas which draw custom from the surrounding rural areas. The majority of other villages have at least one shop which performs a valuable community role. A few specialist shops may attract people from outside the District but in general terms the movement of shoppers is the other way to the larger District and sub-regional centres adjoining South Staffordshire. Given South Staffordshire's location in the Green Belt and the momentum for change in national shopping habits the District Council will not seek to reverse these flows. It is however an important aim of District Council policy to maintain a wide range of local shops and where possible to encourage the establishment of new shops to serve the villages. Although the actual provision of shopping facilities is outside the direct control of the District Council, development proposals which contribute towards meeting local shopping needs and which respect the scale and character of a particular settlement will be looked upon favourably.

~~POLICY S1 LOCAL SHOPPING NEEDS~~

~~Within the Development Boundaries defined on the Proposals Map and Inset Plans, proposals for the development of shops and associated facilities to serve the local needs of a settlement and its surrounding area will normally be~~

~~permitted, provided they are compatible with the general policies for the built environment set out in Chapter 6.~~

~~POLICY S2 IMPROVEMENTS TO EXISTING SHOPPING AREAS~~

~~Proposals for new shopping areas or the improvement of existing shopping areas should be designed so as to create a practical and attractive environment, and to ensure quick, safe and easy access for vehicles and pedestrians from residential to shopping areas.~~

- 4.58 National trends are towards the provision of out-of-town or edge-of-town retailing with excellent road access and copious free parking. This type of development is wholly inappropriate in the Green Belt and Open Countryside Areas of South Staffordshire and will be resisted.

~~POLICY S3 LARGE OUT OF TOWN SHOPPING CENTRES~~

~~There will be a presumption against the development of large out of town shopping centres in the Green Belt. Such developments will not normally be permitted in the Open Countryside.~~

Chapter 5 Transportation

Introduction

- 5.1 The efficient movement of people and goods throughout the District is vital to its economy and well being. The environmental effects of the various modes of transport have to be carefully considered, however and appropriate protective measures need to be taken where necessary.
- 5.2 The diverse settlement pattern in the District and its location to the west and north of the Conurbation have ensured that all the major road, rail and canal routes are based on the traditional radial transport patterns from the main Conurbation centres of Walsall, Wolverhampton, Dudley and Stourbridge, the A5(T) being the only exception to this general rule. The national motorway network is represented by M6 and M54 (to Telford).
- 5.3 The A34(T) joining Walsall to Cannock and Stafford passes through the District at Great Wyrley and Huntington. Although still of local importance the A34(T) has largely been replaced as a through route by the M6 motorway. Cannock is linked to Wolverhampton by the A460 which serves Wedges Mill, Shareshill, Featherstone and Westcroft, as well as the industrial area at Hilton Main. This principal road also provides a link between the M6 and M54 and is heavily trafficked for most of the day.
- 5.4 The A449(T) provides the main north/south link in the District. Its northern section between Wolverhampton and Stafford serves Coven and Penkridge, as well as the expanding Four Ashes Industrial Area. It also provides a further access to M54. The section of the A449(T) south of Wolverhampton serves the villages of Wombourne and Kinver. It has important junctions with roads from the Conurbation to Bridgnorth and other parts of east Shropshire.
- 5.5 The only major route in the District which does not pass through or close to the Conurbation is the A5 trunk road from Tamworth to Shrewsbury on the line of the former Watling Street. The A5(T) is heavily used for much of the day, particularly to the south of Cannock, where it also carries a considerable amount of locally generated traffic to and from industrial and retail development.

- 5.6 Generally speaking most settlements in the District are within easy reach of this strategic and main road network, but there are exceptions, particularly in the more rural areas in the west near the Shropshire border and in the north-western part of the District where a traditional pattern of country lanes predominates.
- 5.7 In comparison to the road network, the rail network is simple. Fast passenger services link Wolverhampton with Stafford and Shrewsbury. Both lines also carry local services with stations at Penkridge and Bilbrook/Codsall respectively. Local passenger services have also been reintroduced on the line from Walsall to Hednesford with a new station at Landywood. Extension of this service to Rugeley, and eventually Stafford, is likely during the Plan period.

Strategic Road Proposals

- 5.8 The Department of Transport is responsible for the construction and maintenance of trunk roads including motorways. Other roads are the responsibility of the County Council as Local Highway Authority. The District Council has no highway powers, but, as the Local Planning Authority, is consulted on major highway proposals in respect of their planning implications (and where necessary determines planning applications for new roads). The District Council is concerned about noise from traffic and wishes to see all new roads surfaced in bitumen based materials.
- 5.9 The following major schemes are referred to in the Staffordshire Structure Plan 1986-2001 as Department of Transport proposals.
- i) Birmingham Northern Relief Road.
 - ii) Birmingham Western Orbital Route.
- 5.10 The Department of Transport's preferred routes for these proposals and their link roads are shown on the Proposals Map, but it is emphasised that these are subject to confirmation at a later date through the relevant legal processes. The Birmingham Western Orbital Route was withdrawn from the road programme in November 1996 and the land is no longer protected from other development.

Birmingham Northern Relief Road

- 5.11 The Birmingham Northern Relief Road (BNRR) is intended to become the major route for traffic travelling in the NW/SE corridor through the West Midlands to relieve the most congested parts of the M6 motorway. A Preferred Route for BNRR was announced on 3rd March, 1992 by the Secretary of State for Transport following the signing of a concession agreement with Midland Expressway Ltd. to finance, design, build and operate the new motorway as a toll road. Public Inquiries have been held into objections to the Draft Orders published for the scheme in 1993, 1994 and 1995, and the decision of the Secretaries of State for Transport and The Environment is awaited. The Council joined with the other Staffordshire Local Authorities with an interest in the road to give general support to the need for the BNRR and the proposed line. Nevertheless the Council objected to some detailed aspects of the scheme and presented evidence to the Public Inquiries in an attempt to secure the best possible protection for the local environment most affected by the BNRR in South Staffordshire.

Birmingham Western Orbital Route

- 5.12 The Birmingham Western Orbital Route (BWOR) was intended to:

- a) Provide an improved route for north/south traffic around the western edge of the West Midlands conurbation. (Together with the Birmingham Northern Relief Road and M42, it would complete an orbital route around the Conurbation).
 - b) Provide urgently needed relief and environmental benefit to built-up areas and communities along the A449, from Kidderminster through Stourton, Wall Heath and Wolverhampton to the M54 and along A491 through Hagley, Stourbridge and Kingswinford.
 - c) Provide an alternative route for M5/M6 motorway traffic and a diversion route for that traffic following accidents or during periods of roadworks.
 - d) Greatly improve road access around the western side of the Conurbation, in particular to the potential growth areas of the Black Country.
- 5.13 A preferred route for the BWOR in Staffordshire was announced in 1988 by the Department of Transport from its (possible) junction with the proposed Kidderminster, Blakedown and Hagley Bypass (KBH) near Iwerley to its junction with the M54 near Coven Heath. A separate preferred route was announced for the link motorways from the M54 to the M6 northbound at Gailey and the M6/BNRR at Saredon. The preferred route included an A449 Trunk Road Bypass for Wall Heath joining the BWOR at Greensforge. The relationship between BWOR, the Wall Heath By-pass and any proposed Dudley link is complex in terms of traffic movement and junction location and layout. The District Council generally supported the BWOR but informed the Department of Transport that it does not consider it suitable to be privately constructed and operated as a toll road. Concern was expressed at the environmental effects of a possible major junction close to the village of Iwerley. Following a Public Inquiry in 1993 the route for the KBH has now been fixed, although there is only one kilometre of the KBH within South Staffordshire. "Managing the Trunk Road Programme" published by the government in November 1995 made it clear that both BWOR and KBH had been put in the 'longer term' category and that no further work would be undertaken on either scheme for the time being. In November 1996 it was announced that both schemes had been withdrawn from the road programme. The route protection requirement was formally withdrawn in January 1997 after the Local Plan was adopted.

M6 Widening

- 5.14 The Department of Transport has announced proposals to increase the capacity of M6 between Junction 11 at Laney Green and Junction 20 in Cheshire. The proposal to widen the M6 motorway forms part of the Government's expanded motorway and trunk road programme to relieve congestion on the major roads between cities and towns in England set out in the White Paper "Roads for Prosperity". The importance of the scheme was reaffirmed by its inclusion as a first priority scheme in the 1994 Trunk Roads in England Review. Draft Orders and the Environmental Statement were published in the autumn of 1994 and placed on deposit for 13 weeks. The Council has generally accepted the need for the scheme and supported the proposed parallel widening technique to be adopted. However, it made representations on the possible environmental effects of the proposed widening and on various detailed matters of concern, particularly the effect of the proposals on Wolgarston High School at Penkridge. Since the formal Deposit period officer level discussions have continued to try to resolve these various matters in advance of a Public Inquiry. The statutory procedures are at present in abeyance while the scope for "finding a less expensive solution for widening to dual four lanes" is investigated.
- 5.15 The District Council recognises that the geographical location of the District means that it is likely to face proposals for new strategic roads. It also accepts that the Department of Transport has a long term policy of replacing outdated trunk roads by modern

motorways. These are likely to create environmental problems, but they can also provide some economic and other opportunities through the careful selection of junction locations.

~~POLICY TR1 IMPROVEMENTS TO THE STRATEGIC ROAD NETWORK~~

~~The District Council supports the general principle of major improvements to the national and regional strategic road network, but will consider carefully each individual proposal, including any relating to the provision of a service area, on its merits with respect to its effect on the local residents, environment and economy.~~

~~NOTE: Policy LS13 is complementary to this policy and should be referred to.~~

Improvements to the local network

- 5.16 In addition to the Government's strategic road proposals the Structure Plan lists three potential major improvements to the County Class A and B road network for completion during the Plan period. These are:

- i) Battlefield Road to Dudley boundary (A463)
- ii) Six Ashes to Four Ashes (A458)
- iii) Smestow Gate to Wombourne Canal (B4176)

These are all schemes to improve road safety and raise highway standards. All three will be assessed once the highway strategy for the area is finalised with regard to the BWOR and its associated proposals (including junction locations and arrangements). Even after BWOR is confirmed these schemes will still have to compete for financial resources.

- 5.17 The County Council's current Transport Policies and Programme (TPP) also includes a scheme to provide a by-pass for Weston-under-Lizard where at present the A5 trunk road passes through the centre of the village. The Weston Estate has offered to dedicate land for a northern by-pass to remove through traffic from the village and work is scheduled to commence in 2000 if the level of expenditure in the major programme is achieved. A precise route for this scheme is yet to be established.
- 5.18 The County Council is considering how best to complete an orbital route around the eastern side of Stafford between the M6 motorway junctions to the north and south of the town. This is a complex issue, particularly as the Secretary of State for the Environment has recently refused planning permission for the possible route from the A513/A518 to the A34 Cannock Road. The County Council has chosen a route for the proposed Stafford Southern Bypass from the A34 Cannock Road to the A449/M6, nearly all of which is in South Staffordshire. At the County Council's request this will be safeguarded for development control purposes only in accordance with the County Structure Plan policy to protect land required for schemes identified in transport studies. This does not imply support by the Council for the proposal nor for any development potential which construction of the Bypass could release.
- 5.19 In addition to these major schemes there are numerous smaller schemes competing for a place in the County Highways Capital Programme; implementation normally depends upon the scheme's priority assessment and the availability of the necessary land. Accident problem sites receive special attention. The long-standing proposal to improve the A460 between M54 Junction 1 and the Wolverhampton MBC boundary has been abandoned and this route is no longer protected.

- 5.20 The District Council has no agency powers on highway matters, but is normally consulted on the improvements which the County Council intends to make to its own road network or to the trunk roads, acting as agent for the Department of Transport. A Hierarchy of Roads is being prepared by the County Council based on traffic volumes and composition, maintenance requirements, requirements of the New Street Works Act, road safety considerations and environmental and Local Plan issues. This will be an important factor to be taken into consideration when advising on the priorities for revenue and capital expenditure.
- 5.21 The Council is particularly concerned to see improvements carried out at junctions between County roads and Trunk roads with high accident records, notably at Pottal Pool (A34(T)/C32), Four Crosses (A5(T)/C153), Four Ashes (A449(T)/C170) and Penkridge (A449(T)/B5012). The Council is aware that all the major settlements have developed around road patterns which are often unsuitable for modern traffic requirements, particularly where Conservation Areas are involved (e.g. Brewood). The Council's priorities in these settlements are to promote traffic calming measures and junction improvements in appropriate locations, particularly on the approaches to the village centres at Kinver, Wombourne, Codsall, Bilbrook, Penkridge, Brewood and Cheslyn Hay. Traffic management in its widest sense is not just dealing with the problems created by the motor vehicle. The remaining policies in this chapter all relate in different ways to the need to support the land use objectives of the Plan, while having regard to the advice given in PPG13. Other policies are also relevant, particularly BE26 and VC4.

~~POLICY TR2 IMPROVEMENTS TO THE LOCAL ROAD NETWORK~~

~~The District Council will normally support the Local Highway Authority's programmed improvements to the primary and secondary road network providing they meet the environmental criteria set out in Structure Plan Policy No. 44. This states that:~~

~~"In order to mitigate the effects of highways on the environment, the County Council will endeavour to assimilate highway schemes into the urban or rural environment with minimum impact by means of the following criteria:~~

- ~~a) — when considering options for highway solutions, preference will be given to the option which promotes the best practicable environmental conditions through the integrated control or abatement of air, water, ground and noise pollution arising from the design, construction and operation of the highway solution;~~**
- ~~b) — encroachment upon the best and most versatile agricultural land will normally be avoided;~~**
- ~~c) — loss or damage to sites of high nature conservation value will be avoided wherever possible. These include Ancient Woodlands, National and Local Nature Reserves, Sites of Special Scientific Interest, Lowland Heathland, Grade 1 County Nature Conservation or Geological Record Sites and nonstatutory Nature Reserves;~~**
- ~~d) — loss or damage to sites of significant archaeological interest will be avoided wherever possible;~~**
- ~~e) — a high standard of highway design, layout and landscaping that harmonises with, and where possible improves, the existing environment shall be employed;~~**

- ~~f) traffic regulation and control measures will be employed where appropriate to maintain or improve environmental quality;~~
- ~~g) loss of property and effect on residential areas will be kept to a minimum;~~
- ~~h) division of settlements and areas served by community facilities will be kept to a minimum; and~~
- ~~i) improvements to the setting and character of Conservation Areas and listed buildings will be maximised."~~

~~At the Local Highway Authority's request land required for programmed improvements will be safeguarded from other forms of development.~~

~~NOTE: Sites of high conservation value referred to in Structure Plan Policies 84 and 85 include Ancient Woodlands, National and Local Nature Reserves, Sites of Special Scientific Interest, Lowland Heathland, Grade 1 County Nature Conservation or Geological Record sites and Non-statutory Nature Reserves.~~

Traffic management

- 5.22 With the continuing growth in vehicle ownership and the increasing popularity of pedestrian priority areas traffic management is becoming more and more important. While traffic management measures are normally activated through Local Highway Authority Traffic Regulation Orders they do have land use and planning implications and as such involve both County and District Councils. Traffic management techniques will be increasingly used to promote the most efficient use of the highway system to the benefit of all road users and the techniques employed are likely to become more sophisticated. This does not imply that they need necessarily be expensive. Apart from the "normal" management techniques (such as the provision of one-way systems, mini roundabouts, off-street parking areas etc.) there are a number of new ideas under consideration. These include "traffic calming" which seeks to alter the balance of road usage in residential areas between vehicles and pedestrians in favour of the latter. The actual technique involves such measures as narrowing main carriageways coupled with the provision of marked parking bays, all-over block paving in suitable locations, the provision of speed control humps and co-ordinated street furniture and planting. The intention is to improve both safety and the environment whilst keeping the motor vehicle "in its place". The District Council will liaise with the Local Highway Authority to establish the most appropriate locations for the application of traffic management measures in the interests of traffic flow, road safety and environmental improvement. These are likely to be mainly in village centres and surrounding residential areas where vehicle ownership and use is concentrated.

Development proposals

- 5.23 As far as possible all the proposals for new development in the Plan have been chosen carefully to comply with national policy advice in PPG13 on sustainability. The majority of the housing and employment proposals are located on or close to the existing transport corridors where public transport is available now, or can be provided with relative ease. It is important to ensure that all forms of new development are sensibly located in relation to the highway network and that the appropriate standards of access can be met. Developers will normally be expected to provide adequate on-site car parking space within a development and in the case of industrial and commercial sites they will be expected to provide adequate on-site loading and unloading facilities and manoeuvring space. Development should be linked satisfactorily to the existing highway network without excessive public expenditure. Developers will be required,

therefore, to provide off-site road improvements, where necessary, to enable the existing network to accept traffic generated by their development. In such cases legal agreements will be sought to ensure that these provisions are made.

POLICY TR3 NEW DEVELOPMENT - ACCESS AND HIGHWAY IMPROVEMENTS

The District Council will take full account of the relationship of any proposed new development to the existing highway network, including the arrangements for access. In appropriate cases legal agreements will be sought with developers for the provision of off-site highway improvements and traffic management measures made necessary by the proposed development. (Obligations or Agreements under Section 106 of the Town & Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 will be appropriate for this purpose in most instances). In the case of large development sites and others likely to have a significant effect on the highway network, a traffic impact assessment must be prepared by the developer and produced in advance of the submission of a planning application.

POLICY TR4 NEW DEVELOPMENT - VEHICLE PARKING AND MANOEUVRING

Developers will be required to provide adequate facilities for on-site car parking. In addition, if industrial or commercial development is involved, developers will be expected to provide adequate on-site loading/unloading facilities and vehicle manoeuvring space. It may be possible for the on-site parking requirement to be commuted by a financial contribution towards improvement or extension of car parking provided by the Local Authority.

(The District Council's car parking standards are set out in Appendix 2 and form an integral part of this Plan).

- 5.24 As well as achieving a high standard of environmental design, new housing development must also provide new access and estate roads which are designed and constructed to satisfactory operational standards in terms of road hierarchy, layout, materials and details of construction. This will ensure that they can be adopted as highways which are maintainable at public expense. The provision of effective and interesting facilities for pedestrians is also a necessary requirement. Considerations which must be taken into account in the layout of residential roads and footpaths are contained within Design Bulletin 32, published jointly by the Departments of Environment and Transport. The County Council's Design Guide 1 - Residential Roads (second edition dated October 1995), is based on the general guidance in DB32, but does not preclude innovatory design solutions which can satisfy its basic principles.

~~POLICY TR5 ROADS IN RESIDENTIAL AREAS -- DESIGN STANDARDS~~

~~The District Council will expect all proposals for residential development to have proper regard to recognised principles of layout and design.~~

~~POLICY TR6 RESIDENTIAL AREAS -- PEDESTRIAN FACILITIES~~

~~The District Council will require that proposals for residential development include facilities for pedestrians which are safe, efficient and attractive.~~

Car and lorry parking

- 5.25 Mention has already been made of the need to provide facilities for on-site car parking on new development. The required standard to be met in each instance is set out in

Appendix 2 which has been compiled with due regard to national policy advice in PPG13 on sustainable development and its relationship to modal choice. The overall demand for car parking space is also likely to increase as car ownership continues to rise during the Plan period and provision will have to be made for more off-street parking in areas which are under pressure. Adequate off-street parking is considered to be essential to maintain the economic viability of commercial areas by reducing congestion caused by on-street parking and by improving road safety. It is not easy to find suitable land for public car parking, however, and it may sometimes be necessary to negotiate joint-user agreements to provide for shoppers' parking needs in some village centres in the District, where additional parking cannot be directly funded due to land ownership or availability constraints. The Council is aware that car parking need is not confined to urban areas and will endeavour to secure adequate provision of public car parking in rural areas where it would be beneficial, particularly in connection with countryside leisure facilities

- 5.26 Lorry parking facilities are not provided by the District Council. Operators of Heavy Goods Vehicles (HGVs) within the District are required to provide adequate off-street parking under the provisions of their licensing system, whereas HGV's in transit are provided for by privately operated lorry parks, transport cafes and similar establishments.

~~POLICY TR7 FACILITIES FOR HEAVY GOODS VEHICLES IN TRANSIT~~

~~The District Council will normally permit the provision in suitable locations of facilities for heavy goods vehicles in transit through the District where consistent with the Green Belt and the Built Environment policies BE25 – BE33 contained in Chapter 6 of the Plan. High standards of safety for other road users will be required in the design and location of access arrangements and in the siting and design of any buildings and other facilities. Only sites with direct access to the strategic highway network will be permitted and consideration given to the need to ensure that local residents do not suffer from undue disturbance at unsocial hours.~~

Public transport and the railways

- 5.27 The current organisation of public passenger road transport dates from October 1986 when services were legally deregulated. Operators now provide those services which they consider are commercially viable. The County Council is responsible for obtaining tenders for the remaining services which are considered to be socially necessary, but which otherwise would not be provided on a commercial basis. Operators have freedom to set their own fare structures on both commercial and tendered services. However, the District Council has a concessionary fare scheme for blind and disabled residents and for pensioners. Bus services in the District generally follow the routes into Stafford, Cannock, Walsall, Wolverhampton and Dudley (Stourbridge) and therefore journeys between villages in the District can sometimes be tedious. While the level of car ownership in the District is much above average, the Council nevertheless recognises that bus services, supplemented by local community transport initiatives, are vital for some sections of the community and fully supports the County Council's policies and efforts in this field. The County Council's policies are detailed in its Passenger Transport Policy Statement, which is wide ranging and includes policies promoting the use of railways for both passengers and freight in suitable instances. The District Council will normally resist any reduction in existing services in consultation with the County Council as the Authority responsible for public transport provision.
- 5.28 There are local passenger railway stations at Codsall, Bilbrook, Penkridge and Landywood. Services on the Shrewsbury line (stopping at Bilbrook and Codsall) and on the Stafford line (stopping at Penkridge) are long-established, but the Walsall to

Hednesford service via Landywood was reintroduced in 1989 after a gap of 24 years. This service is sponsored by CENTRO (West Midlands Passenger Transport Executive) under its "Section 20 Agreement" with Central Trains Ltd. The District Councils have given their support through the provision of car parks for passengers. Results have been encouraging and extension of the service through to Rugeley is under consideration. The Council wishes to see the former station at Cheslyn Hay and Great Wyrley re-opened to passengers. This would legally be a new station and is one of a number of possible new stations under consideration by the County Council's consultants who are looking into the future development and viability of the line. A "corridor" study is also being carried out to assist the review of the County Structure Plan within the policy framework created by PPG13 and RPG11 - Regional Planning Guidance for the West Midlands. The possible station at Churchbridge in Cannock Chase District would be physically close to Cheslyn Hay/Great Wyrley, albeit separated by the Birmingham Northern Relief Road, (if this is constructed as proposed) and it is clear that major decisions have yet to be made on infrastructure and development in this general area.

- 5.29 It is the County Council's policy (Structure Plan policy 52) to re- open railway lines and former stations where this is justified by demand and resources are available. There is also scope, however, for further improvements to be made to existing lines, with electrification a possibility within the Plan period both between Walsall and Hednesford/Rugeley and Wolverhampton and Shrewsbury. It is also possible that suggestions for new stations, or indeed proposals for new freight handling facilities, may come forward through planning studies or development applications. The Secretary of State added Policy 57A to the Structure Plan stressing the importance of public transport links with the West Midlands, particularly those by rail, in determining the location of new housing development.
- 5.30 Recent transportation studies have raised the possibility of "Park and Ride" sites being located in the District, particularly on the Wolverhampton to Stafford line. Although of benefit in reducing urban traffic congestion any such proposal would have to be carefully considered in the light of Green Belt policy constraints and its environmental and traffic implications. It is assumed that any proposal for a new station specifically designed to operate on a "park and ride" basis would be considered in consultation with the County Council's Joint Transportation Unit. Any new station of this nature would have to be located within easy, if not direct, access to the strategic highway network. There appears to be little scope to provide additional car parking at existing stations, except perhaps at Codsall. The District Council will normally resist any reduction in existing services in consultation with the County Council as the Authority responsible for public transport co-ordination.
- 5.31 The Council accepts the need as set out in Structure Plan Policy 53 to encourage the use of rail transport for freight, especially bulky goods. Where it is physically possible, it is clearly sensible to reduce road traffic congestion by making use of nearby railway lines for freight traffic, both via existing facilities and through the development of new ones.

POLICY TR8 PUBLIC TRANSPORT

~~The District Council supports the provision and maintenance of an attractive system of road and rail passenger transport services to meet the needs of the general public and will support initiatives to improve it. Planning permission will be granted for the development of new facilities to enable the provision and maintenance of an attractive system of road and rail passenger transport services to meet the needs of the general public, subject to such proposals being consistent with Green Belt and the Built Environment Policies BE25- BE33 contained in Chapter 6 of the Plan.~~

POLICY TR9 RAIL FREIGHT

~~Applications for the development of new facilities to enable the efficient movement of freight by rail will be permitted subject to such proposals being consistent with Green Belt and the Built Environment Policies BE25–BE33 contained in Chapter 6 of the Plan.~~

Air transport

- 5.32 The District is within relatively easy reach of Birmingham International Airport and both Manchester International and East Midlands can also be reached within an hour or so. There is an airfield at Halfpenny Green which is licensed by the Civil Aviation Authority for general aviation use and this plays an active role in providing facilities for both business and leisure flights as well as pilot training. This is essentially a sub-regional facility which could increase further in importance . The Green Belt chapter contains a special set of policies concerning the airport at Halfpenny Green which is designated a Policy Area.

POLICY TR10 AIRFIELD FACILITIES

~~Favourable consideration will be given to the provision of airfield facilities to meet the needs of the business and leisure demand, subject to any facility meeting the appropriate standards of access and compatibility with surrounding uses so that it does not constitute an unneighbourly development.~~

Cyclists, pedestrians and disabled persons

- 5.33 It is recognised that these groups of road users are subject to particular road safety risks and that in appropriate circumstances they require of special facilities. These can be considered during the preparation of traffic management schemes or as specific individual projects.

POLICY TR11 SAFETY AND FACILITIES FOR CYCLISTS, PEDESTRIANS AND DISABLED PERSONS

~~The District Council recognises the specific needs of cyclists, pedestrians and disabled persons and will seek the provision of measures to ensure safe and easy movement for these groups, both during consultations on traffic management and as part of the assessment of relevant planning applications.~~

Chapter 6 Conservation and the Built Environment

Introduction

- 6.1 The District Council is committed to preserving the quality and character of the historic buildings and Conservation Areas in South Staffordshire. The built environment is a living record of the history and development of the District reflected in the widespread use of locally quarried or manufactured materials, such as sandstone and hand-made red brick.
- 6.2 Massive earthworks such as the iron-age camp on Kinver Edge are evidence of early inhabitation, now protected as Ancient Monuments. There are still some traces of the impact of Roman occupation in the modern road network (A5 Watling Street) and the remains of numerous Roman encampments nearby. The southern, western and northern parts of the District remain predominantly agricultural. Settlements such as Kinver, Seisdon, Brewood and Penkridge were of some importance in the medieval period as market towns or administrative centres serving the surrounding areas.
- 6.3 Many original farmhouses and farmsteads were rebuilt or enlarged in the 18th century in the characteristic local style and they remain an important feature of the villages and countryside. The 18th century was also a time when the great houses of the District were enlarged and the gardens and pleasure grounds laid out. Weston Park, Patshull, Chillington and Enville are the outstanding examples in South Staffordshire, but there are many others which are important for the District's character.
- 6.4 The industrial revolution began to have an impact in the 18th century, particularly in the parishes of Essington, Hilton, Cheslyn Hay and Great Wyrley on the South Staffordshire coalfield; and early in the 20th century numerous coal mines and associated housing were established in this part of the District. These mines have since disappeared and their sites reclaimed for other uses. The last remaining deep mine, Littleton Colliery at Huntington, closed in 1993. Another feature of the industrial revolution is the extensive canal system throughout the District, which provides a fascinating picture of the differences in canal construction technology between Brindley's Staffordshire & Worcestershire 'contour' canal (1766-72) and Telford's 'straight line' Shropshire Union (1827-35).
- 6.5 The quality of the environment in the villages varies. The historic centres of the older villages are very interesting and attractive, whereas more recent residential and commercial development is more variable in quality and character. Many areas would benefit from further tree and shrub planting and other environmental improvement schemes.
- 6.6 The built environment has changed considerably over the centuries and it will continue to change in the future. Conservation allows for change as well as preservation and it is often possible for an attractive and historic area to accommodate not only changes of use, but also new buildings. This can be done provided that the new buildings are well designed and respect the general character of existing buildings and their settings.

Listed Buildings

- 6.7 Over 600 buildings in the District are 'listed' by the Department of the Environment because of their architectural or historic interest. A building worthy of listing must be a particularly good example of its period, with minimal alterations to its original design, although its original use or function does not have to remain unchanged. A wide variety of types of buildings and structures in the District are listed, ranging from great houses to terraces of small houses, mills, barns and canal structures.

- 6.8 Such buildings are part of the national architectural and historic heritage and help to make the District a pleasant and interesting area in which to live. The custodians of this heritage are primarily the owners of such buildings, with the District Council acting as specialist advisers.
- 6.9 The District Council provides detailed advice and can also facilitate and co-ordinate financial assistance towards eligible works. A grant scheme is operated by the District Council to help owners to keep their buildings in a good state of repair. In cases where owners do not or for any reason are unable to meet their responsibilities, the District Council can also use its powers of enforcement to prevent loss and damage to notable buildings.
- 6.10 Government advice makes it clear that there is a general presumption in favour of the preservation of listed buildings. Demolition will, therefore, not normally be permitted unless the District Council is satisfied that every possible effort has been made to continue the present use, or find a suitable alternative use for the building, including evidence that the freehold of the building has been offered for sale on the open market, if necessary. This is because the number of listed buildings is limited and the great majority of them are still capable of beneficial use. Furthermore, the Council cannot grant consent for the total or substantial demolition of a listed building until the Secretary of State has confirmed that such demolition is acceptable and that he will not 'call in' the application for his decision.
- 6.11 The alteration of listed buildings requires great skill and care to avoid damage to historic structures, to ensure that any additions are in keeping with other parts of the building and to see that any new external or internal features are sympathetic with their surroundings. It is recognised that many old buildings such as farmhouses and barns provide shelter for wildlife and often house protected species like bats and barn owls. It will be important to ensure that schemes for the conversion, alteration and re-use of listed buildings do not harm protected species or their habitats. The Nature Conservation section of the Plan contains a specific policy on protected species (Policy NC6). Further advice on the retention of protected species should be sought from English Nature or the Staffordshire Wildlife Trust.
- 6.12 The setting of a listed building is often an essential feature of its character, especially if the gardens or grounds have been laid out as an integral part of the design and layout of the house. In addition, many attractive streets or villages owe their character not so much to buildings of individual merit, but to the harmony created by a group of buildings.

~~POLICY BE1 LISTED BUILDINGS – DEMOLITION~~

~~There will be a presumption in favour of the retention of listed buildings. The demolition of a listed building will only be allowed if the District Council is satisfied that every effort has been made to continue the present use, or to find a suitable alternative use and that there are very exceptional circumstances why it cannot be retained.~~

~~POLICY BE2 LISTED BUILDINGS – ALTERATIONS~~

~~Where it is consistent with other planning policies consent will be given for internal or external alterations, additions to, or the change of use of, a listed building if the District Council considers that the proposals would not adversely affect the architectural or historic character, details and fittings of the building.~~

~~POLICY BE3 LISTED BUILDINGS – EXCEPTIONS TO ADOPTED POLICIES AND STANDARDS~~

~~Where a proposed use of a listed building would conflict with adopted policies and standards, the District Council may be prepared to consider making exceptions to those policies and standards if this would secure the satisfactory retention of the building.~~

~~POLICY BE4 LISTED BUILDINGS – DEVELOPMENT WITHIN THE CURTILAGE~~

~~Development within the curtilage of a listed building will only be permitted if it does not harm the character or setting of the listed building concerned.~~

POLICY BE5 LISTED BUILDINGS - APPLICATIONS FOR LISTED BUILDING CONSENT

Applications to change the use of a listed building will be required to be accompanied by plans showing full details of all internal and external alterations to the building, so that the effect on the character of the building can be assessed.

(Policies BE2 and BE5 should be read in conjunction with Policy NC6 on the retention of protected species).

Conservation Areas

- 6.13 The Planning (Listed Buildings and Conservation Areas) Act 1990, which consolidates previous legislation, requires Local Authorities to identify and designate as Conservation Areas:

"areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance"

Conservation Area designation reflects not only the value of individual buildings, but also their collective contribution to the character of an area, together with other elements such as open spaces and trees. There is a duty on Local Authorities to ensure that design for new building proposals actively enhance the character of a Conservation Area when considering planning applications.

- 6.14 The distinctive nature of many villages and other historic areas in South Staffordshire is recognised by the sixteen Conservation Areas which have been designated so far (see plan overleaf). These are:

Blymhill	Lower Penn
Brewood	Pattingham
Chillington	Penkridge
Codsall	Penn (Vicarage Road)
Enville	Trysull
Himley	Weston-under-Lizard
Kinver	Wheaton Aston
Lapley	Wombourne

In addition, there are Conservation Areas along the Staffordshire and Worcestershire, the Stourbridge and the Shropshire Union Canals which run through the District.

- 6.15 The first Conservation Area was designated in 1969 and the most recent in 1983. Since Conservation Areas have been designated, many settlements have grown and in some

cases this growth has had a significant effect on the character of some Conservation Areas. It is, therefore, necessary to keep the boundaries of Conservation Areas under review and to consider possible amendments to these boundaries.

- 6.16 The designation of an area as a Conservation Area is only a preliminary step. The District Council has a duty to formulate and publish proposals for the preservation and enhancement of Conservation Areas. These proposals could include such measures as the relief of traffic congestion, provision of off-street parking and other environmental improvement works. However, resources available for such schemes are limited.

~~POLICY BE6 CONSERVATION AREAS -- DESIGNATION AND ENHANCEMENT~~

~~The District Council will consider the designation of new Conservation Areas and revisions to the boundaries of existing designated Conservation Areas, as appropriate. In addition, as resources permit, enhancement schemes will be prepared for Conservation Areas in the District.~~

The Brewood Town Scheme

- 6.17 Another means of encouraging improvements in Conservation Areas is through a Town Scheme which deals specifically with the repair of buildings. English Heritage and the District Council have cooperated in the establishment of a Town Scheme in the centre of Brewood. This involved both parties setting aside matching sums of grant aid for buildings in Brewood Conservation Area. Both statutorily listed and unlisted buildings which form part of the townscape or which have a group value were eligible for a grant within the scheme.
- 6.18 The intention of the grant aid is to concentrate repair work in a small geographical area, where it can contribute to a marked improvement in the appearance of a town or village. The usual rate of grant is 20% from the Local Authority and 20% from English Heritage. The Brewood scheme was operational between 1989 and 1996.

Development and demolition in Conservation Areas

- 6.19 The loss of individual buildings, groups of buildings (whether listed or not) and the loss of open spaces and trees can all lead to a detrimental change in the character of an area. This can be emphasised by poorly designed and badly sited new development.
- 6.20 In the majority of cases the demolition of buildings in a Conservation Area will require Conservation Area consent. Demolition in Conservation Areas which gives rise to derelict sites which detract from the character and appearance of the locality should be avoided. The District Council will need to be satisfied that the redevelopment of buildings to be demolished will be undertaken as soon as possible after demolition.
- 6.21 Within a Conservation Area the detailed design of a new building can be as important as the principle of the development and it is, therefore, unlikely that outline applications will contain sufficient detail to enable the District Council to make an adequate assessment of the proposal.
- 6.22 Alterations and extensions to existing buildings will usually only be acceptable if they respect the character of a building and its surrounding area.
- 6.23 The removal of or improvement of features which detract from the character or appearance of Conservation Areas will be sought. The District Council may consider using its statutory powers to achieve this objective if it is considered to be desirable.

POLICY BE7 CONSERVATION AREAS - PLANNING APPLICATIONS

Outline planning permission will not normally be granted for development within a Conservation Area. Full details of any proposal will normally be required, so that the effect of the proposal on the character of a Conservation Area may be properly assessed.

~~**POLICY BE8 CONSERVATION AREAS - DEMOLITION OF UNLISTED BUILDINGS**~~

~~Consent to demolish an unlisted building in a Conservation Area will only be granted if the District Council is satisfied that the character or appearance of the Conservation Area will not be adversely affected.~~

POLICY BE9 CONSERVATION AREAS - DEMOLITION PRIOR TO REDEVELOPMENT

Planning permission for the demolition of buildings in Conservation Areas will not normally be granted in advance of a detailed planning permission for redevelopment.

~~**POLICY BE10 CONSERVATION AREAS - DESIGN CONSIDERATIONS**~~

~~In Conservation Areas the District Council will seek to ensure that the form, scale and design of new buildings, alterations and additions are in such relationship with other buildings and spaces as to preserve or enhance the character or appearance of the area.~~

~~**POLICY BE11 CONSERVATION AREAS - PROTECTION OF ESSENTIAL CHARACTER**~~

~~In deciding applications for planning permission, the District Council will seek to ensure the retention of open spaces, gardens, gaps between buildings, walls, trees, hedges, significant shrubs and architectural features and ornaments from development, where these form an essential part of the character of the Conservation Area (see also Policy LS11 and paragraph 8.36 in the Landscape and Nature Conservation Chapter).~~

POLICY BE12 CONSERVATION AREAS - REMOVAL OF INTRUSIVE FEATURES

In considering development proposals the District Council will seek the removal of, or the improvement of, any features such as buildings, signs, advertisements and overhead wires which detract from the quality of a Conservation Area.

Trees in Conservation Areas

- 6.24 Trees often make a very significant contribution to the character of an area or the setting of a building. The District Council has a duty to protect trees when considering development proposals and to make Tree Preservation Orders (TPOs) if it considers a particular tree, trees or woodland are under threat from development or other activities. Anyone wishing to cut down a protected tree or carry out other operations which might damage its amenity value is required to obtain consent from the District Council. Consent may be refused if it is considered that the works are unnecessary or likely to damage the amenity value of the tree.
- 6.25 Trees in Conservation Areas (with certain limited exceptions) are protected and anyone proposing to do work on such trees is required to give six weeks notice, in writing,

before the work is carried out. This enables the Council to create a TPO if the proposed works are considered inappropriate and the tree is seen to be under threat.

~~POLICY BE13 CONSERVATION AREAS – TREE PRESERVATION~~

~~Where appropriate (e.g. having received notice of any proposal to fell, or carry out inappropriate work to a tree or trees within a Conservation Area) the District Council will consider making a Tree Preservation Order to protect trees the loss of which would be detrimental to the character and visual amenity of the Conservation Area.~~

Shop fronts and signs in Conservation Areas

- 6.26 Shop fronts are important features in the street scene and they influence the quality of the environment in many of the Conservation Areas in the District. Well-designed, sympathetic shop fronts can make a positive contribution to the street scene, whilst those that are insensitive can spoil the character of an area. Although a shop front is often regarded as a transient feature of a building, it is important that historic examples are retained or restored, while others are adapted to meet modern needs by sensitive design.
- 6.27 Advertising is an important feature of modern life, which can contribute to the attractiveness of the street scene by introducing colour, variety and interest. However, the proliferation of competing, poorly designed and sited signs in shopping areas can be unsightly, confusing and damaging to the character of the street, particularly in a Conservation Area.
- 6.28 The use of security grilles has increased in recent years. Whilst they provide a high level of security for shopkeepers, they can appear to be blank and featureless and can detract from the character and attractiveness of village centres, especially in the evenings.
- 6.29 The District Council has produced a booklet entitled 'The Design of Shop Fronts and Signs in Conservation Areas', which seeks to encourage the preservation and enhancement of Conservation Areas by providing guidelines for the design of shop fronts and signs. As well as benefiting the environment, there are sound commercial reasons for improving the appearance of shop fronts, as attractive shopping areas help to generate business.

POLICY BE14 RETENTION OF SHOP FRONTS

In Conservation Areas and on listed buildings elsewhere in the District, the District Council will seek to retain shop fronts that are attractive, of historic or architectural value, or contribute to the character of the area. Permission will normally only be granted for their repair or restoration.

POLICY BE15 REPLACEMENT OF SHOP FRONTS

In Conservation Areas and on listed buildings elsewhere in the District, proposals for new shop fronts, or the replacement or alteration of existing shop fronts will only be permitted where the design is of high quality and appropriate to the character of the building and its surroundings and the construction involves the use of traditional materials.

POLICY BE16 SECURITY SCREENS

The District Council will not normally permit applications for security grilles and screens on properties in Conservation Areas and on listed buildings elsewhere in the District, unless the applicant is able to show a particular need for such provision, in which case only open mesh screens will be considered.

POLICY BE17 INTERNALLY ILLUMINATED SIGNS

Internally illuminated signs and lettering will not normally be permitted in Conservation Areas and on listed buildings elsewhere in the District.

POLICY BE18 NEW ADVERTISEMENTS

The District Council will strictly control the siting, design and materials to be used in new advertisements in Conservation Areas and on listed buildings elsewhere in the District. Proposals which involve the removal of traditional fascia boards and signs will be resisted and the use of traditional materials in the construction of new signs will normally be required.

POLICY BE19 EXISTING SIGNS

The District Council will, where appropriate, use the powers available in the Control of Advertisement Regulations 1992 to seek the removal of existing signs erected with express consent or erected with deemed consent where such signs detract from the character of Conservation Areas and listed buildings.

Historic Parklands and Gardens

- 6.30 There are a number of historic parklands in the District. Of these, Chillington, Enville and Weston are of particularly high quality and have been identified as Grade II* in the Register of Parks and Gardens of Special Historic Interest in England. Patshull has been identified as Grade II.
- 6.31 Parklands are a valuable asset, but many have reached their maturity and are now in decline and sometimes under threat. If they are to remain important features in the landscape their owners will need help and encouragement to restore them. Further details and policies concerning historic parklands and gardens are contained in the Landscape & Nature Conservation chapter. (See particularly policies LS11 and paragraphs 8.32 - 8.36).

Re-use and adaptation of rural buildings

- 6.32 Changing patterns of farming and rural life mean that new uses often have to be found for buildings such as stables, coach houses and barns. The large number of rural buildings scattered throughout the area contribute to the pleasant character of the District, but the widespread conversion of rural buildings to alternative uses would have a dramatic impact on the character of both the individual buildings and the countryside as a whole. It is recognised that many existing rural buildings provide shelter for wildlife and often house protected species such as bats and barn owls.
- 6.33 The District Council has produced a booklet entitled 'The Conversion of Redundant Farm Buildings, A Policy and Design Guide'. This provides clear policy and design advice on the conversion of rural buildings and sets out the detailed criteria against which planning applications will be considered. Whilst it recognises the necessity of finding an

economic use for old buildings, the District Council considers that only uses which do not entail radical architectural or structural alterations will be acceptable.

- 6.34 In considering applications proposing the re-use of rural buildings the District Council will have to be satisfied that the building is structurally sound and capable of re-use and that where a listed or other important building is concerned, the future of the building is safeguarded, with minimal effect on its character and on its setting and the character of the surrounding rural area. It will be important to ensure that schemes for the re-use and adaptation of rural buildings do not harm protected species or their habitats. The Nature Conservation section of the Plan contains a specific policy on protected species (Policy NC6). Further advice on the retention of protected species should be sought from English Nature or the Staffordshire Wildlife Trust.

POLICY BE20 RE-USE AND ADAPTATION OF RURAL BUILDINGS - PHYSICAL SUITABILITY

For any rural building to be considered suitable for conversion it should be:

- a) Of a form, bulk and general design in keeping with its surroundings. The District Council must be satisfied that it is in a condition capable of retention and conversion without substantial reconstruction.**
- b) Capable of conversion without detrimental alterations affecting its character, appearance, general setting and immediate surroundings.**

POLICY BE21 RE-USE AND ADAPTATION OF RURAL BUILDINGS PLANNING APPLICATIONS

In determining planning applications for the conversion of a rural building to an alternative use the District Council will require:

- a) Accurate drawings of all external elevations, sections and floor layout plans of the building in both its existing and proposed states. Proposed access arrangements, parking and garage spaces, garden walls, fences and hedges should also be shown.**
- b) The submission of an independent report on the structural stability and condition of the building, sufficient to satisfy the District Council that the building is capable of conversion, without demolition and rebuilding, or substantial reconstruction.**

POLICY BE22 RE-USE AND ADAPTATION OF RURAL BUILDINGS PERMITTED DEVELOPMENT

In determining planning applications for the conversion of a rural building to an alternative use, the District Council will, in appropriate circumstances, consider the removal of "permitted development rights" (particularly those concerning the erection of extensions, the alteration of the external appearance of the building or the insertion of dormer windows) contained in the General Development Order 1988 through the imposition of a condition on any planning permission.

Archaeology

- 6.35 Archaeological sites, whether they are ruined structures, earthworks or below-ground features, are important educational, recreational and tourism resources which require protection. Within South Staffordshire 657 sites are recorded in the County Sites &

Monuments Record. Of these, 16 are scheduled as Ancient Monuments. A list of scheduled Ancient Monuments is given in Appendix 5.

- 6.36 Where archaeological sites may be affected by development proposals it is necessary for the District Council to be able to reach decisions in the fullest possible knowledge of archaeological implications. In many cases this will require applicants to support their proposals by an archaeological evaluation, generally on the basis of excavation. It will also be necessary for applicants to demonstrate, prior to the determination of planning applications, that sufficient facilities and resources will be available to protect or record archaeological features which would be affected by development.
- 6.37 Where it is considered that planning permission can be given on the basis of archaeological evaluation, and it has been indicated satisfactorily that the means and resources for protecting or recording affected archaeological features will be available, the District Council may impose conditions on planning permissions to ensure the implementation of the necessary measures.

~~POLICY BE23 ARCHAEOLOGICAL SITES – PROTECTION FROM DAMAGE~~

~~There will be a presumption against proposals for development which would involve significant alterations, cause damage or which would have a significant impact on nationally important archaeological remains, whether scheduled or not, and their settings.~~

~~POLICY BE24 ARCHAEOLOGICAL SITES – EVALUATION AND PRESERVATION~~

~~Planning applications for development affecting sites of archaeological interest will be determined in the light of information supplied by the developers. Following an archaeological evaluation to determine the importance of the remains, any approval may be conditional upon appropriate means and resources being available for archaeological excavation and recording prior to and/or during development or to facilitate a watching brief to be undertaken during the process of development, or to ensure that the agreed methods of preservation are enforced on site.~~

Built Environment

- 6.38 The quality of life in general is affected in various ways by the quality of the environment. The District Council has wide ranging responsibility for care of the environment, but the Local Plan can only cover those issues which have land use implications. Regulation and control of the built environment is achieved by the District Council's development control function, which aims to maintain high design standards and to safeguard the amenities of residents.
- 6.39 The generally attractive nature of the District's villages and countryside could easily be harmed by inappropriately designed new buildings, unsympathetic alterations and extensions to existing buildings and the removal of important features, including trees, which contribute to the setting and landscape character.
- 6.40 New development should be constructed to a high standard of design. It should respect the character of existing development and preserve the identity and setting of individual settlements, without harming the amenities of neighbouring residential properties. The scale, mass and materials proposed should be appropriate to the siting of the development. On sites where areas of landscaping and/or public open space are proposed they should form an integral part of the overall design and should not appear to be included as an afterthought.

- 6.41 The District Council's standards for space about dwellings, car parking and open space are set out in the Appendices at the back of this document. However, compliance with these standards by themselves will not ensure good design or an interesting and attractive layout. In addition, the various standards should be considered to be minimum requirements and should, therefore, be increased wherever possible.
- 6.42 It is important that the places where people live are as safe, attractive and quiet as possible. It is also desirable to achieve a satisfactory balance between the provision of development and the provision of essential services at an acceptable environmental and financial cost. Environmental quality is likely to become an increasingly important issue during the Plan period and the District Council will seek to ensure that potential problems surrounding development are avoided, including the promotion and coordination of public sewerage disposal facilities where they are considered necessary.
- 6.43 Certain sites and pipelines which involve the storage and movement of hazardous substances are designated as notifiable installations. The siting of such installations will be subject to planning controls aimed at keeping them safely separated from housing or other land uses with which they would not be compatible. The District Council will, therefore, seek advice of the Health and Safety Executive (HSE) on the suitability of that development in relation to the risks that the notified installation might pose to the surrounding population.
- 6.44 The area covered by the Local Plan already contains a number of installations handling notifiable substances, including high pressure natural gas transmission pipelines. Whilst they are subject to stringent controls under existing health and safety legislation, it is considered prudent to control the kinds of development in the vicinity of these installations. For this reason, the District Council has been advised by the HSE of consultation distances for each of these installations. In determining whether or not to grant consent for a proposed development within these consultation distances, the District Council will take account of the advice it receives from the HSE about the risks to the proposed development from the notifiable installation.
- 6.45 On sites where contamination is known to exist or suspected, the onus will be placed on the applicant to provide the District Council with information on the extent of the contamination and the remedial action that will be necessary. Where appropriate, planning conditions may be imposed requiring the removal and treatment of all hazardous material found on the site. In some cases, severe contamination may prevent some forms of land use.
- 6.46 In addition to its general planning activities, the Council has established an annual programme of major village centre environmental improvements. For example, there is an on-going programme of environmental improvements in Brewood village centre, in conjunction with the Parish and County Councils and much of the centre of Codsall has been comprehensively re-paved and landscaped to a high standard. Other settlements would benefit from similar treatment under the programme. The District Council will encourage the preparation and implementation of environmental improvement schemes and will make financial and technical assistance available, where resources permit. A policy for environmental improvements in the village centres is included in Chapter 10 on Village Centres.
- 6.47 In considering applications for planning permission the Council will take into account the criteria contained in the following policies. Such criteria should be considered in conjunction with other policies which are relevant to the individual application.

POLICY BE25 LOCATION OF NEW BUILDINGS

New buildings shall be located so as to avoid, or at least keep to the minimum:

- a) Any increase in water, air, ground or noise pollution;**
- b) Any loss of potable water;**
- c) Any conflict with existing or proposed public utilities;**
- d) Any deterioration in the function of river washlands or other flow protection measures;**
- e) Any nuisance from potentially unneighbourly uses such as water reclamation works, waste disposal sites, special industrial uses etc.;**
- f) Any noise nuisance from proximity to existing or proposed major highways;**
- g) Any unnecessary exposure on the skyline so as to materially change the character of the area;**
- h) Any damage to sites of nature conservation value;**
- i) Any need to extinguish or divert a Public Right of Way;**
- j) Any risk from external activities, e.g. landfill sites giving off gas.**

POLICY BE26 NEW DEVELOPMENT - DESIGN CRITERIA

New development should:

- a) Be sympathetic with the appearance and character of the surrounding area and be appropriate in scale, mass, design, materials, layout and siting, both in itself and in relation to adjoining buildings and spaces;**
- b) Have a satisfactory means of access and have adequate car parking provision;**
- c) Avoid placing an undue burden on existing services, the local road network or other infrastructure;**
- d) Include provision for landscaping appropriate to the character of the surroundings;**
- e) Retain any important open area, gap in a frontage or natural or built features, such as trees, hedges, walls, fences and banks;**
- f) Avoid harming the amenities of neighbouring residential properties;**
- g) Avoid any adverse affect on the architectural or historic character and setting of a listed building.**

POLICY BE27 PROTECTION OF THE NATURAL WATERCOURSE SYSTEM

The District Council recognises the importance of the natural watercourse system for providing essential drainage of land and will protect it against adverse forms of development by seeking to prevent:

- a) Development in areas liable to flooding, except where the land is protected or will be developed to the appropriate standard as part of the development, to be decided in consultation with the Environment Agency;
- b) The loss of access to watercourses for future maintenance;
- c) The loss of natural flood plain, except in exceptional circumstances and where compensatory measures are provided as agreed with the District Council in consultation with the Environment Agency;
- d) Drainage from development giving rise to substantial changes in the characteristics of surface water run-off unless adequate site works can be provided.

6.48 Some of the sites identified in the Plan are situated in the vicinity of watercourses which are designated main rivers of the Environment Agency in accordance with Section 193 of the Water Resources Act 1991. Any works which may affect the floodplain of the main river will be the subject of consultation with the Environment Agency. A Land Drainage Consent is required to be issued by the Environment Agency for any works that may affect both designated main rivers and ordinary watercourses.

6.49 In accordance with Byelaw 18 of the Environment Agency's Land Drainage Byelaws, an 8m wide strip of land measured from the top of the bank of a designated main river must be preserved at all times for future maintenance and improvement works. For sites adjacent to watercourses which are not designated main rivers then it is recommended that a 6m wide strip of land be provided.

NOTE: Groundwater resources are a vital component of the potable (fresh) water supplies but once polluted, damage is invariably irrevocable. It is essential therefore that development which threatens these resources is prevented. South Staffordshire borders on surface water and ground water catchment areas which are already highly abstracted and for which the Environment Agency is only issuing very restrictive licences or none at all. It is therefore important that no development takes place to affect the recharge to the aquifer and the direction of any surface water flows.

POLICY BE28 PROTECTION OF GROUND WATER RESOURCES

Proposals for development which could damage ground water resources and prevent the use of those resources will not normally be allowed.

~~POLICY BE29 NEW DEVELOPMENT – DRAINAGE REQUIREMENTS~~

~~All new development should be served by satisfactory arrangements for the disposal of foul sewage, trade effluent and surface water. Therefore, in deciding applications for planning permission, the District Council will normally:~~

- ~~a) Not permit development incorporating independent sewage treatment facilities where connection to main sewerage is practicable;~~

- ~~b) Require developers otherwise to demonstrate that the multiple use of individual facilities, such as septic tanks, is feasible without causing a public health nuisance and possible water pollution, especially where there is a potential for high density infill;~~
- ~~e) Not allow development to be occupied in advance of required improvements to sewerage and/or water reclamation works.~~

~~POLICY BE30 SAFEGUARDING OF WATER COURSES FROM SPILLAGE~~

~~No development involving the storage of oils and chemicals shall take place unless adequate measures have been taken to prevent discharge to watercourses in the event of spillages and/or leaks.~~

~~POLICY BE31 AVAILABILITY OF WATER RESOURCES FOR DEVELOPMENT~~

~~Development will not usually be allowed to proceed, prior to the availability of the necessary water resources.~~

~~POLICY BE32 DEVELOPMENT CLOSE TO HAZARDOUS INSTALLATIONS~~

~~In determining planning applications for proposals which concentrate population close to notified hazardous installations and waste disposal sites, the Council will require a survey and assessment of the risk involved and will take into account the availability or practicability of incorporating safeguarding measures in the development.~~

~~NOTE: The location of installations handling notifiable substances and the consultation distances advised by the Health and Safety Executive are shown on the Development Control Constraints Maps held by the District Council.~~

~~POLICY BE33 DEVELOPMENT ON CONTAMINATED LAND~~

~~The District Council may require as a condition of a planning permission that a full independent survey and analysis is undertaken for any land where widespread or toxic contamination is suspected. It will also require that development does not cause or increase pollution of watercourses and groundwater resources.~~

Renewable Energy

- 6.50 Renewable energy is the term used to describe those energy resources that occur naturally and repeatedly in the environment. Such resources include heat from the earth and the sun, power from the wind and from water, energy from plant material and from the recycling of wastes. Renewable energy sources offer the hope of increasing diversity and security of energy supply and of reducing harmful emissions by reducing dependence on non-renewable fossil fuels.
- 6.51 PPG22, "Renewable Energy", sets out the Government's Planning Policy for developing renewable energy sources against the background of its commitment to reduce emissions of carbon dioxide and other greenhouse gases and of working towards 1000 megawatts of new electricity generating capacity from renewable energy sources by the year 2000. This was later increased to 1,500 megawatts.
- 6.52 Policy RE1 below reflects the advice given in PG22 and takes into account existing Government advice on the protection of the environment. The District Council supports

the concept of exploiting renewable energy resources, but acknowledges that there may be environmental impacts which need to be carefully assessed in the consideration of any specific proposals, particularly where they fall within designated areas. Particular care will be taken in assessing any proposals within Sites of Special Scientific Interest and within the Cannock Chase AONB where conservation of the natural beauty of the landscape is the primary objective. Similar considerations will be taken in areas of archaeological or historic importance.

POLICY RE1 RENEWABLE ENERGY

Proposals for the generation of power from renewable energy sources will be permitted provided that the proposed development would not cause demonstrable harm to interests of acknowledged importance.

Proposals for renewable energy projects will be required to satisfy the following criteria:

- a) Show that the development would not have a significantly detrimental effect on any scheduled Ancient Monument, National Nature Reserve, Site of Special Scientific Interest, or any other area recognised by designation at national, regional or local level to be of nature conservation, scientific or archaeological interest;**
- b) Show that the development would not result in an unacceptable intrusion on the intrinsic landscape quality of the area;**
- c) Show that the development would not unacceptably affect the amenities of local residents;**
- d) Show that no unacceptable level of electromagnetic disturbance would likely to be caused to any existing transmitting or receiving systems;**
- e) Assess the environmental effects of all transmission lines between the development and the point of connection to the national grid;**
- f) Show that access can be provided without danger to highway safety and without permanent and significant damage to the environment and that the local road network is capable of accommodating the traffic generated by the proposal during construction and operation;**
- g) Propose a realistic means of securing the removal of the development when redundant and the subsequent restoration of the site.**

In assessing proposals against these criteria, full account will be taken of proposed mitigating measures.

Proposals for the erection of wind turbines within the Cannock Chase AONB will not be permitted if they would have a significant adverse impact on its landscape quality.

Chapter 7 - Recreation Open Space and Tourism

Introduction

- 7.1 In recent years there has been a marked increase in recreation and leisure activities. More leisure time, improved mobility, higher incomes and a growing awareness of environmental issues have led to an increase in demand for recreation and leisure facilities of all kinds. National surveys have shown that walking and swimming are the most popular sporting pastimes. There is an increasing interest in countryside recreation and a trend towards less passive and more active leisure pursuits. Demographic trends, however, suggest a growing importance for leisure and recreation facilities for the elderly.
- 7.2 There are many recreation, leisure and tourism facilities in South Staffordshire serving the local population and those who live outside the area. (See plan overleaf). Within the villages, open space, children's play areas, sports pitches, Sports Centres and other indoor and outdoor facilities are important parts of the fabric of the communities and are generally conveniently located to meet the recreational needs of residents.
- 7.3 The open countryside outside the villages has a role to play in providing for the recreation needs of the Conurbation and surrounding areas. Extensive areas of open land such as Kinver Edge, Highgate Common, Shoal Hill Common and Baggeridge Country Park provide for leisurely pursuits including walking, riding, picnicking and nature study. There are numerous golf courses, riding schools and stables in the countryside as well as sports pitches on the Conurbation fringe.
- 7.4 The canals, rivers, ponds, lakes and reservoirs, and the extensive network of footpaths and bridleways, provide a wide range of recreation opportunities and informal access to the countryside as well as providing links with adjoining Districts. The canal network in particular is of regional as well as local importance and also provides opportunities for tourism, nature conservation and education.
- 7.5 Tourism is an important growth industry which can attract economic investment and provide local income and employment. South Staffordshire has much to offer tourists and visitors, from the more traditional Weston Hall and Park, Chillington Hall, Himley Hall and Moseley Old Hall to the informality of the canals, attractive villages, extensive parklands and commons. There are many other attractions such as the variety of old buildings and canalside structures. The District is well placed as a centre for visiting neighbouring attractions such as Cannock Chase and the Severn Valley Railway.
- 7.6 The changes in policy on agricultural land and opportunities for farmers to diversify and 'set aside' land for other uses have led to pressures for further recreational and tourist facilities in the countryside. For example, there has been a noticeable increase in the number of planning applications for golf courses and driving ranges in the District in recent years and for combat games in woodlands.
- 7.7 The proposals for the new Forest of Mercia (Community Forest) should create opportunities for recreation and public access and there may also be opportunities for appropriate tourist related development in the forest area subject to Green Belt, Open Countryside and Nature Conservation policies. A Forest Plan was published in October 1993. (Further details of the Forest of Mercia initiative are given in the Landscape section).
- 7.8 Recreation and tourism activities allow people to enjoy the natural environment in some way and each can have significant implications for landscape and nature conservation. It will be important to ensure that landscape features and wildlife

habitats are safeguarded and that opportunities are taken to create new landscapes and habitats.

Recreation and Open Space Provision

- 7.9 Recreation and leisure activities are an important part of community life and it is recognised that existing facilities, particularly public open space and playing fields, should be safeguarded and enhanced. There is a wide range of indoor and outdoor recreation facilities in the Plan area. These are provided by various bodies, including the District Council, County Council, Parish Councils and private sports clubs. The present level of provision varies from village to village and is generally sufficient to satisfy local needs. There are five sports centres operated jointly by the District Council and County Council which provide excellent facilities for recreation. The joint use of school indoor and outdoor sport and recreation facilities will be encouraged by the District Council. It is acknowledged that there is likely to be a demand for further recreation and leisure facilities and that improvements will also be needed to existing facilities. On a wider scale it is possible that the District has the potential to accommodate additional sub-regional recreation needs.
- 7.10 Government guidance on policies for sport and recreation is given in Planning Policy Guidance Note 17. PPG17 also contains advice on the interaction of sport and recreation with countryside and nature conservation issues. Outdoor sport and recreational uses are appropriate in the Green Belt and Open Countryside. However, certain sports such as football and golf require new buildings for club houses, changing rooms and facilities for spectators. In considering proposals for outdoor sports facilities the District Council will take into account the scale of related built development and the landscape and nature conservation implications of the proposals in accordance with Green Belt policies and other policies in the Plan.
- 7.11 The District Council uses the National Playing Fields Association (NPFA) standard of 6 acres (2.4 ha) per 1,000 persons as a general guide in planning outdoor playing space provision. The 6 acre figure is sub divided by the NPFA into 4- 4.5 acres (1.6 - 1.8 ha) for youth and adult uses and 1.5 - 2.0 acres (0.6-0.8 ha) for children's play. A summary of the NPFA standards is given in Appendix 4.
- 7.12 The NPFA standards provide general guidelines against which existing provision may be judged and present and future needs assessed. However, the standards will be applied flexibly by the District Council in conjunction with local assessments of need and taking into account any opportunities which may arise to provide new facilities within settlements.
- 7.13 The District Council is working to identify areas which are deficient in terms of the provision of recreation facilities including outdoor playing space, general open space and children's play areas and will take action and encourage others to provide new facilities as needs and opportunities arise and resources permit. The involvement of Parish Councils in the provision of open space and recreation facilities is important and will continue to be encouraged by the District Council. The open space and recreation proposals of the Plan are set out under Policy R6. The general policies relating to sports pitches, open spaces and children's play areas are set out in the following paragraphs.

General Policies

POLICY R1 PROVISION OF RECREATION AND LEISURE FACILITIES

Planning applications for the provision of indoor and outdoor recreation and leisure facilities will be permitted provided that:

- a) **The Plan area is physically and environmentally capable of accommodating such provision.**
- b) **There will be no detrimental impact on the landscape, historic parks and gardens and areas of nature conservation importance.**
- c) **There will be no detrimental impact on the amenities of local residents.**
- d) **The traffic generated by the proposal does not adversely affect the safety of the local road system and that there are satisfactory access and parking arrangements.**
- e) **The proposal does not involve the irreversible loss of the best and most versatile agricultural land.**
- f) **The proposals are consistent with other policies in the Plan, particularly Green Belt, Open Countryside, Landscape and Nature Conservation policies.**

Proposals for the provision of recreation facilities which meet local needs such as local sports centres, local parks and open spaces, sports pitches and country parks will be especially welcomed by the District Council.

Sports Pitches

- 7.14 Sports pitches whether owned by public, private or voluntary organisations are of special significance for their recreational, amenity and open space value. The District Council recognises that it is important to have sufficient sports pitches to cater for levels of demand and increased participation. Sports pitches can be vulnerable to development pressures and once lost are extremely difficult and expensive to replace. Moreover, the loss of such facilities could have an adverse effect on participation in sport and could create further areas of deficiency.
- 7.15 Decisions on the future of sports pitches will need to take into account the long term needs of the local community for recreation or amenity open space. The District Council will resist development involving the loss of sports pitches unless firm proposals are made for compensating provision of at least comparable standard. In such cases developers will be required to enter into a Planning Agreement to ensure that provision is made. Any planning agreement to be sought will be fairly and reasonably related in scale and kind to the proposed development. In considering the use of Planning Agreements, the District Council will have regard to the advice contained in Circular 16/91.
- 7.16 As far as the redevelopment of school sites is concerned, the Local Education Authority (County Council) will be expected to consult the District Council, as Local Planning Authority, about the disposal of school playing fields and to have regard to policies in the Local Plan. As part of the Local Plan process the District Council will assess and monitor community needs for playing fields in the longer term. The District Council have no wish to prevent the expansion of existing school buildings or facilities and will take into account the operational needs of schools in determining applications for the redevelopment of school playing fields.

POLICY R2 SPORTS PITCHES - PROTECTION OF PITCHES AND REPLACEMENT FACILITIES

Permission will not be granted for the redevelopment of public and private sports pitches including school playing fields unless investigations have

established that the pitches will not be needed in the longer term for school or community use, or replacement facilities of equivalent or greater size can be provided in suitable locations nearby. In appropriate cases, the District Council will request developers to enter into an Agreement under Section 106 of the Town & Country Planning Act 1990 to provide replacement facilities.

- 7.17 The District Council acknowledges that the quality of many sports pitches and ancillary facilities could be better and that improvements are needed. It is particularly important that all sports pitches have suitable changing facilities.
- 7.18 In 1988 the District Council carried out an assessment of the supply and demand for sports pitches jointly with the then West Midlands Council for Sport & Recreation (Regional Strategy Topic Study on Sports Pitches 1988). The study provided information about the number and quality of sports pitches and changing facilities in the District and included recommendations concerning:
- a) The preservation of existing sports pitches and ancillary facilities;
 - b) The improvement of the quality of sports pitches and ancillary facilities;
 - c) The provision of new grass pitches;
 - d) The provision of changing facilities;
 - e) The provision of synthetic grass pitches.

The District Council has taken into account the guidance and recommendations contained in the Study in preparing the following policies on sports pitch provision. The District Council will, in co-operation with West Midlands Sport and the English Sports Council, encourage improvements to sports pitches, changing rooms and ancillary facilities, where consistent with other policies in the Plan.

NOTE: The West Midlands Council for Sport and Recreation was replaced by 'West Midlands Sport' in January 1996, and the Sports Council has become 'The English Sports Council'.

- 7.19 The District Council will encourage the provision of new sports pitches (including synthetic sports pitches) which will provide new opportunities for participation in pitch sports. Synthetic sports pitches offer advantages over grass pitches in that they can be used intensively throughout the year. The West Midlands Council for Sport & Recreation recommended a minimum provision of 3 acres (1.2 ha) of public and private grass sports pitches and one synthetic pitch per 1,000 population. Resources for such facilities will be limited and implementation will rely on the combined efforts of the public, private and voluntary sectors. The District Council will encourage the provision of new grass sports pitches and synthetic sports pitches where the proposals are compatible with other policies in the Local Plan.

Open spaces, parks and children's play areas

- 7.20 It is important to ensure that existing open spaces, parks and children's play areas are safeguarded and enhanced. Local open spaces and parks provide a range of activities including informal recreation, nature conservation, walking and children's play. Open space close to housing is particularly important to many residents such as children, the elderly and the disabled who may not have easy access to the surrounding countryside.
- 7.21 There are equipped children's play areas throughout the Plan area; these are generally the responsibility of Parish Councils. The District Council does not provide equipped

children's play areas but will give advice on the maintenance and management of such areas. Provision should be made for children's play within safe walking distance of all housing areas and the District Council will encourage the provision of new play areas in appropriate locations. The adopted standards on the provision, siting and design of children's play areas are set out in Appendix 3.

- 7.22 In new residential areas it is equally important that an adequate amount of open space is provided. Developers will be required to provide open space within housing layouts in accordance with adopted standards. Developers will be required to lay out and landscape areas of open space and, where appropriate, will be encouraged to create new wildlife habitats and areas of nature conservation interest within housing layouts. Developers will be charged commuted sums to cover the costs of maintaining any areas of open space which the District Council may be requested to adopt. The District Council will provide advice on the landscaping of open space and the siting and design of children's play areas. The standards for the provision of open space in housing layouts and the requirements for maintenance are set out in Appendix 3. The District Council will seek by both direct action and encouragement the provision, improvement and enhancement of open space facilities within settlements as needs and opportunities arise and resources permit.

~~POLICY R3 OPEN SPACE - PROVISION, IMPROVEMENT AND ENHANCEMENT~~

~~The creation of new open spaces will be permitted particularly where they form part of an open space system and wildlife corridor network providing links with footpaths and bridleways, disused railways and canal towpaths.~~

POLICY R4 OPEN SPACE - PROTECTION OF OPEN SPACES AND PARKS

Permission will not normally be granted for development which would cause the loss of existing public open spaces and parks, particularly in areas where a deficiency has been identified, unless suitable replacement open space is provided.

POLICY R5 OPEN SPACE - PROVISION OF OPEN SPACE AND CHILDREN'S PLAY SPACE

The District Council will require all new residential development to include adequate open space and children's play space in accordance with the adopted standards. Developers will, where appropriate, be encouraged to create new wildlife habitats and areas of nature conservation interest in housing and industrial layouts and recreation developments.

POLICY R6 RECREATION AND OPEN SPACE PROPOSALS

The following sites have been identified for open space and recreation in the Local Plan. Many of the proposals are carried forward from existing adopted Local Plans. The District Council will, where appropriate, prepare design briefs for both large and small sites.

Site Number	Location	Site Area (Hectares)	Site Area (Acres)
13	Land south of Featherstone	4.5	11.0
14	South of A5, Great Wyrley	9.3	23.0
15	South of Manor Drive, Shareshill	1.6	3.9
16	Land at Campians Wood, Cheslyn Hay	3.4	8.3
17	Stag Meadows, Kinver	6.5	16.0
18	The Bratch, West of Canal, Wombourne	2.5	6.2
19	Adjacent to Brickbridge Playing Fields, Wombourne	1.8	4.5
20	Littleton Colliery Spoil Mound, Huntington	10.1	25.0
21	North-west of Teddesley Road, Penkridge	3.5	8.7
22	Land at rear of Lapley Hall Barns, Lapley	0.4	0.9
23	Barnfield Sand Beds, Horsebrook Lane, Brewood	6.0	14.9
24	Land at Codsall Road, Bilbrook	2.3	5.7

Details of the Proposals

SITE 13: LAND SOUTH OF FEATHERSTONE

(4.5 Ha / 11 acres)

The site lies between the southern edge of the built up area of Featherstone and the M54 motorway. Prior to the construction of the motorway part of the site was used as playing fields. A small part of the site is currently used as winter quarters for travelling show people. Appropriate parking and access arrangements would have to be made at the detailed design stage. The proposal provides the opportunity to make positive use of the land which would also act as a buffer between the village and the M54 motorway. The development of this site, part of which is subject to an agreement between the District Council and the developers, will compensate to some degree for the loss of the existing recreational facilities at the Hilton Sports and Social Club site, which is to be redeveloped for Premium Employment use under Policy E1.

A design brief will be prepared in consultation with the Parish Council for the whole of this site in the near future.

SITE 14: SOUTH OF A5, GREAT WYRLEY

(9.3 Ha / 23 acres)

The site lies to the north of the existing built up area of Great Wyrley and south of the A5. The western part of the site is predominantly open with a large pond and trees. Part of the site was a former colliery. It is anticipated that minimal improvement and reclamation works would be required to create an attractive informal recreation and wildlife area with associated landscaping. Planting could be carried out within the site as part of the Forest of Mercia. The site is of strategic importance between Cannock and Great Wyrley and the proposal would maintain the open character of this part of the Green Belt.

SITE 15: SOUTH OF MANOR DRIVE, SHARESHELL

(1.6 Ha / 3.9 acres)

The site is an area of Grade 3c agricultural land to the south of Manor Drive, immediately adjacent to the built up area of the village. It is a Grade 2 site of nature conservation importance and there are a number of trees and ponds within the northern part of the site. Only a small amount of work would be required to create an informal open space to serve the village and to provide a footpath link from Manor Drive to Church Road. The District Council will work with the Staffordshire Wildlife Trust and English Nature to ensure that the wildlife and other important features within the site are safeguarded.

SITE 16: LAND AT CAMPIANS WOOD, CHESLYN HAY

(3.4 Ha / 8.3 acres)

The site lies to the south west of Cheslyn Hay and formed part of the Campians Wood Opencast clay and coal workings. It was included in the Streets Lane Opencast site and is to be reclaimed to amenity use as part of the restoration proposals.

The site contains the remnants of the old Campians Wood, which are strong landscape features, and it is proposed to thicken the existing woodland with further tree planting. A pond has been created and wetland plants will be introduced during the aftercare period. A footpath link leading north from the canal is also to be provided as part of the restoration proposals.

The restoration proposals for the site will create an attractive amenity/nature conservation area of great value to the community. The site would be a natural extension of the Wyrley/Essington Canal and the existing Open Space at Lapwing Close.

SITE 17: STAG MEADOWS, KINVER

(6.5 Ha / 16 acres)

The site is in the floodplain of the River Stour and is Grade 4 agricultural land. The land is in private ownership. A football pitch has been developed on the northern part of the site but the rest of the land remains for the most part unused apart from occasional grazing. An attractive riverside park, with playing fields and other formal and informal recreational uses could be created here. The development of the site would help to meet the recreation needs of the village, it is close to the main community facilities and existing playing fields and would establish an attractive visual feature in the heart of Kinver. Development of this area would also consolidate a string of open spaces from the Marsh Playing Field in the north to the Brockleys Walk riverside park in the south-east. To provide a convenient pedestrian route from Dark Lane and The Holloway to Stag Meadows a footpath could be provided along the northern bank of the River Stour from Mill Lane. Development of this site would be considered very sensitively and a design brief will be prepared.

SITE 18: THE BRATCH (WEST OF CANAL), WOMBOURNE

(2.5 Ha / 6.2 acres)

This site lies within the Wombourne Development Boundary and the Bratch Policy Area, to the west of the Staffordshire & Worcestershire Canal. The site forms part of an important green space within the village. The land is in private ownership and is predominantly used for rough grazing. The site will be suitable for informal recreation and open space uses with tree and shrub planting to enhance the setting of the canal. There is also scope to develop the nature conservation potential of the site. A

pedestrian link would be provided onto the canal towpath and the main access to the site will be from Ounsdale Road.

A Design Brief will be prepared for the site and it is envisaged that the proposal will be provided in association with the implementation of the adjoining Housing Proposal Site 12 (Policy H3).

SITE 19: LAND ADJACENT TO BRICKBRIDGE LANE PLAYING FIELDS, WOMBOURNE

1.8 Ha / (4.5 acres)

The site lies within the Wombourne Development Boundary and is adjacent to the Staffordshire & Worcestershire Canal and the Brickbridge Lane playing fields. It lies to the west of Giggetty Lane. The land at the rear of Giggetty Lane is undulating and is criss-crossed by informal footpaths, with hawthorn and other self-sown trees and the area adjoining the canal which is marshy and low-lying with a pond and a few trees, is owned by British Waterways and used for the tipping of canal dredgings. The remainder is owned by the District Council and leased to the Parish Council. The site has been used for informal recreation for many years. The site would form a logical extension to the recreation land at Brickbridge Playing Fields and could continue to be used for informal open space. There is also scope to develop the nature conservation potential of the site and to create a local nature reserve. Additional tree and shrub planting could be carried out and picnic areas established including tables and seats.

SITE 20: LITTLETON COLLIERY SPOIL MOUND, HUNTINGTON

(10.1 Ha / 25 acres)

This old colliery spoil tip lies to the north of Cocksparrow Lane. The tip contains minestone and dirt deposited over a long period. Tipping ceased in the 1950s. The tip is well vegetated particularly on the northern slopes and is a prominent and important feature in the landscape. There is potential to create footpaths and provide a car park and to enhance the amenity and nature conservation value of the site with a minimum disturbance to the existing vegetation.

A Derelict Land Scheme for the reclamation of the site is currently being investigated. There is also the possibility that planting could be carried out on the site as part of the Forest of Mercia.

SITE 21: NORTH-WEST OF TEDDESLEY ROAD, PENKRIDGE

(3.5 Ha / 8.7 acres)

This proposal reflects the planning approval given to Penkridge Parish Council to use 8.7 acres of agricultural land between Teddesley Road and the River Penk as a Village Park. The land forms part of the River Penk washlands and is subject to flooding from time to time. It is anticipated that the proposed Village Park will be used as an informal public open space.

SITE 22: LAND AT THE REAR OF LAPLEY HALL BARN

(0.4 Ha / 0.9 acres)

The site lies in the centre of the village to the north of the barns at Lapley Hall and is used as a paddock for grazing. It is within Lapley Conservation Area and development

boundary. At present there are no formal recreation facilities in the village and the site will provide some informal open space provision and create a village green area.

SITE 23: BARNFIELD SAND BEDS, HORSEBROOK LANE, BREWOOD

(6.0 Ha / 14.9 acres)

This site lies to the north of the village and is in the Green Belt. It is a former quarry and is now derelict. Sand extraction ceased in the late 1960s, but the restoration conditions are not now binding. Fly tipping has taken place off Orams Lane and in the southern part of the site. The northern and eastern part of the site have re-vegetated and the site is included as a Grade 1 site in the County Biological and Habitat Survey.

The land is classified as derelict and there would be the opportunity to reclaim the site for informal open space and nature conservation with the aid of a Derelict Land Grant. The District Council will work with the Staffordshire Wildlife Trust and English Nature to ensure that the nature conservation value of the site is safeguarded. It is possible that the site could be declared a local nature reserve and that interpretation facilities could be provided for educational purposes and public enjoyment.

A small area of land at Engleton Lane, to the east of the site, has been identified as 'White Land' under Policy GB4 where there may be scope for future housing development. The designation of the Engleton Lane site as White Land may provide the opportunity to bring forward proposals for the implementation of the open space scheme.

SITE 24: LAND AT CODSALL ROAD, BILBROOK

(2.3 Ha / 5.7 acres)

The site lies to the south-east of Codsall/Bilbrook and is in the Green Belt. It adjoins the proposed route of the Birmingham Western Orbital Route and the River Penk. The site is allocated for public open space on the Codsall Town Map. The site would provide much needed open space in this part of the village, and help to preserve the narrow strategically important gap between Codsall/Bilbrook and Wolverhampton.

The site would be suitable for informal recreational uses and it is possible that part of the site could be planted as part of the Forest of Mercia.

The Bratch Policy Area

- 7.23 The Bratch area of Wombourne was designated as a Policy Area in the Southern Area Local Plan and included a proposal for open space and recreation on land to the west of the Canal. The Plan did not make proposals for the area to the east of the canal, surrounding the pumping station and Ounsdale Quarry to the south, but sought to encourage the recreational use of the land.
- 7.24 The site of the former Ounsdale Quarry is currently being developed for housing and an area of open space including a landscaped footpath is being created alongside the canal as part of the development.
- 7.25 The water pumping station is an important part of The Bratch and the surrounding land with its sloping landform and rural character forms a very attractive backdrop to the Canal Conservation Area. It is an important green space within the village and the District Council considers that the land should remain open and used for recreation.

- 7.26 It will be important to ensure that the amenities and quality of the environment at The Bratch is protected and that any recreational use on the land to the east of the canal takes into account the character of the area and the capacity of the local highway network. The land to the west of the canal has been allocated for housing development under Policy H3. An area of land along the line of the brook and the canal has also been identified for public open space use under Policy R6. It is envisaged that the open space proposal will be implemented in association with the adjoining housing site.
- 7.27 It is proposed to incorporate the Bratch Policy Area within the Local Plan and the policies reflect the changes which have taken place in the area. The boundary of the policy area is shown on Inset Plan 51.

~~POLICY R7 BRATCH POLICY AREA – LAND WEST OF CANAL~~

~~Planning permission will be granted for housing development and public open space use of the land to the west of the canal identified on Inset Plan 51, as set out in Policies H3 and R6. The recreational uses shall exclude those which would generate significant traffic movements or require large scale building development~~

POLICY R8 BRATCH POLICY AREA - LAND EAST OF CANAL

Planning permission will be granted for the recreational use of the land to the east of the canal identified on Inset Plan 51, provided the recreational uses would not generate significant traffic movements or require large scale building development.

Countryside Recreation

- 7.28 The District Council considers that it is important to provide opportunities for the public to enjoy the countryside and its wildlife. The countryside provides for a wide range of leisure and recreational activities and it is essential that existing facilities are conserved and enhanced and that new areas of public access land are provided where suitable opportunities arise. It is recognised, however, that the over use of sites can lead to problems such as path and vegetation erosion and disturbance to wildlife. The District Council will seek to ensure that additional recreational facilities in the countryside are accommodated without damage to the landscape and that existing areas of nature conservation value are conserved. The District Council will consider the use of Article 4 Directions where damage to sites of nature conservation value can be clearly demonstrated (Article 4 Directions are subject to the approval of the Secretary of State). The District Council will liaise with the County Council to identify areas where recreation and nature conservation are potentially in conflict and promote alternative places for public access.

General Policies

~~POLICY R9 SPORT AND RECREATION IN THE COUNTRYSIDE~~

~~In considering proposals for the development of sport and recreational facilities in the countryside, the District Council will take into account the effect on the character of the landscape and on nature conservation interests. Proposals should be consistent with other policies in the Local Plan.~~

POLICY R10 COUNTRYSIDE RECREATION - NOISE NUISANCE

In considering specific proposals involving powered vehicles, clay pigeon shooting, combat (war) games and other similar uses likely to result in noise or other nuisance, in particular damage to sites of nature conservation value,

the District Council will take into account the effect of the proposals on the amenity of nearby residents, the character and amenity of the countryside, wildlife interests and highway considerations. Where valued features are threatened by activities that are otherwise permitted by the General Development Order the District Council will employ Article 4 Directions, where it proves necessary, to bring development within planning control.

~~POLICY R11 COUNTRYSIDE RECREATION – PROVISION OF PUBLIC ACCESS LAND~~

~~In considering development proposals, the District Council will allow the provision of new areas of public access land where suitable opportunities arise, particularly where the development will:~~

- ~~a) — Provide facilities within convenient reach of the local population;~~
- ~~b) — Provide relief for over-used or sensitive areas;~~
- ~~c) — Minimise conflict with other rural activities and wildlife interests;~~
- ~~d) — Utilise interesting natural features within the countryside;~~
- ~~e) — Contribute to the reclamation and re-use of derelict land; and~~
- ~~f) — Link in well to existing open space/public access systems.~~

~~POLICY R12 COUNTRYSIDE RECREATION – PROVISION OF SUPPORT FACILITIES~~

~~In considering development proposals, the District Council will allow small scale developments, such as car parking, toilets or picnic sites, which support recreational use at popular locations, as long as they are sensitively designed and sited and do not conflict with other policies in the Plan~~

Common land

- 7.29 There are several large areas of common land throughout the District which are well known and popular recreational sites. There are also some smaller commons and heathlands which are somewhat neglected but which have potential for informal recreation. The use of these commons for informal recreation would be welcomed and opportunities to improve the management and use of land for public access will be encouraged by the District Council, subject to the necessary safeguards for agriculture, nature conservation and the rights of commoners. The District Council will provide advice on the management and use of common land and prepare management plans where appropriate.

Country Parks

- 7.30 The District Council owns and manages two Country Parks, at Baggeridge and the Kingswinford Railway Walk. At Baggeridge the facilities include a visitors' centre, footpaths and nature trails, bridleways, camping facilities, picnic areas, pools for model boating and fishing, an arena for special events and car parking. The Railway Walk has been developed along a former railway line between Wolverhampton and Dudley. The old station building has been restored and is used as tea rooms. There are seats, picnic tables, provision for riding and car parking facilities along the Walk.

- 7.31 There may be scope to improve the facilities for visitors in the Country Parks and to encourage public participation in a range of leisure, recreational and nature conservation activities. There may also be opportunities to develop footpath links from the Parks to surrounding areas. The District Council will consider designation of other Country Parks where appropriate if the opportunity arises. The District Council will prepare management plans for Country Parks in its ownership and will take advantage of grants and other sources of funding available for the implementation of recreation, landscape and nature conservation schemes.

~~POLICY R13 COUNTRYSIDE RECREATION – COUNTRY PARKS~~

~~Planning permission will be granted for development which will improve the facilities for visitors to Country Parks, including the provision of car parks, picnic places, footpaths and nature trails provided that:~~

- ~~a) The proposals are located and designed so as not to intrude on the character and appearance of the countryside.~~
- ~~b) The proposals do not adversely affect areas of landscape and nature conservation importance.~~
- ~~c) The proposals do not adversely affect the safety of the local road system and that access and parking arrangements are satisfactory.~~
- ~~d) The proposals are consistent with other policies in the Plan particularly Green Belt, Open Countryside, Landscape and Nature Conservation and traffic policies.~~

Footpaths, cycleways and Bridleways

- 7.32 The network of footpaths and bridleways throughout the countryside is an important part of recreation in the District and provides opportunities for informal public access. There is potential to develop and enhance the footpath network further, and develop cycleways/tracks making use of resources such as canal towpaths and disused railway tracks and to promote and develop walks linking country parks, public access land, individual villages and the recreation resources in adjoining local authority areas. It is also important to provide safe and convenient pedestrian routes to recreation facilities and to establish a network of footpaths linking open space areas where possible. The District Council will encourage the management, development and promotion of footpaths, cycleways and bridleways in South Staffordshire.
- 7.33 The County Council, Parish Councils and voluntary organisations are involved in promoting and maintaining footpaths and bridleways. The Countryside Commission's Parish Paths Partnership initiative also aims to stimulate local improvement schemes through both Parish Councils and other groups.
- 7.34 The District Council has formally adopted the Countryside Commission's target of the entire rights of way network being legally defined, properly maintained and well publicised by the year 2000.

~~POLICY R14 FOOTPATHS, CYCLEWAYS AND BRIDLEWAYS~~

~~Planning permission will be granted for proposals contributing to the development of a network of footpaths, cycleways and bridleways for recreational use based upon existing rights of way, disused railways, cycleways and canal towpaths provided that:~~

- ~~a) — Proposals for new routes are located and designed so as not to intrude upon the character and appearance of the area.~~
- ~~b) — Proposals provide safe and convenient routes for pedestrians, cyclists and horse riders.~~

~~Proposals which provide links to the Staffordshire Way would be welcomed, as well as shorter circular routes around Country Parks and picnic places and paths and bridleways providing easy access between settlements and the surrounding countryside. In implementing this policy, the possible need to extinguish, divert or create rights of way will be taken into account.~~

Canals

- 7.35 The canal network is significant as both a local and regional recreation resource. The canals and their towpaths are valuable assets and the District Council recognises that they have great potential for recreation, education, nature conservation and tourism. (The tourism potential of canals is considered later in this chapter). It is also acknowledged that canals are places where people live and that permanent residential moorings are often set aside for house boat dwellers. New residential moorings require planning permission and will be considered against the usual development control policies. The built environment related to canals is architecturally and historically significant and the Staffordshire & Worcestershire, the Stourbridge and the Shropshire Union Canals are designated as Conservation Areas.
- 7.36 Canals are also important linear open spaces and could provide the basis to develop a footpath network with opportunities for circular walks linked to village centres and Conservation Areas. Canals are used for angling and canoeing and also provide wildlife corridors and links with nature conservation resources in adjoining local authority areas.
- 7.37 The District Council will liaise with British Waterways and other agencies to safeguard and enhance the canal network in the District. The environmental improvement of the canal network will be encouraged, particularly in locations where environmental quality is poor, including improved access to towpaths, links to the public footpath system and open spaces, the protection and creation of nature conservation areas and the conservation of canal structures and other heritage features. The District Council will liaise with adjoining local authorities on cross-boundary canal improvement and nature conservation issues. The District Council will, in conjunction with British Waterways and other interested parties, encourage and promote schemes for the environmental improvement of the canal network.

~~POLICY R15 CANALS – ENVIRONMENTAL IMPROVEMENTS~~

~~Planning permission will be granted for proposals which contribute to the environmental improvement of the canal network and enhance the recreation and nature conservation value of canals provided that:~~

- ~~a) — The proposals are in keeping with the landscape, architectural and historic character of canals.~~
- ~~b) — The proposals do not adversely affect canal structures and other heritage features.~~
- ~~c) — The proposals are consistent with other policies in the Plan, particularly Green Belt and Open Countryside, Conservation and Built Environment and Landscape and Nature Conservation policies.~~

- 7.38 The Hatherton Branch Canal, built between 1839 and 1840 to serve the coalfields of South Staffordshire and the Cannock area, ceased to be navigable during the mid-1950s. It is now used as a drainage channel and provides a main source of water for the Staffordshire & Worcestershire Canal. Sections have been sold off and are now in private ownership.
- 7.39 The Lichfield and Hatherton Canal Restoration Trust have put forward a proposal to restore the canal to navigable condition. The canal has been surveyed and there are a number of major technical difficulties which will have to be overcome if the canal is to be restored. For example, locks and bridges and culverts will need to be replaced in several locations and a new tunnel will be required under the M6 motorway at Straight Mile. The line of the original canal has been lost to development at Wedges Mills and Churchbridge and it will be necessary to use the Wyrley Brook and the Wash Brook as navigable waterways. A new canal section will have to be cut through to Little Wyrley in Cannock Chase District to provide a connection with the Cannock Extension Canal.
- 7.40 The Cannock Extension Canal is presently a cul-de-sac with a notable flora and fauna. It supports a diverse community of both submerged and emergent water plants including the largest known population in Staffordshire of floating water-plantain (*Luronium natans*), a species threatened in Europe and one which is listed in Annex IV of the EC Habitats and Species Directive and Appendix I of the Bern Convention. It is nationally scarce in Britain and listed on Schedule 8 of the Wildlife & Countryside Act 1981. At least nine species of dragonfly have been noted in association with the canal. The canal has been notified as a biological Site of Special Scientific Interest in December 1993. An appropriate level of boat traffic is critical to ensure that the biological interest and diversity of the canal is maintained.
- 7.41 The District Council has had discussions with the Inland Waterways Association, the Restoration Trust, Cannock Chase District Council and British Waterways about the project and supports in principle the proposed restoration of the canal within South Staffordshire to navigable condition and its extension to the Cannock Extension Canal, but without any financial commitment. It has been agreed to define a protected route for the canal in the Local Plans being prepared by both Districts. Once the route has been established further consultations and discussions will follow to progress the project. Until a route has been defined the line shown on the Proposals Map will be used for development control purposes. This line was presented to the Birmingham Northern Relief Road Inquiry, and the final route will depend upon the proposals for the Birmingham Northern Relief Road, which have not yet been finalised. The District Council acknowledges that the Hatherton Branch Canal is of high nature conservation value and will seek to ensure that the restoration proposals and subsequent after use of the canal are not detrimental to the natural environment and not in conflict with the nature conservation policies in the Plan.

POLICY R16 HATHERTON BRANCH CANAL

The District Council will safeguard the route of the Hatherton Branch Canal shown on the Proposals Map from any development which would prejudice the restoration of the canal.

Open Water Features

- 7.42 Areas of open water are particularly valuable because they cater for a variety of different leisure interests from boating and angling to nature study and ornithology. They also represent valuable ecological resources. It is recognised that mineral workings may offer the potential to create new enclosed water features and provide opportunities for informal recreational uses and active water sports. A recent study commissioned by the Sports Council entitled "The Potential of Wet Mineral Workings in

the West Midlands for Sport and Recreation - January 1992" gives some guidance to Local Authorities on the potential after use of wet mineral workings and examines a number of issues such as the interaction with nature conservation interests.

~~POLICY R17 AREAS OF OPEN WATER~~

~~In deciding planning applications, the District Council will encourage the use of existing water features for sport and recreation and improved access to rivers and seek to ensure that opportunities are taken, where appropriate, to create new water areas particularly through land reclamation schemes and mineral workings. Proposals for the use of existing water features and new water areas should be compatible with nature conservation interests and consistent with other policies in the Plan.~~

Golf courses

- 7.43 In the last few years there has been a number of applications for golf courses in the District. Golf courses, golf driving ranges and related developments can have a significant impact upon the countryside. They invariably involve changes in the landscape character of an area and can also have detrimental effects on wildlife habitats. Golf courses also generate traffic which can have detrimental effects both on the local road system and the villages through which such traffic would pass.
- 7.44 It is acknowledged that in some instances golf courses can be beneficial and that there are some areas where the landscape character and habitat type is capable of accommodating a golf course. A sensitively designed course can be an attractive addition to the landscape and can make a positive contribution to landscape enhancement, particularly the restoration of degraded landscapes, such as those affected by mineral workings.
- 7.45 Applications for golf courses and associated developments will be carefully considered by the District Council and those within areas of special character, such as the Historic Parklands and the Cannock Chase AONB, will be subject to particularly close scrutiny and the nature of the landscape setting in these cases could mean that golf courses would not be allowed. The landscape, traffic and nature conservation implications of all proposals will be taken into account. Proposals for golf courses should be shown to be genuinely reversible where they involve the best and most versatile agricultural land.
- 7.46 The District Council will ensure that only essential buildings such as club houses and ancillary facilities are permitted as part of golf course proposals and will require the design, scale and the type of materials used for such buildings to harmonise with the character of the surrounding area. The use of existing buildings will be encouraged where possible. New buildings should be sited unobtrusively and car parks hidden from view. The design and layout of golf courses should provide for the retention of existing wildlife habitats and opportunities should be taken to create new habitats as part of landscaping proposals.

~~POLICY R18 GOLF COURSES~~

~~In determining applications for golf courses and related developments, the District Council will seek to ensure that:~~

- ~~a) There will be no detrimental impact on the landscape and features of nature conservation value;~~
- ~~b) Special care is taken in the Green Belt, the Cannock Chase AONB and Historic Landscapes;~~

- ~~e) Only essential buildings are permitted as part of the proposals and that use is made of the existing buildings where possible;~~
- ~~d) Where they involve the best and most versatile agricultural land the proposals are shown to be genuinely reversible;~~
- ~~e) The traffic generated by the proposal does not adversely affect the safety of the local road system;~~
- ~~f) Existing features and areas of landscape and nature conservation value are conserved and enhanced; and~~
- ~~g) Opportunities are taken to create new wildlife habitats.~~

Derelict land/Mineral workings

- 7.47 Within the District there are areas of derelict and unused land, mostly a legacy of past mining and industrial operations. Their reclamation and redevelopment for sport and recreational use would help to improve recreation and open space provision, reduce pressures on agricultural land and improve the landscape of the Plan area. Derelict land also often supports features of nature conservation value and care will be needed to safeguard existing habitats in restoration schemes.
- 7.48 Worked out mineral sites also offer considerable potential for sport and recreation and nature conservation. The District Council will encourage the County Council, as minerals planning authority, to support proposals for the reclamation of derelict and degraded land and the restoration of mineral sites for such after uses and that opportunities are taken, where possible, to create new wildlife habitats.

~~POLICY R19 LAND RECLAMATION AND RESTORATION~~

~~Planning permission will be granted for proposals which secure the reclamation of derelict and degraded land and the restoration of mineral workings for sport, recreation, open space and nature conservation. Proposals should provide for the retention and management of existing wildlife habitats. The creation of new wildlife habitats will be encouraged by the District Council. In considering planning applications the District Council will have regard to:~~

- ~~a) The character of the surrounding area;~~
- ~~b) The amenities of local residents;~~
- ~~c) Consistency with other policies in the Plan, particularly Green Belt and Open Countryside, Landscape and Nature Conservation policies.~~

Tourism

- 7.49 The District Council recognises that tourism has an important role in attracting economic investment and in providing local income and employment. There is a danger, however, that the development of tourist facilities could destroy the very qualities which make South Staffordshire attractive to visitors. There could be considerable pressure in the future for the provision of such facilities as hotels, caravan and camping sites, chalet sites and holiday villages, golf courses and other sporting facilities. Many of these developments may be associated with farm diversification as farmers look for alternative uses for land and redundant buildings. The objective for tourism is to achieve a sympathetic balance between tourist development, countryside conservation, landscape, nature conservation and the maintenance of the Green Belt.

Tourism developments that are unsympathetic and out of scale with their surroundings will be firmly resisted.

~~POLICY TSM1 TOURISM – EXPANSION OF FACILITIES~~

~~The District Council will work towards the improvement and expansion of tourist facilities throughout the Plan area where this is compatible with other policies in the Plan, particularly Green Belt, conservation, landscape and nature conservation and traffic policies. In areas of high quality scenery and areas of nature conservation importance tourism development will only be permitted where it is in keeping with policies to conserve the landscape, wildlife and heritage qualities of the area.~~

- 7.50 A Tourism Action Programme (TAP) for southern Staffordshire (covering the Districts of South Staffordshire, Cannock Chase, Stafford, Tamworth, East Staffordshire and Lichfield) was prepared in 1987 and sets out the context for tourism in the area. The TAP examined the economic benefits of tourism, visitor patterns, accommodation and attractions and identified a strategy for tourism. The TAP also sets out specific recommendations for South Staffordshire aimed at increasing tourism within the District including improved signposting and publicity, the development of interpretation facilities, the promotion of accommodation and the need for new visitor attractions.
- 7.51 The recommendations in the TAP provided the District Council with a starting point from which to develop a formal tourism strategy. The District Council is pursuing many of the TAP recommendations and is involved in a number of tourism initiatives.
- 7.52 The District Council has been instrumental in establishing a Tourism Association based on Kinver and has co-ordinated the production of a professional Information Package aimed at attracting staying visitors. The District Council has also supported the establishment of a Tourist Information Centre at Kinver with advice and grant aid. The Council supports, in principle, proposals by Dudley MBC to establish a National Glass Museum at Himley Hall.
- 7.53 A new Visitors Guide to South Staffordshire has been produced, identifying and promoting over 100 tourist related businesses throughout the District. A package aimed at the weekend breaks market has been developed, based on five historic houses in and around South Staffordshire.
- 7.54 The TAP referred to in paragraph 7.50 above stressed the need to improve and upgrade the existing visitor attractions in South Staffordshire and to develop new attractions. It also recognised that the canal system is a tourism resource, that interpretation facilities along the canals should be developed and that opportunities for suitable canalside development should be investigated.
- 7.55 The District Council will encourage the improvement of existing visitor attractions and the establishment of new attractions provided that the proposals do not conflict with other policies in the Local Plan, particularly those concerning conservation, landscape and nature conservation. The District Council will, in co-operation with the County Council, encourage and promote public transport links to the countryside, tourist attractions and recreational facilities.

~~POLICY TSM2 TOURISM – IMPROVEMENT AND DEVELOPMENT OF ATTRACTIONS~~

~~Planning permission will be granted for the improvement of existing tourist attractions and the development of new attractions particularly where these~~

~~are related to the rural, industrial, cultural, historic, architectural and wildlife heritage of the District, provided that:~~

- ~~a) The proposals do not adversely affect areas of landscape and nature conservation importance, including historic landscapes.~~
- ~~b) The proposals do not adversely affect historic buildings and areas of archaeological importance.~~
- ~~c) The design, form and scale of the development is in keeping with the character of the area.~~
- ~~d) The proposals do not generate significant traffic movements and does not adversely affect the safety of the local road system.~~
- ~~e) The proposals are consistent with policies to protect the Green Belt and Open Countryside and do not conflict with other policies in the Plan, particularly Conservation and Built Environment, Landscape and Nature Conservation and traffic policies.~~

~~POLICY TSM3 TOURISM – PROVISION OF PUBLIC TRANSPORT LINKS TO FACILITIES~~

~~Planning permission will be granted for the development of new facilities in connection with the provision of effective public transport links to the countryside, tourist attractions and recreational facilities subject to such proposals being consistent with Green Belt, Open Countryside, Built Environment, Landscape and Nature Conservation, and Traffic policies contained in the Plan.~~

- 7.56 The District Council acknowledges that canals have considerable potential for tourism and recreation, but there is also a need to ensure that their scenic, architectural and historic character and wildlife value is conserved and enhanced.

~~POLICY TSM4 CANALS – PROVISION OF NEW CANALSIDE FACILITIES~~

~~Planning applications for new canalside facilities will be permitted by the District Council provided that such development is in keeping with policies to protect the Green Belt, Open Countryside, Conservation Areas and the wildlife value of canals and does not conflict with other policies in the Plan.~~

~~POLICY TSM5 CANALS – LOCATION OF NEW CANALSIDE FACILITIES~~

~~Planning applications for new canalside facilities and associated services such as moorings, service facilities, marinas, hire and trip boat facilities, information points, restaurants and heritage attractions will be permitted in or adjacent to villages and canal junctions provided that:~~

- ~~a) The proposals do not adversely affect the scenic, architectural, historic character and wildlife value of canals.~~
- ~~b) The proposals are sensitively designed and the form and scale of the development and the materials to be used respect the character of the area.~~
- ~~c) The proposals are consistent with other policies in the Plan particularly Green~~

~~Belt, Open Countryside, Conservation and Built Environment, Landscape and Nature Conservation and traffic policies.~~

~~POLICY TSM6 CANALS – USE OF REDUNDANT BUILDINGS~~

~~Canalside development should contribute positively to the function and appearance of canals. Planning applications for development which provides new uses for redundant vernacular buildings will be permitted by the District Council provided that:~~

- ~~a) — The building is physically capable of conversion to its new use without significant extension or rebuilding.~~
- ~~b) — The proposed conversion is in keeping with the character and appearance of the building, general setting and its immediate surroundings.~~
- ~~c) — The proposals are consistent with other policies in the Plan particularly Green Belt, Open Countryside, Conservation and Built Environment, Landscape and Nature Conservation and traffic policies.~~

- 7.57 There is potential to improve the quality and range of tourist accommodation including serviced and self-catering accommodation, caravan and camping sites and farm based accommodation and to promote the District as a base for the domestic holiday market.

~~POLICY TSM7 TOURISM – PROVISION AND LOCATION OF NEW TOURIST ACCOMMODATION~~

~~Planning applications for new tourist accommodation including major hotel accommodation and motels, country house hotels, guest houses and bed and breakfast accommodation, self-catering accommodation, including touring caravan and camping sites will be permitted provided that:~~

- ~~a) — New development proposals including new hotels and motels are outside the Green Belt, within or adjoining existing settlements. Proposals for new tourist accommodation outside existing settlements within the Green Belt will be subject to Green Belt policies.~~
- ~~b) — The development is in scale and character with the particular village and surroundings in which it is located and makes provision for appropriate landscaping.~~
- ~~c) — Extensions to existing hotels and guest houses are in keeping with the scale and character of the original building.~~
- ~~d) — Proposals for the conversion of existing dwellings make adequate provision for parking within the site and the new use can be accommodated within the existing building.~~
- ~~e) — Proposals for the conversion of redundant buildings including rural and historic buildings are in keeping with the character of the building and the surrounding area. (Policies G1, BE1-BE5, BE20-22 and NC6 apply).~~
- ~~f) — New touring caravan and camping sites are located and designed so as not to intrude on the character and appearance of the countryside. (Schemes for improving and screening existing caravan and camping sites will be welcomed).~~

~~g) — The proposals are consistent with other policies in the Plan, particularly Green Belt and Open Countryside, Conservation and Built Environment, Landscape and Nature Conservation and Traffic policies.~~

Chapter 8 - Landscape and Nature Conservation

Introduction

- 8.1 The South Staffordshire countryside is a valuable asset. Its appearance is continually changing, influenced by the human activities for which it is the setting. The management of land uses which affect the countryside is of great importance to the District Council and its residents. The protection of the countryside has a wider significance as it provides opportunities for informal recreation and leisure for the adjoining Conurbation boroughs with a combined population approaching 1 million. It is also a key element in the area's ability to promote itself as an attractive place in which to live and work, as well as to visit.
- 8.2 The predominant landscape structure based upon a pattern of trees, hedgerows and small woodlands has changed significantly over the centuries, although remnants of the old structure still remain. Many trees and hedgerows have been removed by agricultural activity and years of mineral extraction and opencast mining of coal have eroded much of the small scale pattern of fields and woodlands in parts of the District. Substantial areas of open heathland have given way to forestry and woodland regeneration. The rapid development of settlements since the Second World War has also affected the character of the landscape. The high quality of the landscape owes much to the planting associated with its historic parklands and gardens and these are acknowledged as important features in the landscape of the District.
- 8.3 Throughout the District there has been considerable pressure for development. There are still pressures to use agricultural land for housing, industry, recreation, leisure and tourism. There are strong pressures on farmers to diversify and "set aside" land for other uses and many agencies offer grants and subsidies for taking land out of arable production. The effects of changes in EEC grants and subsidies may have significant implications on the rural economy and the landscape of the District. Proposals for mineral extraction and new motorways are also likely to have a major impact on the landscape.
- 8.4 The District has an important nature conservation resource with notable areas of heathland, unimproved grassland, ancient woodland and open water which support a variety of wildlife species. Wildlife habitats and other natural features are under threat from agriculture, forestry, mineral extraction, motorways and other built development. The threat of continuing intensive agricultural techniques on nature conservation remains significant. However, there has been a change of emphasis from concentration on agricultural production towards the conservation and enhancement of the natural qualities of the countryside. The public has become increasingly interested and involved in nature conservation and appreciation of the landscape and the environment in general is growing. Tourism is playing a more important role in the local economy as pressures for improved public access and recreation opportunities in the countryside increase.
- 8.5 During the 1980's Operation South Cannock (OSC) Countryside Management project carried out many small scale environmental improvement schemes in the north eastern part of the District. OSC worked closely with the local community to implement improvement schemes and a great deal was done to improve and enhance the landscape of the area.

- 8.6 The proposals for the new Forest of Mercia (Community Forest) in the north-eastern part of the District will make a major contribution to the development of a new landscape over the next few decades. The development of the Forest will provide the opportunity to create new wildlife habitats and to enhance existing features of nature conservation value. It will be important to ensure that wildlife habitats are safeguarded. The Forest will also provide opportunities for education, sport and recreation and public access. Further details of the Forest Of Mercia initiative are given in paragraphs 8.15 - 8.19 of the Landscape section.
- 8.7 Government guidance on policies for Nature Conservation are provided in Planning Policy Guidance Note 9 issued in October 1994 and further guidance on the interaction between nature conservation, countryside and sport and recreation interests is set out in Planning Policy Guidance Note 17 - Sport and Recreation.

Agriculture

- 8.8 The agricultural industry is an important part of the local economy and the quality of the agricultural land in the District is generally high. The effects of EEC grants and subsidies is such that there is currently an over production of certain commodities and whilst it is not necessary to keep as much good quality land in production as in the past, there is still a need to protect such land to meet future needs. The best and most versatile land should not be used for development unless no viable alternative exists. It is recognised that some uses may be acceptable even on the better quality land where the long term agricultural potential of the land is not prejudiced.

~~POLICY AG1 AGRICULTURAL LAND~~

~~The best and most versatile agricultural land will be safeguarded from irreversible development unless there is no other site suitable for the particular purpose. The operational needs of agriculture, as well as the environmental and economic aspects and the continuing need to protect the countryside for its own sake, will be taken into account when considering all proposals for development.~~

~~(See also Policy G2).~~

Landscape

- 8.9 The conservation, enhancement and management of the landscape and the wildlife it supports is an important objective of the Local Plan. The landscape policies aim to conserve and enhance existing landscape features through positive action, encouragement and development control. The District Council will firmly resist development proposals which would destroy or damage the landscape and wildlife habitats. Proposals which would improve or enhance the quality of the landscape and restore landscape features such as hedgerows, lowland heath and historic landscapes will be supported and encouraged by the District Council. The District Council acknowledges and will continue to support the valuable work undertaken by voluntary organisations and individuals in the conservation, enhancement and management of the landscape. The landscape features which are considered to be of special importance are described in paragraph 8.23.

POLICY LS1 LANDSCAPE CHARACTER - PROTECTION AND ENHANCEMENT

Permission will not normally be granted for development which would destroy or damage the landscape character of the District. Proposals which would improve or enhance the quality of the landscape and restore landscape

features will be encouraged by the District Council where such developments conform to the other policies and proposals of the plan.

Trees, Woodlands and Hedgerows in the Countryside

- 8.10 Trees, woodlands and hedgerows are important elements of the landscape. Woodlands, especially those comprising native trees are important in providing habitats for many animal and plant species. Hedgerows are an intrinsic part of the countryside, marking historic boundaries and providing important wildlife habitats. The District Council recognises the importance of such features and will take action, and encourage others, to conserve, enhance and reinforce them wherever possible. The District Council will, as resources permit, carry out and encourage tree and shrub planting in cooperation with the County Council, Parish Councils, other public bodies, civic and amenity organisations, local landowners and occupiers. The planting of locally native species will be encouraged, particularly where it would create and enhance wildlife habitats and priority will be given to planting in areas where the quality of the landscape has diminished through the loss of hedges, trees and woodlands, e.g. through agricultural improvement, opencast mining and other mineral extraction. Planting will not be encouraged in certain wildlife habitats (e.g. heathlands and some wetlands) where it could be environmentally damaging.
- 8.11 In recent years increasing attention has been paid to hedgerow conservation. Research has shown that thousands of miles of these important features are being lost through neglect. In 1992 the Countryside Commission in close collaboration with MAFF, English Heritage and English Nature introduced a new "Hedgerow Incentive Scheme" intended to restore hedgerows, sustain them as historic components of the landscape and conserve them as important wildlife habitats. Under 10 year agreements payments will be made to farmers and landowners for programmes to cover initial restoration work such as coppicing and hedge-laying and longer-term rescue management for the future as well as associated conservation work like pollarding, hedgerow tree planting and protective fencing. The Scheme was absorbed into the Countryside Stewardship Scheme in 1994. In addition to the incentive scheme, the Government has announced its intention to legislate to introduce a hedgerow protection scheme. It is hoped that the scheme will give further protection to hedgerows.
- 8.12 The area of broad leaved woodland in Staffordshire has declined over the last 60 years to the point where the conservation of remaining broadleaved woods and particularly those of ancient semi-natural origin is of paramount importance. Once lost, an ancient woodland cannot be recreated and no amount of new planting will compensate for its disappearance. The District Council will firmly resist development and management which would destroy or damage all ancient semi - natural woodlands (defined by English Nature's Ancient Woodland Inventory). The maintenance of existing consultation arrangements between the District Council and the Forestry Commission on felling licence applications serves a useful purpose in alerting the District Council to possible threats to broadleaved woodlands.
- 8.13 The District Council recognises the importance of forestry as an industry. The District Council will encourage owners and occupiers of land to establish woodlands particularly with broad leaved species and to take advantage of the Forestry Commission Woodland Grant Schemes and other tree planting grants. The District Council considers that in most cases broad leaved species such as oak would be most appropriate in the South Staffordshire landscape. The District Council will seek to ensure that the amenity and environmental implications of felling licence applications and proposed woodland grant schemes are taken into account by the Forestry Commission.
- 8.14 Existing trees, woodlands and hedgerows should be conserved and sympathetically managed wherever possible. Where appropriate Tree Preservation Orders will be made

to protect important individual trees, groups of trees or woodland of amenity value where these are known to be under threat. Where trees are felled the District Council will generally require replacement planting to be carried out. New planting of locally native species will be encouraged in appropriate locations. In situations where essential management of woodlands would be made difficult by a TPO, the District Council will seek voluntary management agreements with landowners for the proper management of their woodland and use orders as a last resort. The District Council will work with the County Council's foresters and ecologists to implement the following policies relating to trees, woodlands and hedgerows.

POLICY LS2 TREES, WOODLANDS AND HEDGEROW PROTECTION

Permission will not normally be granted for development and management which would adversely affect or necessitate the felling, or endanger the retention of, trees, woodlands or hedgerows which in the view of the District Council make a significant contribution to the character of a site or of the locality in general.

~~POLICY LS3 ANCIENT WOODLANDS~~

~~Permission will not normally be granted for development which would destroy or damage an ancient woodland site.~~

The Forest Of Mercia

- 8.15 The Forest Of Mercia covers an area of about 21,000 hectares to the North of the West Midlands conurbation and includes parts of South Staffordshire, Cannock Chase and Lichfield Districts and the open countryside around Walsall (see plan on page 138). The core of the forest is the old Southern Staffordshire Coalfield. The Forest Of Mercia is one of the first of a programme of twelve community forests which are being promoted by the Countryside Commission and the Forestry Commission and was officially launched in September 1990. A project team was established to prepare the Forest Plan.
- 8.16 The Forest is intended to be multi-purpose in nature and will provide an attractive wooded landscape for recreation, wildlife conservation, environmental education and rural enterprise. Existing woods, copses, hedges and individual trees will provide the framework for the forest. Urban parkland and school grounds will also contribute to the forest.
- 8.17 The principal objectives of the Forest are:
- a) To achieve a significant level of landscape improvement;
 - b) The development of woodland based recreation facilities, eg. walking, cycling, horseriding, picnics, camping;
 - c) The provision of additional and managed public access to the countryside;
 - d) The creation of local employment opportunities through increased timber production and farm and forestry enterprises;
 - e) The safeguarding of existing sites of nature conservation value and the creation of new habitats for wildlife;
 - f) The creation of new landscapes to meet the increased interest in environmental education.

- 8.18 The Forest Of Mercia is a long term project and is likely to take 25-30 years or more to create. Finances for the development of the Forest will come from a number of sources, including grants from government departments and agencies, money from local authorities, and private sector investment and sponsorship. Voluntary bodies and amenity groups will have an important role to play in implementing the Forest Plan and involving the local community in the development of the Forest.
- 8.19 A Forest Plan was published in October 1993 to guide the future development of the forest and contains proposals for new forest planting, enhancement and management of the landscape and sets out the proposed implementation strategy. It is a non-statutory document and land use proposals within the forest area will be guided by the statutory Local Plans of the local authorities. Development proposals within the South Staffordshire portion of the Forest should therefore be consistent with the policies in this Local Plan, particularly the Green Belt and Landscape and Nature Conservation policies. The District Council supports the creation of a Community Forest in southern Staffordshire and will co-operate with the Countryside Commission and its local authority partners to promote the development of the Forest Of Mercia where consistent with other policies in the plan.

POLICY LS4 FOREST OF MERCIA

~~In considering applications for development within the South Staffordshire portion of the Forest of Mercia, the District Council will have regard to the Green Belt, Recreation, Open Space, Tourism and Landscape and Nature Conservation policies in the Plan. Proposals should be consistent with these and other policies in this Plan.~~

Trees, Woodlands and Hedgerows on Development Sites.

- 8.20 The District Council will ensure that trees, woodlands and hedgerows and other features of ecological value are retained on new development sites as far as possible and that new and replacement planting is carried out to a high standard. The retention and protection of trees, shrubs and hedgerows during the construction process will be particularly important. Landowners, occupiers and developers will be encouraged to take advantage of any grants and incentives available for the protection, restoration and management of hedgerows, such as the Countryside Stewardship Scheme' referred to in paragraph 8.11. The introduction of grants and other measures relating to hedgerows will be of assistance in the implementation of the following policies.
- 8.21 Where proposals involve removing or cutting back existing trees, shrubs and hedges, the District Council will require a comprehensive tree survey to be carried out with plans and schedules showing the position, extent, condition and species of those to be retained and those to be felled. The District Council will require detailed landscape schemes to be submitted before development commences, and to be fully implemented within 12 months of the completion of the development. The planting of native tree species and the creation of new wildlife habitats within development sites will be encouraged.

POLICY LS5 RETENTION AND PROTECTION OF TREES

Development proposals will be expected to provide for the retention and protection of existing trees and shrubs wherever possible via the application of appropriate British Standards, and new planting of locally native species will be required. Landscape schemes will be expected to include opportunities for nature conservation in appropriate locations.

POLICY LS6 REINSTATEMENT OF HEDGEROWS AND WOODLANDS ON DEVELOPMENT SITES

Development or other operations involving the removal of trees, hedgerows and small woodlands will be expected to provide for the reinstatement of such features where replanting is practicable. Landowners and occupiers will be encouraged to plant locally native species.

Special Landscape Areas

- 8.22 The southern part of the District is defined on the Structure Plan Key Diagram as a Special Landscape Area (SLA) where policies will be applied to conserve the high quality of the landscape. The boundaries of the SLA were defined in detail in the Southern Area Local Plan in 1982 and have been further re-defined in this Local Plan. In determining development proposals within the Special Landscape Area, particular regard will be paid to the potential effect of the proposals on the natural beauty and particular landscape characteristics of the area. The SLA contains areas of national and local nature conservation importance such as SSSIs, heathlands, watercourses and ancient woodlands. The District Council will seek to ensure that such features are protected in accordance with the nature conservation policies contained in the Plan.

POLICY LS7 SPECIAL LANDSCAPE AREA

Within the Special Landscape Area defined on the Proposals Map permission will not be granted for development which would adversely affect the special landscape character and nature conservation value of the area unless:

- a) **It can be clearly demonstrated that the reasons for the development clearly outweigh the value of the site itself;**
- b) **It can be clearly demonstrated that there is no alternative site for the proposal;**
- c) **It can be clearly demonstrated that the proposal will make a particular contribution to some local or national need or objective or other objectives of the Plan;**
- d) **It can be clearly demonstrated that the proposal does not conflict with other policies in the Plan.**

In assessing the proposal against these criteria full account will be taken of any proposed mitigating measures.

Special Landscape Features

- 8.23 There are many landscape features in the District which are of special value such as hedgerows, rivers, water courses, woodland and lowland heath which support interesting and sometimes unique wildlife. The District Council recognises the importance of such features and will take appropriate action to conserve, manage, enhance and reinforce them wherever possible. The District Council will work with English Nature, Staffordshire Wildlife Trust, the Countryside Commission, the County Council and other relevant bodies in the identification, protection and management of special landscape features and will seek their views where development or landscaping proposals affect areas of nature conservation importance.

- 8.24 In June 1991 the Countryside Commission in collaboration with English Nature and English Heritage launched the "Countryside Stewardship Scheme". The scheme offers incentives to farmers, landowners and managers to conserve, enhance and restore some of England's most valued landscapes, habitats and features and their wildlife, and to create opportunities for people to enjoy them. Following the completion of its five year pilot phase the scheme was transferred to M.A.F.F. in April 1996. The following landscapes, habitats and features have been targeted for countryside stewardship funding:
- a) Chalk and Limestone grasslands - including traditional stone walls and hedges;
 - b) Waterside Land - wetland, marshes, land alongside rivers, streams, canals and land around lakes and ponds;
 - c) Old meadows and Pastures - hay meadows, unimproved pastures, small fields including hedges, trees and ponds;
 - d) The Coast - coastal paths, cliff top edges, coastal grazing marshes and salt marshes;
 - e) Lowland Heath - wet and grass heaths, historic heaths;
 - f) The Uplands - open heather moorland, flower rich meadows and pastures, walls, hedges, small woodlands and prehistoric field systems;
 - g) Historic Landscapes and Features - historic parklands, deer parks, ancient field systems, earthworks, moats and ponds, traditional farm buildings;
 - h) Old Orchards - small traditional old orchards;
 - i) Field Boundaries - stone walls, hedgerows, banks and ditches;
 - j) Field margins or Arable Land - buffer strips along field boundaries, rivers and streams, restoration and recreation of field boundaries, uncropped or grassy margins;
 - k) Countryside Around Towns - Community Forests on the edge of major towns and cities are a particular priority.

Hedgerows are also included in the scheme and funding is available for hedgerow restoration, planting and management. A number of these landscape features can be found in South Staffordshire and have been referred to in paragraph 8.23 above.

- 8.25 Countryside Stewardship is a voluntary scheme and contains a range of capital and annual payments for each landscape/habitat type and feature, such as heathland restoration and management and also payments for landscape improvement work such as tree, shrub and hedge planting, fencing, scrub management, and pond restoration and creation. Anyone owning or managing suitable land can choose a combination of these measures and propose a 10 year management programme. The scheme is discretionary and the main criteria for acceptance are the suitability of the land, the quality of the environmental benefits offered and the opportunities for public enjoyment through new access, existing rights of way and visible landscape improvement.
- 8.26 The District Council has obtained Countryside Stewardship funding to carry out a programme of heathland restoration and management work at Shoal Hill. A management plan for Shoal Hill has been prepared. The District Council will be working closely with M.A.F.F., English Nature, the Staffordshire Wildlife Trust and the

Staffordshire and West Midlands Heathland Partnership to implement the management plan, and to ensure that this important wildlife habitat is safeguarded and enhanced.

POLICY LS8 SPECIAL LANDSCAPE FEATURES

~~In considering applications for development, when acting in a consultative role and when carrying out development on its own behalf, the District Council will take appropriate action to conserve, manage, enhance and reinforce special landscape features in the Plan area such as:~~

- ~~a) River valleys, flood plains and meadows;~~
- ~~b) Watercourses and other water features including brooks and ponds;~~
- ~~c) Lowland heath;~~
- ~~d) Wetland, including water meadows and marshes;~~
- ~~e) Woodland, including ancient and semi-natural woodland;~~
- ~~f) Unimproved grassland and meadows;~~
- ~~g) Hedgerows;~~
- ~~h) Historic landscapes including Historic Parklands.~~

Landscape Improvement Areas (LIA's)

- 8.27 The general policy emphasis in the Plan is to conserve and enhance existing landscape features and wildlife habitats through positive action, encouragement and development control. The following areas have been identified as having fewer broadleaved trees and hedgerows than elsewhere in the Plan area:
- a) The area generally to the east of the Shropshire Union Canal and the Stafford to Wolverhampton Railway Line.
 - b) The area around Pattingham to the west of Perton extending southwards around Wombourne, Swindon and Himley.
- 8.28 Vegetation is the most vulnerable of the elements which make up the landscape and losses of trees and hedgerows can result in a significant change in the character and scale of the landscape, and have a detrimental effect on wildlife habitats. Changes have occurred in the character of the landscape as a result of development (i.e. settlement growth, industry, mineral extraction), changes in agricultural practices, and neglect. Much of the existing tree stock was planted during the last century and is now past maturity. There has been insufficient new planting and management in the more recent past to maintain the level of the existing tree cover. It is important to reverse this trend and to encourage new planting particularly of indigenous species into these areas.
- 8.29 Restrictions on public finances will limit the ability of the District Council to help strengthen the existing landscape structure of these areas. The District Council will, however, seek to identify priorities and to encourage the participation of both public and voluntary bodies, as well as individual landowners and managers in the implementation of schemes to improve the landscape. The Countryside Stewardship Scheme will play an important role in this respect with funding available for a wide range of landscape improvement and management work. (A description of the Stewardship Scheme is given in paragraphs 8.24 - 8.26 above). In addition, the District Council (with the County Council where appropriate) will investigate the possibility of entering into Management Agreements with landowners.
- 8.30 The two landscape areas identified in paragraph 8.27 above are proposed as Landscape Improvement Areas (LIAs) and are defined on the Proposals Map. The District Council will seek to conserve, reinforce and improve the landscape structure of these areas and

will encourage the positive management of existing landscape features. Landscape conservation and improvement measures with emphasis on planting of locally native species will be encouraged where appropriate, particularly in the areas which are:

- a) Adjacent to watercourses, canals and other water features;
- b) Adjacent to and visible from public highways including footpaths and bridleways;
- c) Within and adjacent to areas of open access land;
- d) Within and adjacent to woodlands;
- e) Adjacent to and visible from railway lines.

- 8.31 The District Council will give priority to the planting of locally native trees and shrubs by providing advice and grant aid as resources and opportunities permit. The District Council will work with the County Council's foresters and ecologists and English Nature to implement landscape conservation and improvement measures within the LIAs.

POLICY LS9 LANDSCAPE IMPROVEMENT AREAS - TREE AND SHRUB PLANTING

The District Council will give priority to the planting of locally native trees and shrubs by providing advice and grant aid as resources and opportunities permit.

POLICY LS10 LANDSCAPE IMPROVEMENT AREAS - DEVELOPMENT PROPOSALS

In considering development proposals within the Landscape Improvement Areas the District Council will seek to ensure that existing landscape features and wildlife habitats are conserved and that new planting of locally native species is provided as part of the development.

Historic Landscapes (Parklands and Gardens)

- 8.32 There are 12 notable historic parkland areas in South Staffordshire, at Chillington, Enville, Hatherton, Hilton, Himley/Wodehouse, Somerford, Stretton, Teddesley, Patshull, Prestwood, Wergs and Weston. The Parklands at Weston, Chillington and Enville have been identified as Grade II*, and Patshull and Himley have been identified as Grade II in the National Register of Historic Parks and Gardens as being of particularly high quality. Many of the parklands have reached their maturity and are now in decline or under threat. Parklands are a valuable asset; they may contain avenues of trees, woodlands, lakes and other water features, historic earthworks, moats, hedges, banks and green lanes which are all valuable habitats for wildlife. They have potential for education and tourism, as well as contributing to the attractiveness of the landscape.
- 8.33 The District Council recognises the value of Garden Trusts in restoring historic landscapes and has taken the lead in the establishment of a Staffordshire Gardens and Parks Trust. The Trust was launched in September 1991, and has applied for charitable status. The steering group is continuing the process of establishing the Trust and has organised meetings, seminars and visits to promote the Trust, increase public awareness of historic landscapes and to encourage membership.
- 8.34 The conservation and management of Historic Parks and Gardens is a considerable responsibility for landowners and requires significant resources and expertise. If the parklands are to remain as important features in the landscape owners will need help and encouragement to restore them. Financial assistance is available under the

"Countryside Stewardship Scheme - 'Historic Landscapes' option" for the restoration of historic parklands and funding may be available from English Heritage and MAFF for detailed research and survey work. 8.35 The District Council will liaise with the Staffordshire Gardens and Parks Trust, the Garden History Society, and English Heritage on Historic Parklands and Gardens.

- 8.36 It is considered that the historic parklands and gardens in South Staffordshire should be designated as Historic Landscape areas, to protect them from inappropriate development and management, to encourage sympathetic restoration and management and to co-ordinate the input of finance and other resources into these areas. The District Council will seek to identify, survey and assess the condition and quality of historic landscapes (parklands and gardens) in the District with a view to inclusion in the Register of Historic Parks and Gardens. The District Council will encourage and support initiatives to rescue, conserve and restore, manage and enhance such landscapes and their features and will provide advice and grant aid as resources and opportunities permit. Where appropriate such historic landscapes will be designated as Conservation Areas. The following policies will apply within the Historic Landscape Areas on the Proposals Map:

POLICY LS11 HISTORIC LANDSCAPES - PROTECTION OF CHARACTER AND SETTING

In considering development proposals within the Historic Landscape Areas defined on the Proposals Map, the District Council will have special regard to the desirability of conserving the historic landscape character and setting of the HLA and of protecting it from unsympathetic sub-division. Development proposals should aim to conserve the landscape character of historic landscapes.

Cannock Chase Area of Outstanding Natural Beauty (AONB)

- 8.37 Cannock Chase was designated as an AONB in 1958 under the provisions of the National Parks and Access to the Countryside Act 1949. The western fringe of the AONB lies within South Staffordshire. The primary purpose of AONB designation is to
- "conserve and enhance natural beauty" which includes protecting flora and fauna, and geological as well as landscape features. Recreation is not an objective of designation but the demand for recreation should be met as far as this is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other uses.
- 8.38 There are many different landscape features within the AONB. Areas of lowland heath, remnants of ancient woodland, extensive forestry plantations and areas of agricultural land on the fringes contribute to the special character of the Chase. There are miles of quiet tracks and forest rides, and many picnic places. The heathland and forest areas provide habitats for a variety of animals and plants such as snakes, deer and many species of birds, and the most important habitats are designated as Sites of Special Scientific Interest (SSSI's). The AONB is subject to pressures from recreational uses and from commercial interests in terms of timber production and mineral extraction.
- 8.39 In order to reconcile the many conflicting interests and to balance these against the primary objective of conservation, the County Council published the Cannock Chase Study in 1979 which contained policies and proposals for the planning and management of the Chase. The County Council has reviewed the Cannock Chase Study (June 1992) in conjunction with the relevant District Councils and has set up a Joint Advisory Committee (JAC) to advise on the planning and management of the AONB. The District Council was involved in updating and revising the Cannock Chase Study and is a member of the JAC.

- 8.40 The District Council fully appreciates the importance of the AONB and supports the maintenance of strict development control policies within it. The District Council also recognises that the setting of the AONB is important in maintaining its role of conserving and enhancing landscape and nature conservation interest and will seek to ensure that the areas around the AONB are adequately protected. The District Council will take full account of the Structure Plan policies for the AONB.

POLICY LS12 CANNOCK CHASE AONB - LANDSCAPE CONSERVATION AND DEVELOPMENT PROPOSALS

The District Council will continue to conserve and enhance the landscape and nature conservation interests of the Cannock Chase Area of Outstanding Natural Beauty and its setting within South Staffordshire. Within the AONB development will normally be restricted to uses compatible with the conservation of the natural beauty of the area, and any proposals for development will be subject to special scrutiny, particularly in respect of their environmental effects.

Motorway Proposals

- 8.41 The proposed Birmingham Northern Relief Road (BNRR) and the widening of the M6 motorway will have a considerable impact on the South Staffordshire landscape and its ecology. The District Council will seek to ensure that the impact of these motorway routes on the landscape and wildlife habitats is minimised and that existing landscape features and wildlife habitats are preserved and enhanced. Areas of Special Landscape Quality such as Special Landscape Areas and Historic Parklands will require particularly sensitive treatment and protective measures will be needed to protect listed buildings and Conservation Areas. Areas of nature conservation significance will need to be safeguarded and reinstated if unavoidably lost or damaged.
- 8.42 Given the scale of the environmental intrusion resulting from the various proposed motorway developments, the District Council will expect the Department of Transport or its concessionaires to carry out a programme of substantial landscape enhancement and nature conservation measures within the areas most affected by motorway proposals. There should be particular emphasis on off site planting, in addition to normal landscape works adjacent to the motorways, to strengthen the existing planting structure and to lessen the visual impact of the motorways and their junctions. The Department of Transport will be encouraged to acquire land where planting cannot be affected through agreement. In addition, particular care is needed to provide appropriate screens in noise sensitive locations.
- 8.43 The following policy is intended to complement the general policy TR1 on Strategic road proposals in Chapter 5 and is cross-referenced to it.

~~POLICY LS13 MOTORWAYS – PROTECTION OF LANDSCAPE AND NATURE CONSERVATION FEATURES~~

~~The District Council will seek to ensure that the impact of motorways and motorway related development on the landscape is minimised. Existing landscape and nature conservation features must be preserved, enhanced and where appropriate reinforced and extended. If existing features are unavoidably lost replacement habitats should be created to an equivalent or greater extent. The District Council will encourage the Department of Transport to adopt a comprehensive landscape and nature conservation enhancement strategy along motorway corridors.~~

Nature Conservation

- 8.44 There are many sites within the District which are of special importance for nature conservation. Those with a national status and official recognition are designated as Sites of Special Scientific Interest (SSSI's). Other wider areas of ecological importance include the valleys of the River Stour and Smestow Brook, the large parks, heathlands, commons and informal recreation areas such as Kinver Edge, Highgate Common and Cannock Chase AONB. Much of the canal network, water courses and many bridleways, footpaths, hedgerows, disused railways and green lanes are also valuable wildlife habitats and corridors. Many existing buildings such as redundant agricultural buildings provide shelter for wildlife and often house protected species like bats and barn owls. It is recognised that canals and disused railways are also important for their landscape value, and they are a source of informal recreation and a means of gaining access to the countryside.
- 8.45 Nature reserves make an important contribution to the protection of the District's nature conservation resources, and to their use and interpretation for educational purposes and public enjoyment. Many other locally important habitats or features individually and collectively serve these same aims. It is also acknowledged that derelict and degraded land can support features of nature conservation value.
- 8.46 The District Council will seek to ensure that sites of international, national and local importance are protected and that other wildlife habitats are safeguarded and enhanced and that opportunities are taken to create new habitats in appropriate locations. Ramsar sites, Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) are of international importance. Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs) are of national importance and Local Nature Reserves and Sites of Biological Importance are of County importance. The District Council will have regard to the significance of international, national, local and informal designations in considering applications for development. The District Council will also ensure that schemes for the conversion, renovation and re-use of existing and redundant buildings do not harm protected species or their habitats. The deliberate killing, injury or taking of protected species, or damage, destruction or obstruction of places used by such species for shelter or protection is an offence under the Wildlife & Countryside Act 1981. Badgers are protected by the Badgers Act 1992. (The disturbance of protected species occupying a place of shelter or protection is also an offence). The District Council will consider the use of conditions or planning obligations in the interests of nature conservation, to protect and enhance sites or to secure appropriate compensatory measures.
- 8.47 The following policies are concerned with the protection of sites of international, national and local importance for nature conservation, protected species and wildlife corridors. Designated sites and those of local importance are listed in Appendix 6 and are identified on the Proposals Map.

~~POLICY NC1 PROTECTION OF INTERNATIONAL SITES OF NATURE CONSERVATION AND ECOLOGICAL IMPORTANCE~~

~~Proposals for development or land use which may affect a Ramsar site, a Special Protection Area (SPA), a Special Area of Conservation (SAC) or a proposed European site will be subject to the most rigorous examination. Development or land use change not directly connected with or necessary to the management of the site and which is likely to have significant effects on the site (either individually or in combination with other plans or projects) will not be permitted unless the District Council is satisfied that:~~

~~a) — There is no alternative solution; and~~

~~b) There are imperative reasons of overriding public interest for the development or land use change.~~

~~Where the site concerned hosts a priority natural habitat type and/or a priority species, development or land use change will not be permitted unless the District Council is satisfied that it is necessary for reasons of human health or public safety or for beneficial consequences of primary importance for nature conservation.~~

POLICY NC2 PROTECTION OF NATIONAL SITES OF NATURE CONSERVATION AND ECOLOGICAL IMPORTANCE

Proposals for development in or likely to affect Sites of Special Scientific Interest (SSSIs) will be subject to special scrutiny. Where such development may have a significant adverse effect, directly or indirectly on the SSSI, it will not be permitted unless it can be clearly demonstrated that the reasons for the development clearly outweigh the value of the site itself and the national policy to safeguard the intrinsic nature conservation value of the national network of such sites.

Where the site concerned is a National Nature Reserve (NNR) or a site identified under the Nature Conservation Review (NCR) or Geological Conservation Review (GCR) particular regard will be paid to the individual site's national importance.

POLICY NC3 PROTECTION OF SITES DESIGNATED LOCALLY OF NATURE CONSERVATION AND ECOLOGICAL IMPORTANCE

Development and land use change likely to have an adverse effect on a Local Nature Reserve, a Grade 1 County Site of Biological Importance (SBI) or a Regionally Important Geological/Geomorphological Site, or which would adversely affect the continuity and integrity of areas of lowland heathland, unimproved grassland, wetland and ancient woodland, will not be permitted unless it can be clearly demonstrated that there are reasons for the proposal which clearly outweigh the need to safeguard the intrinsic nature conservation value of the site.

- 8.48 The District Council will be prepared to consider entering agreements to protect the arrangements referred to in policy NC4 where appropriate.

POLICY NC4 SITE PROTECTION - RETENTION OF FEATURES AND REPLACEMENT HABITATS

New development which could affect sites or features of nature conservation value will be required to conserve, as far as possible, their biological, ecological or geological interest and to provide for replacement habitats or features where they are unavoidably lost. The District Council will require developers to provide an assessment of the impact of development proposals on any site or area covered by Policies NC1, NC2 and NC3 above and include proposals for their retention, protection, reinstatement or, if necessary, their replacement as part of any planning application.

- 8.49 Green lanes such as old drovers roads and tracks are of both historical and nature conservation value. Green lanes are valuable wildlife corridors with hedgerows and other field boundaries providing habitats for many plant and animal species. Many green lanes have remained largely undisturbed over a long period and this historical continuity has enabled stable and quite diverse communities to become established.

POLICY NC5 GREEN LANES

Permission will not normally be granted for development which would destroy or cause damage to a green lane. The importance of green lanes as ecological corridors will be taken into account when considering all proposals for development.

~~POLICY NC6 PROTECTED SPECIES~~

~~**Development which would adversely affect species protected by law, including schemes for the conversion, renovation and re-use of existing buildings, will not be permitted unless satisfactory provision is made for the retention of the protected species where these could otherwise be displaced.**~~

- 8.50 The above policy NC6 should be read in conjunction with the general Green Belt Policy GB1, and with policies C1 and BE20 to BE22 on rural buildings. Policies C8 on the alteration and extension of existing buildings, and BE2 and BE5 on Listed Buildings are also relevant. (The Wildlife And Countryside Act 1981 sets out the protection which is afforded to wild animals and plants).
- 8.51 Sites which have been recognised as of importance for nature conservation exist for a variety of reasons. To retain areas of importance for nature conservation it is necessary to understand the processes involved and the stage reached in a site's evolution. Appropriate management techniques can then be developed to maintain the site at its optimum level of nature conservation interest. From experience gained by the study and management of existing sites new areas of importance for nature conservation can be created or recreated elsewhere in the District, extending and safeguarding nature conservation resources. It is recognised, however, that some important habitats such as semi natural ancient woodland can never be recreated.
- 8.52 By encouragement and its own action the District Council will seek and promote the opportunities and means to secure the appropriate management, enhancement and expansion of existing nature conservation resources within the District. The District Council will co-operate with private owners and with English Nature, Staffordshire Wildlife Trust and other conservation bodies and adjoining local authorities on such matters. Where appropriate the District Council will:
- a) Declare local nature reserves;
 - b) Develop the nature conservation value of open space within its ownership;
 - c) Enter into agreements for the use and management of land of nature conservation value;
 - d) Seek to acquire land of high existing or potential nature conservation value, subject to the availability of funds.

The following policies are concerned with managing and enhancing the nature conservation value of identified sites and selected areas and encouraging the development of new habitats.

- 8.53 Declaration of Local Nature Reserves (LNR's) is an effective way of safeguarding sites of value to wildlife. They are declared by a local authority following consultation with English Nature under the 1949 National Parks and Access to the Countryside Act. Designation allows the authority to pass byelaws to safeguard the site.

- 8.54 The District Council will, where appropriate, on land which it controls and elsewhere, encourage the creation of new habitats and features of value for nature conservation.
- 8.55 The District Council will encourage the development and improvement of a network of wildlife corridors alongside watercourses, canals and disused railways linking the countryside with urban areas. The District Council will also seek to co-operate with adjacent local authorities in respect of cross boundary corridors.

POLICY NC7 HABITAT CREATION

In considering proposals for development the District Council will have regard to the desirability of creating new wildlife habitats and features of value for nature conservation.

POLICY NC8 WILDLIFE CORRIDORS

In considering development proposals the District Council will seek to ensure the integrity of wildlife corridors is not adversely affected and is enhanced where possible.

POLICY NC9 WETLANDS AND WATERCOURSES

The District Council recognises the importance of the natural watercourse system and wetland areas as valuable wildlife habitats and for their amenity interests and will protect those interests against adverse forms of development.

Chapter 9 - Minerals Waste Disposal and Derelict Land

Introduction

- 9.1 South Staffordshire is an important source of minerals, particularly coal, brick and fire clays, sand and gravel. Although many of the quarries and known coal seams have been worked out, considerable reserves still remain and at present clay, sand and gravel are still being extracted.
- 9.2 The working of minerals, however, has a considerable impact on the character and appearance of the landscape and amenities of local residents. The landscape is threatened by future mineral workings, particularly opencast operations, and it will be essential to ensure that high environmental standards are maintained on both new and existing sites and that sites are well restored.
- 9.3 The past extraction of minerals has created large areas of derelict and despoiled land particularly in the north eastern part of the District and although some reclamation and restoration has taken place many of these areas still remain. Apart from the obvious environmental problems, worked out mineral sites have become increasingly important as waste disposal sites, which in themselves can cause environmental problems if they are not carefully planned and controlled.
- 9.4 It is recognised that mineral workings and waste disposal sites are potentially damaging to sites or features of nature conservation value. It will be important to ensure that the wildlife habitats are safeguarded and enhanced and that opportunities are taken through the process of restoration to create new landscapes and wildlife habitats.
- 9.5 The County Council is the Planning Authority responsible for all matters concerning mineral working and waste disposal. It is not the function of this Local Plan to put

forward policies and proposals relating to minerals and waste disposal, but local environmental issues are a legitimate concern. The Local Plan will, therefore, set out the environmental and other matters which the District Council considers to be important in the control of mineral workings and waste disposal sites and these will be expressed as a set of "objectives". The District Council considers that it is appropriate, however, for this Plan to contain specific policies on restoration and after use.

Minerals

- 9.6 The County Council has identified areas in which potential mineral resources are thought to exist as Mineral Consultation Areas, and the District Council is required to consult with the County Council as Minerals Planning Authority on planning applications for development which fall within these areas. The District Council has the opportunity to comment on applications for mineral extraction which are submitted to the County Council.
- 9.7 The District Council will have regard to the policies in the Approved Staffordshire Structure Plan 19862001, the County Council's Aggregates Local Plan, any other Minerals Local Plan that may be prepared in due course and the policies in this Local Plan when commenting on minerals applications.
- 9.8 The District Council will aim to ensure that mineral reserves are safeguarded from other forms of development which would sterilise them, and that the extraction of minerals is programmed so that any further proposed development can take place as soon as possible on the completion of mineral workings. The safeguarding of minerals does not imply however that permission for mineral working will automatically be granted. It is not considered appropriate to prejudice other forms of development in locations of known mineral reserves if it is unlikely that it will be economical to extract them, and the development proposed is consistent with the policies in the plan.
- 9.9 Because of the District's attractive landscape it is important that planning permission is only granted for extraction after the environmental implications have been carefully balanced against the need for the material and where adequate steps can be taken to minimise the effect on the landscape, nature conservation, residential amenity and on road safety. Problems have been experienced with the transportation of minerals and the use of rural roads in particular and it will be important that the routing of mineral traffic and other highway considerations are taken fully into account in determining mineral applications.
- 9.10 Where the best and most versatile land is concerned, the restoration and aftercare steps should enable the retention of its longer term potential as a high quality agricultural resource. In most cases the objective will be to restore the physical characteristics of the land to what they were when it was last used for agriculture, here it is practicable to do so. However, the need for such land to be brought immediately into agricultural production may not now be as great as in the past and opportunities should be taken for imaginative landscape, recreation and habitat creation schemes.
- 9.11 The District Council's objectives concerning the control of mineral workings are summarised below.

The District Council will:

- a) Consult the County Council on applications for development which fall within Mineral Consultation Areas;
- b) Seek to ensure that important mineral reserves are not permanently sterilised or unduly restricted by other forms of development and that where surface

development is proposed, minerals are, where possible, extracted before development takes place;

- c) Seek to ensure that present and future mineral workings are strictly controlled, particularly in respect of their effect upon the environment and that conditions attached to permissions are enforced;
- d) Take into account the impact of mineral workings on the landscape, nature conservation, residential amenity and road safety when commenting on minerals applications.
- e) Encourage the County Council to establish joint liaison committees with the operators of major new mineral workings, to include representative of the local community, in order to monitor the operation and restoration of mineral workings.
- f) Seek to ensure that mineral workings are restored to a high standard and that restoration proposals include, where possible, a programme of phased restoration and advance planting.

- 9.12 The following policies are concerned with the restoration and after use of mineral workings.

~~POLICY M1 MINERAL WORKINGS – PROVISION OF REPLACEMENT WILDLIFE HABITATS~~

~~In considering planning applications for the after use of mineral workings, where a site of nature conservation has been lost or damaged through working, the District Council will expect replacement habitats to be provided as part of any after use proposals.~~

~~POLICY M2 MINERAL WORKINGS – RESTORATION AND AFTER USE~~

~~In considering planning applications for the after use of mineral workings the District Council will have regard to the character of the surrounding area and amenities of local residents. Proposals should be consistent with other policies in the plan, particularly Green Belt, Landscape and Nature Conservation. Nature conservation and recreation uses will be sought where appropriate.~~

- 9.13 The District Council is particularly concerned about the environmental effects of opencast coal workings and the potential of further opencast activity in the District. British Coal has completed opencasting at Streets Lane, Cheslyn Hay. There is the possibility that land in the vicinity of Cheslyn Hay and Great Wyrley towards the boundary with Walsall MBC could be worked for coal by opencast methods.
- 9.14 There is a need for an agreed programme of opencast coal working in the District and certain areas should be identified in which opencast working would not be environmentally acceptable. The programme should be aimed at extracting reserves of opencast coal from specified sites and restoring the land to other uses in as short a timescale as possible, so that the massive disruption and environmental intrusion caused by opencasting does not continue to blight parts of the District well into the future.
- 9.15 The District Council's objectives concerning mining are summarised below. The District Council will:

- a) Liaise with the County Council to ensure that the impact of opencast coal mining on the landscape, nature conservation and residential amenity is minimised and that a programme of landscape management, restoration and enhancement is carried out during operations, and completed as quickly as possible following any extraction;
- b) Firmly resist proposals for opencast coal mining which would have a detrimental effect on the environment and the amenity of local residents;
- c) Encourage opencast coal mining operators to discuss with and submit to the County Council a programme of prospecting and operating opencast sites;
- d) Liaise with the County Council to ensure that deep coal mining operators submit schemes for the tipping of waste at all existing collieries and that proposals for the treatment and reclamation of existing colliery waste tips are agreed;
- e) Encourage all coal mining operators to co-operate in the reclamation of derelict land, to implement measures to reduce the environmental impact of operating collieries (including routing of traffic) and reinstate closed collieries to a use or uses compatible with other policies in this Plan;
- f) Encourage the County Council to establish joint liaison committees with the operators of major new open cast coal workings, to include representatives of the local community, in order to monitor the operation and restoration of mineral workings.

Waste Disposal

- 9.16 The County Council is responsible for waste disposal and for ensuring that sufficient land is allocated for waste disposal sites to meet expected future demands.
- 9.17 There is an increasing demand for sites for the tipping of domestic, industrial and commercial waste, particularly from the West Midlands Conurbation. At present there are several waste disposal sites in the District, most of which are located within disused quarries. Although there may be further derelict or degraded sites away from residential areas which could be suitable for waste disposal, there may be a number of problems including the effects on the landscape and local environment.
- 9.18 While recognising that the County Council is responsible for waste disposal, the District Council considers that it is important to protect the environment and the amenity of local residents and that such local matters should be taken into account when determining development proposals for waste disposal. Any permission which is granted for the establishment of a waste disposal site should ensure that the effects on the amenity of local residents and on the environment and wildlife habitats are kept to a minimum, that the disposal of waste is strictly controlled and that sites are properly restored to an appropriate after use. As with mineral extraction, the restoration of waste disposal sites can provide opportunities for creative after-use to benefit landscape, wildlife and recreation. Imaginative restoration proposals for such uses will be encouraged by the District Council.
- 9.19 The District Council's objectives concerning waste disposal sites are summarised below. The District Council will:
 - a) Seek to ensure that proposals for waste disposal are only considered where the site is physically suitable and where the use would not have an adverse effect on:

- i) local settlements, housing and amenities;
 - ii) the location and operation of surface and underground water resources;
 - iii) high quality agricultural land;
 - iv) Areas of Outstanding Natural Beauty, Areas of Special Landscape Value and Historic Landscapes;
 - v) Sites of Nature Conservation value;
 - vi) Countryside recreation sites.
- b) Seek to ensure that all sites for the disposal of waste materials are strictly controlled and that conditions attached to permissions are enforced.
 - c) Encourage the County Council to establish Joint Liaison Committees with the operators of major waste disposal sites/facilities, to include representatives of the local community, in order to monitor the operation and restoration of such sites/facilities.
 - d) Seek to ensure that proposals for the reclamation and after use of waste disposal sites are fully implemented. The landscape restoration of waste disposal sites should:
 - i) blend in with the topography of the area surrounding the site;
 - ii) be free draining;
 - iii) facilitate the implementation of the agreed landscape restoration and/or after use;
 - iv) be carried out in a manner appropriate to the setting and after use of the site.

9.20 The following policies are concerned with the restoration and after use of waste disposal sites.

~~POLICY W1 WASTE DISPOSAL SITES -- PROVISION OF NEW WILDLIFE HABITATS~~

~~In considering planning applications for the after use of waste disposal sites, the District Council will have regard to the character of the surrounding area and amenities of local residents. Proposals should be consistent with other policies in the Plan, particularly Green Belt, Landscape and Nature Conservation. The provision of recreation facilities, new wildlife habitats and opportunities for nature conservation will be sought where appropriate.~~

Derelict Land

9.21 Derelict land is defined by the Government as "land so damaged by industrial or other development that it is incapable of beneficial use without treatment". A survey undertaken in 1993 identified some 78 hectares of derelict land within the District. Much of this has resulted from mining, quarrying or military operations which ceased many years ago. A number of sites have naturally revegetated and become assimilated into the landscape and support features of nature conservation value.

- 9.22 The most significant problems of dereliction relate to excavations and pits, particularly those associated with the mining industry, ex-military establishments and colliery spoil heaps. Although some reclamation and restoration schemes have been carried out, many derelict sites still remain.
- 9.23 The 1993 Survey indicates that much still needs to be done and the District Council will liaise with English Partnerships in preparing and implementing a programme of land reclamation. The District Council will continue to encourage the reclamation and enhancement of land throughout the District, particularly within the South Cannock Land Renewal Area and the Forest of Mercia. It is recognised that the County Council is also actively involved in reclaiming derelict land.
- 9.24 The District Council will seek Derelict Land Grant for schemes for environmental improvements and hard end uses. The reclamation and re-use of derelict land will improve the quality of the landscape in many areas, provide opportunities to create wildlife habitats and may help relieve pressures for development of agricultural land. Comprehensive land renewal and enhancement through reclamation, tree planting, site improvement, nature conservation and land management will be encouraged:
- a) On the fringes of the West Midlands Conurbation;
 - b) Alongside major transport routes and canals.

~~POLICY DL1 RECLAMATION OF DERELICT AND DEGRADED LAND~~

~~The District Council will permit proposals which secure the reclamation of derelict and degraded land and bring it into beneficial use where this is consistent with other policies in the Plan, particularly landscape improvement and nature conservation. Reclamation schemes should take into account any existing nature conservation and landscape features and the potential for the creation of new habitats.~~

Chapter 10 - Village Centres

Introduction

- 10.1 Village centres traditionally contain a mixture of land uses with shops, houses, offices, churches, public houses, community buildings and other uses. However, the character of village centres has changed over the years. There has been a discernible growth in the number of business uses, financial services (banks, building societies etc.) and restaurants, fewer proposals for new shops and a general reduction in the amount of residential use in most village centres.
- 10.2 Traffic congestion and conflict associated with on-street parking, not enough off-street car parks and a reduction in the quality of the environment in some areas are problems experienced in village centres. Past and present planning policies and proposals have attempted to deal with many of these problems. The policies have generally proved effective over time, although in some instances their proposals and assumptions have been overtaken by events and changes in priorities. A number of proposals have been implemented but nevertheless a number of important issues remain unresolved.
- 10.3 The policies and proposals in the Local Plan are intended to address existing problems in village centres and replace existing village centre plans and proposals. They are also intended to encourage improvements in the general appearance of village centres, although there will only be a limited amount of money available from both public and

private resources over the Plan period to carry out the proposals. The policies and proposals are intended to:

- a) Provide safe and convenient access to shopping and other facilities and services in village centres, to increase their attractiveness for shoppers, traders and other users;
- b) Conserve and enhance the physical and visual character of village centres;
- c) Provide improved traffic circulation and car parking;
- d) Allow for land use changes where necessary within the general structure and character of the Centres.

Land Use

- 10.4 The present structure of village centres is expected to remain much as it is. There are generally few vacant sites within existing shopping/ business areas, but there may be opportunities for sympathetic redevelopment or refurbishment of existing property or changes of use. Redevelopment of parts of village centres may provide the opportunity to remove established but non-conforming commercial uses and to introduce more compatible commercial and shopping uses, more housing particularly for the elderly (close to services and facilities) and possibly for local need (with lower cost housing if land values allow for this). There may also be opportunities through redevelopment to provide additional off-street car parks.
- 10.5 It is not considered appropriate to establish rigid land use zoning in village centres and applications for shopping, commercial, residential and other uses will be treated on their merits.
- 10.6 By careful layout and design the generally attractive character of many village centres can be maintained and enhanced. Any new buildings or improvements to existing ones must be designed so that they respect the character of the centre, especially where it is also a Conservation Area. Careful attention must be paid to scale, general massing, roof lines, proportion, window patterns and the choice of suitable external materials to achieve satisfactory design solutions. (Policies for the control of development in Conservation Areas are set out in Chapter 6).
- 10.7 Similar considerations apply to the design of new shop fronts and to the location, siting and design of signs and advertisements. (The District Council has produced a booklet entitled 'The Design of Shop Fronts and Signs in Conservation Areas' which provides appropriate detailed guidance).

~~POLICY VC1 DEVELOPMENT PROPOSALS IN VILLAGE CENTRES~~

~~Subject to other policies in the Plan, proposals for shopping, commercial, residential and other uses in village centres will be considered on their merits.~~

Proposals

- 10.8 The adopted Local Plans for the Southern Area and Northern Area defined policy areas for Kinver, Wombourne and Penkridge village centres, within which certain land use proposals were identified. (The policy areas are defined on Inset Plans 47, 50 and 51). The majority of these proposals have been implemented. In addition to the proposals in the adopted Local Plans there are also existing village centre plans for Brewood and Codsall prepared by the County Council. The village centre plan for Brewood - "Central Area Scheme" - was approved in 1971 and identified land for car parking, shopping,

residential, public buildings and paved landscaped areas and also put forward proposals for the construction and improvement of roads in the village centre. The Central Area Plan for Codsall "Codsall Square Development Proposals" - was approved in 1966 and included a number of major land use proposals and allocated land for shopping, public buildings, car parking and housing development. The Plan also included provision for rear servicing, pedestrianisation and proposals for a village centre by-pass. A number of the proposals contained in the Brewood and Codsall Village Centre Plans have been implemented but some, particularly the highway and car parking proposals, have not been implemented. (These are referred to in paragraph 10.17).

- 10.9 The District Council does not propose to make any further specific village centre proposals but the remaining proposals and policy areas for Kinver, Wombourne and Penkridge will be incorporated into this Local Plan. Where necessary the District Council will prepare planning briefs to give guidance for the development of specific sites within village centres and to guide future development. For example, planning guidance has been prepared for part of Wombourne Village Centre and shows how the area between Maypole Street, Planks Lane and Walk Lane could be developed.
- 10.10 The Northern Area Local Plan identified an area of backland to the west of Market Street, Penkridge, with potential for redevelopment. The Plan recognised that the area has potential for a variety of uses appropriate to the village centre and a separate policy area was defined to encourage the sympathetic and comprehensive development of the area. The District Council will continue to encourage the redevelopment of the land to the rear of Market Street, Penkridge and it is proposed to carry forward the special policy area designation into this Local Plan. The Council will prepare a planning brief to guide the development of the area.

POLICY VC2 PENKRIDGE VILLAGE CENTRE

~~The area bounded by Market Street, Crown Bridge, the Otherton Brook and New Road, Penkridge, will be a Special Policy Area. Within this area the development of a mixture of uses including offices, shopping, residential and car parking will be permitted, provided the development accords with comprehensive overall proposals for the area and is of a high standard of design.~~

Environment

- 10.11 The pleasant appearance of many village centres owes much to the combination of the built environment, hard landscape, existing trees, hedges and grassed areas. It is important that these existing features are maintained and where possible improved.
- 10.12 The existing Local Plans for the Southern Area and Northern Area identified parts of Kinver, Wombourne and Penkridge Village Centres which could be improved. Particular areas which were identified in Wombourne included, the east side of Windmill Bank, the frontage of the Cricket Club, the western boundary of the Green, the frontage of the Church Road telephone exchange, the High Street car park and the area around the Squash Club. In Kinver, the Holloway and the parking area below it and parts of the High Street were identified for improvement. (The County Council has subsequently carried out pavement improvements in Kinver High Street). The proposals for Penkridge village centre identified the areas south of Mill Street and around the retail market as areas which would benefit from improvements.
- 10.13 Significant visual improvements could be made to village centres at relatively little cost by detailed hard and soft landscape treatment such as re-paving and tree and shrub planting. The District Council has already carried out a number of major village centre improvements in Codsall, Brewood, Cheslyn Hay, Coven, Pattingham, Penkridge and

Swindon. The District Council recognises that many Parish Councils have also carried out small improvement schemes and play a useful role in improving the appearance of the village centres. The District Council will continue to encourage the improvement of those areas identified in existing Local Plans and will also prepare Environmental Improvement Schemes for other village centres in consultation with landowners, Parish Councils, local organisations and statutory undertakers. Village centres which would benefit from improvements include Wheaton Aston and Wombourne. Environmental improvements which would improve access for the disabled will be encouraged by the District Council.

- 10.14 The general appearance of the village centres, particularly those which are designated as Conservation Areas, could also be improved by the removal of overhead electricity and telephone wires. Overhead wires have already been removed from Trysull and from parts of Pattingham village centre and successfully laid underground. Schemes for the undergrounding of services in other village centres will be encouraged by the District Council. A policy concerning improvements in Conservation areas is included in Chapter 6. The District Council will implement proposals to improve the visual appearance of village centres as resources permit. The County Council, Parish Councils, private landowners, developers, electricity and telephone companies will be encouraged to carry out environmental improvement schemes where appropriate.

~~POLICY VC3 ENVIRONMENTAL IMPROVEMENTS~~

~~In considering and in association with development proposals, the District Council will seek by both direct action and the encouragement of Parish Councils, private landowners, developers and statutory bodies, to improve the visual appearance of village centres.~~

Traffic Management and Parking

- 10.15 Traffic congestion associated with on-street parking is a problem in some village centres. On-street parking creates conflict and danger for pedestrians and delay and inconvenience at times. The removal or reduction of on-street parking would ease traffic congestion, reduce vehicle/pedestrian conflict and bring about a significant visual improvement to a number of village centre streets throughout the District. It may be appropriate to reduce rather than remove completely the amount of on-street parking in village centres, for example to retain some spaces for the convenience of shoppers, particularly the disabled.
- 10.16 The village centre plans for Brewood and Codsall referred to in paragraph 10.8 included proposals for the management of traffic and car parking. The plan for Brewood put forward proposals for improvements to the Coven Road/The Pavement junction, the construction of car parks and also suggested other traffic management measures such as the creation of one-way streets. In addition, the plan encouraged the provision of rear service access for the shops in Stafford Street, Market Place and Bargate Street. The plan for Codsall village centre proposed the diversion of Station Road to rejoin Wood Road immediately west of the British Legion Club and the construction of a northern bypass. (The northern by-pass "Bakers Way" was constructed in 1973). The Plan also envisaged the creation of a traffic free precinct, car parks and the provision of rear service access for the shops. Part of Church Road has been paved as part of the District Council's programme of environmental improvements for the village centre and the other improvement schemes in Codsall have been designed to allow for full pedestrianisation should the opportunity arise.
- 10.17 The road improvements, rear servicing and other measures proposed in Brewood and Codsall Village Centre Plans have generally not been fully implemented, but the District Council will continue to encourage the implementation of appropriate traffic

management measures in these village centres. The District Council will, in consultation with the County Council, investigate traffic management measures such as preventing car parking on pavements, the reduction of on-street parking and the preparation and implementation of schemes for the improvement of off-street parking in village centres.

~~POLICY VC4 TRAFFIC MANAGEMENT MEASURES~~

~~In considering development proposals the District Council will have regard to the desirability of implementing traffic management measures to reduce traffic congestion within village centres, improve vehicular circulation and increase highway safety.~~

- 10.18 The Northern Area Local Plan included specific measures to improve traffic circulation and car parking in Penkridge Village Centre. The Plan identified the need to reduce the amount of through traffic using the village centre's major shopping streets, to maintain an efficient flow of traffic and to provide safe and convenient access to the shopping and other facilities and services in the village centre. The following policy is carried forward from the Northern Area Local Plan and will apply within Penkridge Village Centre as defined on Inset Plan 49.

~~POLICY VC5 PENKRIDGE VILLAGE CENTRE -- TRAFFIC MANAGEMENT~~

~~In considering development proposals the District Council will have regard to the desirability of implementing schemes to reduce to a minimum the amount of through traffic using Crown Bridge, Mill Street and Market Street, Penkridge.~~

- 10.19 The Northern Area Local Plan also identified the Market Square, Crown Bridge and St. Michael's Square as locations where improvements could be carried out to car parking provision. The improvement of parking in these locations would improve highway safety and provide the opportunity to improve the environment. The District Council will continue to seek improvements to car parking provision in Penkridge Village Centre.
- 10.20 The control of on-street parking is the responsibility of the Local Highway Authority (the County Council) through Local Authority Traffic Regulation Orders. The District Council is normally consulted on proposals to control on-street parking and it is intended that policies VC4 and VC5 will be implemented through this consultation procedure and through the District Council's representation on the County Council's Area Highways Advisory Committee. The District Council will seek the cooperation and agreement of the Local Highway Authority in the preparation and implementation of schemes for the visual improvement of on-street parking facilities by appropriate landscape treatment in village centres.
- 10.21 There are public off-street car parks in the majority of village centres and there are also private parking areas associated with community, retail and business uses which help to meet overall parking needs. However, demand for car parking in village centres is likely to increase as car ownership continues to rise and if on street parking is reduced further pressure will be put on existing facilities and there may be pressure for further off-street provision.
- 10.22 The District Council will explore the possibility of providing further public off-street car parks in appropriate village centre locations. In addition, the District Council will expect any proposals for further commercial and business development in village centres to make adequate provision for additional off-street parking.
- 10.23 Car parking provision in village centres could be improved considerably by making better use of existing facilities. The District Council will explore the possibility of

introducing waiting limits on public car parks and parking areas to deter long stay parking. The District Council will continue its policy of increasing public use of existing private off-street parking facilities in village centres and will, where appropriate, negotiate joint use agreements with private car park owners to provide for shoppers' parking needs. In conjunction with traffic management and environmental improvement schemes the District Council will provide further public off-street car parks in appropriate village centre locations subject to the availability of resources.

- 10.24 These car parking policies are intended to complement the Council's general approach to parking included in paragraph 5.25.
- 10.25 Some village centre shops have provision for loading/unloading and general servicing and storage at the rear. There may be opportunities to provide rear service provision for shops in other village centre locations and opportunities may occur through proposals to alter or redevelop existing premises. The provision of rear service access will be encouraged wherever possible to reduce possible congestion and danger from on-street servicing. Rear service provision in village centres will be encouraged within the terms of individual planning applications.

~~POLICY VC6 PROVISION OF REAR SERVICE AREAS~~

~~In considering applications for development the District Council will require, where appropriate, the provision of rear service access to shops and commercial premises within village centres, especially where servicing of existing premises from the street would be a danger to traffic or an intrusion on the character of the area.~~

~~POLICY VC7 PROVISION OF OFF STREET PARKING~~

~~In considering planning applications for development the District Council will require, where appropriate, the provision of off-street car parking for employees and users of shops and commercial premises where this can be achieved without detriment to the character of the area or the amenity of surrounding land uses. In appropriate cases this requirement will be waived where there are convenient existing or proposed public, or joint use, car parking facilities available sufficient to serve the existing and proposed demands of the area.~~

Appendix 1 Space About Dwellings

Introduction

- 1.1 South Staffordshire District Council expects a high standard of design and layout in new residential development and it currently applies guidelines produced by Staffordshire County Council in 1966 to ensure that an adequate amount of space is provided around new residential development.
- 1.2 However, in view of changes in life-styles and in the types of dwelling available on the housing market since the 1970s, and changes in practice, it is appropriate to review these guidelines as part of the Local Plan.
- 1.3 It is essential that careful consideration is given to the layout of new housing development so that the impact on the surrounding area is minimised, and equally that a safe environment with adequate standards of privacy and light can be provided within the new development.
- 1.4 The District Council also recognises that each site has its own individual character and that any standards should not be so onerous or rigid that they inhibit the creation of interesting and attractive housing layouts, together with a high standard of design.
- 1.5 The provision of adequate space about dwellings is an important element in achieving a high standard of design and layout by providing:
 - a) Adequate daylight and sunlight to rooms and rear gardens;
 - b) Reasonable privacy for dwellings within the layout and protection of the privacy of existing dwellings;
 - c) A satisfactory outlook, both within the new development and in relation to existing development;
 - d) A reasonable area of private amenity space to allow such uses as drying washing, gardening and children's play space, together with some space for garden sheds, greenhouses and an extension to the dwelling;
 - e) A reasonable area of communal open space for flats and some types of special housing.
- 1.6 The above components should be considered as being inter-related and although various minimum distances are identified in these guidelines for specific components, it should be recognised that compliance with these guidelines will not by itself ensure a satisfactory environment. The merits of a layout will, therefore, also be considered as a whole.
- 1.7 The guidance given in this Appendix relates to the minimum distances the Council has found to be required in practice to meet the criteria set out in paragraph 1.5 and ensure adequate space about dwellings.

Daylight and sunlight

- 2.1 The design and layout of both new buildings and extensions should aim to maximise daylight and sunlight to internal accommodation and private amenity areas. As far as practicable, habitable room windows, especially lounge windows, should not face north.

Privacy

- 3.1 Privacy and seclusion may be achieved within a development by distance separation and/or by the detailed design of dwellings and layout. In addition, the need to safeguard the privacy of existing residents adjoining new development is an increasingly sensitive one and specific measures may be required to provide the maximum possible protection and privacy for them.
- 3.2 21m is the minimum distance normally required between facing principal windows of dwellings to achieve reasonable freedom from overlooking. (A principal window is the main window in a living room, dining room, kitchen or first or second bedroom).
- 3.3 Screen fencing between opposing main faces of dwellings is essential to ensure privacy in rear garden areas. Wherever the minimum of 21m separation is proposed it should be recognised that this does not in itself ensure privacy and screen fencing should be provided along rear boundaries to achieve this.
- 3.4 In certain instances a smaller distance between dwellings may be acceptable;
 - a) Where there is no overlooking and satisfactory sunlighting, garden space and privacy can be provided, the minimum distance may be reduced to 15.5m (14m for bungalows). 'No overlooking' means that in one or both facing elevations there are no windows, or alternatively any windows are of a type usually obscured, such as bathrooms or w.c's, or any facing windows are above eye-level, i.e. with a sill height of at least 1.8m;
 - b) On corner sites, where there are no facing windows, the minimum distance from the rear of a corner dwelling to a flank wall should be a minimum of 14m (10.5m for a flank bungalow);
 - c) Where there are advantageous changes in level;
 - d) Where there are intervening features which provide natural screening;
 - (e) In Conservation Areas in order to respect the character of the existing development.
- 3.5 Greater spatial separation may be required where existing or proposed changes in level within the development site are such that privacy cannot be secured by a 21m minimum distance separation, because of visibility over any intervening screening. Details of existing and proposed ground and finished floor levels may be required, together with sections which demonstrate that privacy within the development can be achieved. Screening should be provided at a height and nature appropriate to the character of the development. Screening of an excessive height will not usually be approved.
- 3.6 An increased spatial separation, in excess of the above minima, will be required where there are significant variations in level between new and existing development. The minimum distance separation between principal facing windows should be increased in relation to the change of levels and appropriate screening must be provided. As a general guide, the separation distance should be increased by 2m for every 1m rise in ground level between the new and existing development.
- 3.7 In addition, a separation of 27.5m between facing principal windows will be required where the new development includes main living room or kitchen windows above ground floor level (in flats for example) and overlooks conventional dwellings.

- 3.8 The provision of screen walling or fencing (usually 1.8m high) is essential between new and existing development and should be erected by the developer on the appropriate boundaries, unless adequate fencing or mature screening already exists.

Space in front of principal windows

(A principal window is the main window of a living room, dining room, kitchen and first or second bedrooms).

- 4.1 The careful use of window sizes and their position in relation to the site boundaries of adjacent properties is important in achieving privacy. At the front of houses there is a danger of potential loss of privacy because many new developments have open plan frontages and large principal windows. Careful consideration should, therefore, be given to the positioning and size of windows and their distance from public areas to prevent intrusion.
- 4.2 Normally there should be at least 6m between a principal window and
-] the site boundary;
 -] a public highway (including a footpath);
 -] any solid obstruction extending above the top of the window.
- 4.3 Exceptions may be made where:
- a) The window cill is at least 1.8m above the highway level; or
 - b) Where the window is in a wall at right angles to the highway, in which case the minimum distance should be 4.5m; or
 - c) Where the window is in a wall at right angles to the site boundary;
 - d) In Conservation Areas, or other areas where this requirement would result in a form and layout contrary to that of the existing character of the area.

(N.B. -In the case of a bay window, the measurement may be taken from the main all).

Garden space

Family housing

- 5.1 Sufficient rear garden space is required for family dwellings, in order to provide for activities connected with out-of-doors residential use, such as drying washing, gardening and children's play space, together with some space for garden sheds/greenhouses and extensions to the dwelling.
- 5.2 The private garden of a family dwelling should usually have a minimum length of 10.5m and a minimum area of 65 sq.m., excluding a private garage or garage space.
- 5.3 If the only opportunity to provide a future garage is that afforded by the garden space, this must be taken into account in the initial garden space provision. Garage drive space or hardstanding, additional to the garage area, may be included in the 65 sq.m. as long as it is included within the private garden area.
- 5.4 However, it is stressed that 65 sq.m. is a minimum requirement and a larger area should be provided, particularly for larger house types, wherever possible.

- 5.5 Exceptionally, in circumstances where a satisfactory layout can be achieved, adequate space between dwellings and adequate privacy can be retained and the minimum garden area provided, the minimum length of a rear garden may be relaxed (to allow most of the amenity space to be provided at the side of a house, instead of the rear, for example).

Smaller house types

- 5.6 For small 'starter' type houses with one or two bedrooms, a minimum rear garden of 42 sq.m. will be acceptable. This recognises that these house types are usually narrow fronted, often being only about 4m wide and that long, narrow gardens can be impracticable and unnecessary. However, the minimum space separation between principal windows of 21m will still be required and a minimum rear garden length of at least 10.5m will, therefore, usually be required to achieve this.
- 5.7 In this type of development, permitted development rights may be removed by a condition attached to any planning consent where the Council considers it appropriate. Any future extensions to properties built under such a consent will require planning permission.

Housing for special needs

- 5.8 The size of private gardens for housing those with special needs (elderly persons' schemes for example) may be reduced, providing adequate standards of daylight, sunlight and privacy are maintained, both to the proposed and any existing dwellings. A minimum garden length of 6m will usually be required and permitted development rights may be removed by a condition on any planning permission.

Communal open spaces

- 5.9 It is acknowledged that there is usually no private amenity space available to flats and maisonettes and that consequently the value of amenity space is in providing an attractive visual setting to the building, together with some sitting out space and clothes drying areas.
- 5.10 However, wherever possible this amenity space should be broken up into smaller areas (possibly by using landscaping) so that residents can have some privacy within the communal area.
- 5.11 Care should be taken to ensure that accesses to the building and to the communal area do not pass directly in front of main habitable room windows on the ground floor so that overlooking and loss of privacy to these flats can be avoided.

Access to rear gardens

- 6.1 In order to achieve satisfactory housing layouts by providing spacing between dwellings, to allow access to rear gardens and for refuse collection, there should be a minimum of a 1m wide access way at the side of any new detached or semi-detached house. In addition, adequate rear access should be provided for terraced houses.

NOTE: This guide only deals with planning considerations. If planning permission is granted, it will still be necessary to satisfy the requirements of the Building Regulations.

Appendix 2 Car Parking Standards

Parking facilities should be provided in accordance with the use to which a building is put and in proportion to its floor area. In line with the objectives of PPG13, and of reducing the need to travel and reducing car usage, the District Council will take a flexible approach to parking provision where parking facilities exist in the vicinity. This will reduce the possibility of the easy availability of car parking facilities generating extra car-based journeys.

As a basis for negotiations regarding provision or where a specific amount of parking spaces are required, the following minimum standards should be applied:

1. Residential

2 car spaces per dwelling, plus 1 car space for every 8 dwellings without road frontage. 1 car space per old person's dwelling. In the case of warden controlled sheltered accommodation this standard may be reduced to 1 car space per 3 dwellings. (The normal standard to apply to the warden's own accommodation).

2. Shops:

1 car or van space per shop, plus 1 car space per 20 sq.metres (215 sq.ft) of gross retail floor space.

3. Offices:

1 car space per 20 sq. metres (215 sq.ft) up to 200 sq. metres (2,150 sq.ft), plus 1 further car space per 30 sq. metres (323 sq.ft) thereafter.

4. Industry:

1 car space per 25 sq. metres (269 sq.ft), interior gross floor space up to 250 sq. metres (2,690 sq.ft), plus 1 further car space per 50 sq. metres (538 sq.ft) thereafter.

5. Warehousing:

1 car space per 80 sq. metres (861 sq.ft) interior gross floor space.

6. Theatres and Cinemas:

1 car space per senior staff member, plus 1 space per 10 seats.

7. Halls, Community Centres and Clubs:

1 car space per senior staff member, plus 1 car space per 5 sq. metres (54 sq.ft) public floor space.

8. Hotels:

1 car space per resident staff member, plus 1 car space per guest bedroom.

9. Public Houses:

1 car space per resident staff, plus 1 car space per 3 sq. metres (32 sq.ft.) bar or lounge space.

10. Cafes and Restaurants:

1 car space per senior staff member, plus 1 car space per 5 sq. metres (54 sq.ft) floor space.

11. Transport Cafes:

1 lorry space of 90 sq. metres (969 sq.ft) per 3 sq. metres (32 sq.ft) dining floor area.

In all cases a standard requirement is that sufficient manoeuvring and parking space shall be provided within a site to accommodate the maximum number and size of vehicles normally visiting the site and premises at one time. A developer may, in appropriate cases, commute his parking liability by a financial contribution towards car parking provided by the Local Authority. All developers should contact the Environment Agency on the requirements for the provision of either trapped gullies or an oil interceptor to prevent oil pollution.

Appendix 3

Open Space Standards

Introduction

- 1.1 The provision of open space close to housing is important, particularly to members of the community who may not have easy access to the surrounding countryside, such as children, the elderly and the disabled. It is also important that an adequate amount of children's play space is provided within a safe walking distance of all housing areas.
- 1.2 In addition, to produce housing layouts which are attractive in appearance, it is essential to balance the built environment with the provision of open spaces. Open spaces should form an integral part of any layout.
- 1.3 The standards set out in this Appendix relate to the provision of incidental open space including children's play spaces within new residential development. The standard for children's play space is intended to be complementary to the NPFA standard set out in Appendix 4. Children's play spaces provided under Appendix 3 will help to achieve NPFA targets for the provision of outdoor playing space within existing towns or villages. The Council will apply open space standards flexibly according to local circumstances. The overall open space standards set out in Appendices 3 and 4 accord with the County Structure Plan standard of 7 acres of open space per 1000 population.

Incidental open space provision within new residential development

- 2.1 It is important that an adequate amount of open space is provided as an integral part of any new residential development. It is, therefore, proposed that at least 0.4 hectares (1 acre) of incidental open space should be available for every 200 dwellings. Of this 0.2 hectares (0.5 acres) should be in the form of children's play areas, which in appropriate locations should include play equipment. The balance of 0.2 hectares (0.5 acres) should be laid out as incidental open space including casual or informal play spaces within housing. Alternatively developers may prefer to contribute towards the cost of conveniently located off-site provision.
- 2.2 The areas of incidental open space do not include any major open space allocated elsewhere within the Local Plan, roadside verges, or any open space within the curtilage of any building.
- 2.3 The location of these open spaces should be fully considered as an integral part of any housing layout and should not be allocated purely on the basis of "left over" pieces of land. It is preferable to have a small number of reasonably sized open spaces than a large number of small and irregular shaped ones. They should relate properly to adjacent buildings, landscape and boundary features, footpaths and roads. They should be designed in a form which will be easy to maintain. Wherever possible, full use should be made of existing site features and the opportunity for the provision of landscaping.

The design and siting of children's play areas

- 3.1 Children's play areas should be located so that no child has to travel more than 1/4 mile to get to one. Children should not have to cross a major traffic route to get to a play area.
- 3.2 Children's play areas should be sited to avoid nuisance to adjoining residents. However, they should also be located so that children at play are visible from substantial areas of

the development and, therefore, should not be hidden away on the edge of developments, where supervision may be difficult.

- 3.3 Where possible, the play areas should be designed to make provision for toddlers' play, as well as play space for older children.
- 3.4 Areas which may be used for informal ball games should not usually share common boundaries with residential properties. If this is unavoidable, adequate measures should be taken to avoid nuisance to nearby residents by the provision of substantial landscaped buffers or alternatively should be discouraged by the design of the open space.
- 3.5 Any play equipment installed in children's play areas should be purchased from a specialist manufacturer. It should be of simple construction, hard wearing, easy to maintain and safe in use. As a minimum requirement, all equipment should conform to the appropriate British or European standards and be provided with safety surfacing of a type approved by the District Council as suitable for subsequent adoption.
- 3.6 The provision of some seating will usually be required in play areas. Seats should be permanently fixed into hard-surfaced areas or onto walls and their design should be sympathetic to their surroundings.

The provision and maintenance of open spaces

- 4.1 Planning applications for residential development should indicate the open space to be laid out and landscaped as part of the development and those areas which the District Council will be requested to adopt. When agreement in principle is given on the adoption of open space, the District Council will determine the level of commuted sum to be payable upon adoption of the open space to the maintenance cost of an establishment period of 5 years. Any planning agreements entered into will be voluntary and in accordance with the advice in Circular 16/91 and will be fairly and reasonably related in scale and kind to the proposed development.
- 4.2 Open space should be brought into use concurrently with the occupation of the housing it is designed to serve.
- 4.3 The District Council may require information as to how the developers propose to ensure that such open spaces will be kept in perpetuity for that purpose, and maintained. Where practicable, developers should make arrangements with the District Council for the transfer of such open spaces to the District Council for permanent use and maintenance as open spaces.
- 4.4 However, before the District Council takes over any such open spaces, it will require such areas to be laid out to its satisfaction.
- 4.5 Where such an arrangement cannot be made, the Local Planning Authority may require developers to adopt other means to ensure that open spaces will be reserved in perpetuity for use as such and that future maintenance will be assured.

Appendix 4 – NPFA Standards

1. The National Playing Fields Association recommends a minimum standard for outdoor playing space of 2.43 ha (6 acres) per 1000 population.

Breakdown of the Standards

2. Depending on the population of the locality concerned, the total standard should be met by an aggregation of space within the ranges given below.

- (a) Youth and Adult Use: 1.6 - 1.8 ha (4 - 4.5 acres)

Facilities such as pitches, greens, courts and miscellaneous items such as athletics tracks, putting greens and training areas in the ownership of local government, whether at County, District or Parish level; facilities as described above within the educational sector which are as a matter of practice and policy available for public use; facilities as described above within the voluntary, private, industrial; and commercial sectors which serve the leisure time needs of outdoor recreation of their members or the public.

- (b) Children's Use: 0.6 - 0.8 ha (1.5 - 2 acres) made up as follows:

] Outdoor equipped playgrounds for children of whatever age; other play facilities for children which offer specific opportunity for outdoor play such as adventure playgrounds. 0.2 - 0.3 ha (0.5 - 0.75 acres).

] Casual or informal play spaces within housing areas. 0.4 - 0.5 ha (1 - 1.25 acres).

3. The following are excluded from the NPFA recommendations:

-] Playing fields of schools and other educational establishments unless specifically designed for full joint use;
-] Grounds of Her Majesty's services;
-] Verges, woodlands, commons, ornamental parks and gardens;
-] Full length 9 and 18 hole golf courses;
-] Large areas of water;
-] Indoor facilities.

APPENDIX 13

Planning Policy Guidance 2: Green belts

On 5th May 2006 the responsibilities of the Office of the Deputy Prime Minister (ODPM) transferred to the Department for Communities and Local Government.

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Summary

Planning Policy Guidance 2 (PPG2) outlines the history and extent of Green Belts and explains their purposes. It describes how Green Belts are designated and their land safeguarded. Green Belt land-use objectives are outlined and the presumption against inappropriate development is set out.

Order

This is a priced publication available from TSO (The Stationery Office), PO Box 29, Norwich NR3 1GN. Order through the Parliamentary Hotline (Lo-call): 08457 023 474, fax: 0870 600 5533, textphone 0870 240 3701, email: book.orders@tso.co.uk or visit www.tsoshop.co.uk to buy online.

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Foreword

Planning Policy Guidance notes (PPGs) set out the Government's policies on different aspects of planning. Local planning authorities must take their content into account in preparing their development plans. The guidance may also be material to decisions on individual planning applications and appeals.

This PPG replaces the 1988 version of PPG2, and advice in Circulars. It:

- states the general intentions of Green Belt policy, including its contribution to sustainable development objectives;
- reaffirms the specific purposes of including land in Green Belts, with slight modifications;
- gives policy a more positive thrust by specifying for the first time objectives for the use of land in Green Belts;
- confirms that Green Belts must be protected as far as can be seen ahead, advises on defining boundaries and on safeguarding land for longer-term development needs; and
- maintains the presumption against inappropriate development within Green Belts and refines the categories of appropriate development, including making provision for the future of major existing developed sites and revising policy on the re-use of buildings.

1. Introduction

1.1 The Government attaches great importance to Green Belts, which have been an essential element of planning policy for some four decades. The purposes of Green Belt policy and the related development control policies set out in 1955 remain valid today with remarkably little alteration.

History

1.2 The first official proposal "to provide a reserve supply of public open spaces and of recreational areas and to establish a green belt or girdle of open space" was made by the Greater London Regional Planning Committee in 1935. New provisions for compensation in the 1947 Town and Country Planning Act allowed local authorities to incorporate green belt proposals in their first development plans. The codification of Green Belt policy and its extension to areas other than London came in 1955 with an historic circular inviting local planning authorities to consider the establishment of Green Belts.

Extent

1.3 The Green Belts approved through structure plans now cover approximately 1,556,000 hectares, about 12 per cent of England. There are 14 separate Green Belts, varying in size from 486,000 hectares around London to just 700 hectares at Burton-on-Trent. "The general extent and location of the designated areas are given in the table and map opposite."

Intentions of policy

1.4 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. Green Belts can shape patterns of urban development at sub-regional and regional scale, and help to ensure that development occurs in locations allocated in development plans. They help to protect the countryside, be it in agricultural, forestry or other use. They can assist in moving towards more sustainable patterns of urban development (see paragraph 2.10).

Purposes of including land in Green Belts

1.5 There are five purposes of including land in Green Belts:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns from merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The use of land in Green Belts

1.6 Once Green Belts have been defined, the use of land in them has a positive role to play in fulfilling the following objectives:

- to provide opportunities for access to the open countryside for the urban population;
- to provide opportunities for outdoor sport and outdoor recreation near urban areas;
- to retain attractive landscapes, and enhance landscapes, near to where people live;
- to improve damaged and derelict land around towns;
- to secure nature conservation interest; and
- to retain land in agricultural, forestry and related uses.

1.7 The extent to which the use of land fulfils these objectives is however not itself a material factor in the inclusion of land within a Green Belt, or in its continued protection. For example, although Green Belts often contain areas of attractive landscape, the quality of the landscape is not relevant to the inclusion of land within a Green Belt or to its continued protection. The purposes of including land in Green Belts are of paramount importance to their continued protection, and should take precedence over the land use objectives.

2. Designation Of Green Belts

2.1 The essential characteristic of Green Belts is their permanence. Their protection must be maintained as far as can be seen ahead.

Regional guidance and development plans

2.2 Regional and strategic planning guidance set the framework for Green Belt policy and settlement policy, including the direction of long-term development. Regional guidance focuses on issues which are of regional importance or which need to be considered on a wider geographical basis than that of individual structure plans. Strategic guidance performs a similar role in metropolitan areas.

2.3 Green Belts are established through development plans. Structure plans provide the strategic policy context for planning at local level. The general extent of Green Belts has been fixed through the approval of structure plans.

2.4 Many detailed Green Belt boundaries have been set in local plans and in old development plans, but in some areas detailed boundaries have not yet been defined. Up-to-date approved boundaries are essential, to provide certainty as to where Green Belt policies do and do not apply and to enable the proper consideration of future development options. The mandatory requirement for district-wide local plans, introduced by the Planning and Compensation Act 1991, will ensure that the definition of detailed boundaries is completed.

2.5 In metropolitan areas, unitary development plans (UDPs) perform the functions of structure and local plans.

Defining boundaries

2.6 Once the general extent of a Green Belt has been approved it should be altered only in exceptional circumstances. If such an alteration is proposed the Secretary of State will wish to be satisfied that the authority has considered opportunities for development within the urban areas contained by and beyond the Green Belt. Similarly, detailed Green Belt boundaries defined in adopted local plans or earlier approved development plans should be altered only exceptionally. Detailed boundaries should not be altered or development allowed merely because the land has become derelict.

2.7 Where existing local plans are being revised and updated, existing Green Belt boundaries should not be changed unless alterations to the structure plan have been approved, or other exceptional circumstances exist, which necessitate such revision.

2.8 Where detailed Green Belt boundaries have not yet been defined, it is necessary to establish boundaries that will endure. They should be carefully drawn so as not to include land which it is unnecessary to keep permanently open. Otherwise there is a risk that encroachment on the Green Belt may have to be allowed in order to accommodate future development. If boundaries are drawn excessively tightly around existing built-up areas it may not be possible to maintain the degree of permanence that Green Belts should have. This would devalue the concept of the Green Belt and reduce the value of local plans in making proper provision for

necessary development in the future.

2.9 Wherever practicable a Green Belt should be several miles wide, so as to ensure an appreciable open zone all round the built-up area concerned. Boundaries should be clearly defined, using readily recognisable features such as roads, streams, belts of trees or woodland edges where possible. Well-defined long-term Green Belt boundaries help to ensure the future agricultural, recreational and amenity value of Green Belt land, whereas less secure boundaries would make it more difficult for farmers and other landowners to maintain and improve their land. Further advice on land management is in Annex A.

2.10 When drawing Green Belt boundaries in development plans local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development (for example in terms of the effects on car travel) of channelling development towards urban areas inside the inner Green Belt boundary, towards towns and villages inset within the Green Belt, or towards locations beyond the outer Green Belt boundary.

2.11 Guidance on the treatment of existing villages in Green Belts is given in the box below. The advice on affordable housing in paragraph 3.4 is also relevant.

Existing Villages

Development plans should treat existing villages in Green Belt areas in one of the following ways.

If it is proposed to allow *no new building* beyond the categories in the first three indents of paragraph 3.4, the village should be included within the Green Belt. The Green Belt notation should be carried across ("washed over") it.

If *infilling only* is proposed, the village should either be "washed over" and listed in the development plan or should be inset (that is, excluded from the Green Belt). The local plan should include policies to ensure that any infill does not have an adverse effect on the character of the village concerned. If the village is washed over, the local plan may need to define infill boundaries to avoid dispute over whether particular sites are covered by infill policies.

If *limited development* (more than infilling) or *limited expansion* is proposed, the village should be inset. Development control policies for such settlements should be included in the local plan.

Safeguarded land

2.12 When local planning authorities prepare new or revised structure and local plans, any proposals affecting Green Belts should be related to a time-scale which is longer than that normally adopted for other aspects of the plan. They should satisfy themselves that Green Belt boundaries will not need to be altered at the end of the plan period. In order to ensure protection of Green Belts within this longer timescale, this will in some cases mean safeguarding land between the urban area and the Green Belt which may be required to meet

longer-term development needs. Regional/strategic guidance should provide a strategic framework for considering this issue. In preparing and reviewing their development plans authorities should address the possible need to provide safeguarded land. They should consider the broad location of anticipated development beyond the plan period, its effects on urban areas contained by the Green Belt and on areas beyond it, and its implications for sustainable development. In non-metropolitan areas these questions should in the first instance be addressed in the structure plan, which should where necessary indicate a general area where local plans should identify safeguarded land.

2.13 Annex B gives further advice on safeguarded land, which is sometimes known as "white land".

New Green Belts

2.14 Proposals for new Green Belts should be considered through the Regional/Strategic Guidance or Structure Plan process in the first instance. If a local planning authority proposes to establish a new Green Belt, it should demonstrate why normal planning and development control policies would not be adequate, and whether any major changes in circumstances have made the adoption of this exceptional measure necessary. It should also show what the consequences of the proposal would be for sustainable development.

3. Control Over Development

Presumption against inappropriate development

3.1 The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved, except in very special circumstances. See paragraphs 3.4, 3.8, 3.11 and 3.12 below as to development which is inappropriate.

3.2 Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development.

3.3 Green Belt policies in development plans should ensure that any planning applications for inappropriate development would not be in accord with the plan. These exceptional cases would thus be treated as departures from the development plan, to be referred to the Secretary of State under the Town and Country Planning (Development Plans and Consultation) Directions 1992 (see DOE Circular 19/92).

New buildings

3.4 The construction of new buildings inside a Green Belt is inappropriate unless it is for the following purposes:

- agriculture and forestry (unless permitted development rights have been withdrawn - see paragraph D2 of Annex D);
- essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it (see paragraph 3.5 below);
- limited extension, alteration or replacement of existing dwellings (subject to paragraph 3.6 below);
- limited infilling in existing villages (under the circumstances described in the box following paragraph 2.11), and limited affordable housing for local community needs under development plan policies according with PPG3 (see Annex E, and the box following paragraph 2.11); or
- limited infilling or redevelopment of major existing developed sites identified in adopted local plans, which meets the criteria in paragraph C3 or C4 of Annex C¹.

3.5 Essential facilities (see second indent of paragraph 3.4) should be genuinely required for

uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Possible examples of such facilities include small changing rooms or unobtrusive spectator accommodation for outdoor sport, or small stables for outdoor sport and outdoor recreation.

3.6 Provided that it does not result in disproportionate additions over and above the size of the *original* building, the extension or alteration of dwellings is not inappropriate in Green Belts. The replacement of existing dwellings need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces. Development plans should make clear the approach local planning authorities will take, including the circumstances (if any) under which replacement dwellings are acceptable.

Re-use of buildings

3.7 With suitable safeguards, the re-use of buildings should not prejudice the openness of Green Belts, since the buildings are already there. It can help to secure the continuing stewardship of land, especially by assisting farmers in diversifying their enterprises, and may contribute to the objectives for the use of land in Green Belts. The alternative to re-use may be a building that is left vacant and prone to vandalism and dereliction.

3.8 The re-use of buildings inside a Green Belt is not inappropriate development providing:

- (a) it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it;
- (b) strict control is exercised over the extension of re-used buildings, and over any associated uses of land surrounding the building which might conflict with the openness of the Green Belt and the purposes of including land in it (eg because they involve extensive external storage, or extensive hardstanding, car parking, boundary walling or fencing);
- (c) the buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction; and
- (d) the form, bulk and general design of the buildings are in keeping with their surroundings². (Conversion proposals may be more acceptable if they respect local building styles and materials, though the use of equivalent natural materials that are not local should not be ruled out).

3.9 If a proposal for the re-use of a building in the Green Belt does not meet the criteria in paragraph 3.8, or there are other specific and convincing planning reasons for refusal (for example on environmental or traffic grounds), the local planning authority should not reject the proposal without considering whether, by imposing reasonable conditions, any objections could be overcome. It should not normally be necessary to consider whether the building is no longer needed for its present agricultural or other purposes³. Evidence that the building is not redundant in its present use is not by itself sufficient grounds for refusing permission for a proposed new use.

3.10 Local planning authorities should include in their development plans policies for the re-use

of buildings in Green Belts, having regard to the advice above and in Annex D of this PPG.

Mining operations, and other development

3.11 Minerals can be worked only where they are found. Their extraction is a temporary activity. Mineral extraction need not be inappropriate development: it need not conflict with the purposes of including land in Green Belts, provided that high environmental standards are maintained and that the site is well restored. Mineral and local planning authorities should include appropriate policies in their development plans. Mineral planning authorities should ensure that planning conditions for mineral working sites within Green Belts achieve suitable environmental standards and restoration. Relevant advice is in MPG2 and MPG7. Paragraph 3.13 below is also relevant to mineral extraction.

3.12 The statutory definition of development includes engineering and other operations, and the making of any material change in the use of land. The carrying out of such operations and the making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt. (Advice on material changes in the use of buildings is given in paragraph 3.8 above).

Land use objectives

3.13 When any large-scale development or redevelopment of land occurs in the Green Belt (including mineral extraction, the tipping of waste, and road and other infrastructure developments or improvements), it should, so far as possible contribute to the achievement of the objectives for the use of land in Green Belts (see paragraph 1.6). This approach applies to large-scale developments irrespective of whether they are appropriate development⁴, or inappropriate development which is justified by very special circumstances. Development plans should make clear the local planning authority's intended approach.

3.14 Planning obligations may be used to offset the loss of or impact on any amenity present on a site prior to development (see DoE Circular 16/91). In the case where amenity on a site adjacent to the Green Belt is lost as a result of development on that site, it may be reasonable for obligations to provide for offsetting benefits on land in the Green Belt, as long as there is a direct relationship between the two sites.

Visual amenity

3.15 The visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design.

Community Forests

3.16 Community Forests offer valuable opportunities for improving the environment around towns, by upgrading the landscape and providing for recreation and wildlife. An approved Community Forest plan may be a material consideration in preparing development plans and in deciding planning applications. Any development proposals within Community Forests in the Green Belt should be subject to the normal policies controlling development in Green Belts,

and should respect the woodland setting.

This PPG was amended with effect from 27 March 2001 by Annex E of PPG13 (Transport) which inserted new paragraphs 3.17-3.20 as below:

Park and ride

3.17 The countryside immediately around urban areas will often be the preferred location for park and ride schemes. In many instances, such land may be designated as Green Belt. The Government's commitment to maintaining the openness of the Green Belt means that when seeking to locate park and ride development, non-Green Belt alternatives should be investigated first. However, there may be cases where a Green Belt location is the most sustainable of the available options. Park and ride development is not inappropriate in Green Belts, provided that:

- **(a)** a thorough and comprehensive assessment of potential sites has been carried out, including both non-Green Belt and, if appropriate, other Green Belt locations, having regard to sustainable development objectives, and the need to be flexible about size and layout;
- **(b)** the assessment establishes that the proposed green belt site is the most sustainable option taking account of all relevant factors including travel impacts;
- **(c)** the scheme will not seriously compromise the purposes of including land in Green Belts, as set out in paragraph 1.5;
- **(d)** the proposal is contained within the local transport plan (or in Greater London the Local Implementation Plan) and based on a thorough assessment of travel impacts; and
- **(e)** new or re-used buildings are included within the development proposal only for essential facilities associated with the operation of the park and ride scheme.

3.18 For larger-scale schemes local planning authorities must give particular attention to sub-paragraph (c) above. All the criteria in paragraph 3.17 should also be applied when considering proposals for expansion of existing sites. Approval of park and ride development in a particular location does not create any presumption in favour of future expansion of that site. All proposals must be considered on their merits.

3.19 In all cases, the layout, design and landscaping of the scheme must preserve, so far as possible, the openness and visual amenity of the Green Belt. Particular care will be needed on matters, such as floodlighting, which are essential to the safe operation of park and ride schemes but which may be visually intrusive unless carefully designed. Local authorities should make full use of planning conditions or obligations see paragraph 3.14 and Circulars [11/95](#) and 1/97.

3.20 Park and ride development which does not satisfy the criteria in paragraph 3.17 should be not be approved except in very special circumstances see paragraphs 3.2 and 3.3, and

[Circular 7/99.](#)

¹ See also the transitional provision of paragraph C14 regarding redundant hospital sites and paragraph C17 regarding higher and further education establishments not identified in adopted local plans.

² If a planning application is submitted for the re-use of a building which the local planning authority considers has a significant adverse effect on the landscape in terms of visual amenity, it may be appropriate in connection with any proposed structural changes to impose conditions to secure an improvement in the external appearance of the building.

³ In the case of a tenanted agricultural building, the value in planning terms of the existing use should however be taken into consideration.

⁴ But see paragraph C4 of Annex C regarding the redevelopment of major developed sites.

4. Cancellation Of Advice

4.1 The following advice is hereby cancelled:

- PPG2 (January 1988);
- paragraphs 1-3 of Annex D to PPG12 (February 1992);
- paragraph 34 of PPG17 (September 1991), except the first sentence;
- DOE Circular 12/91;
- DOE Circular 14/84, including the Annex reproducing MHLG Circulars 42/55 and 50/57.

Annex A

Land Management

A1 Local authorities can assist landowners in maintaining and improving their land by working together with them, with voluntary organisations including Groundwork Trusts, and with statutory bodies such as the Countryside Commission, the Forestry Commission, and (where significant areas of derelict or vacant land are involved) English Partnerships. The aim should be to enhance the countryside, and especially those areas of land within the Green Belt or adjacent to it, which are suffering from disuse or neglect.

A2 This is particularly important in areas that are close to existing urban development, or within conurbations, and which can be especially vulnerable to neglect or damage. They may come under intense pressure for development, and if so need to be protected and maintained. But in considering whether to include such areas of land within the Green Belt, where detailed boundaries have not yet been established, authorities should also consider carefully whether the land should be better reserved for future development and thus ease the pressure on other land that should have the long-term protection of the Green Belt. The overall aim should be to develop and maintain a positive approach to land management which *both* makes adequate provision for necessary development *and* ensures that the Green Belt serves its proper purpose.

Annex B

Safeguarded Land

B1 This guidance supplements that in paragraph 2.12, and should be read in conjunction with it.

Identifying safeguarded land

B2 Safeguarded land comprises areas and sites which may be required to serve development needs in the longer term, i.e. well beyond the plan period. It should be genuinely capable of development when needed.

B3 Safeguarded land should be located where future development would be an efficient use of land, well integrated with existing development, and well related to public transport and other existing and planned infrastructure, so promoting sustainable development.

B4 In identifying safeguarded land local planning authorities should take account of the advice on housing in PPG3 and on transport in PPG13. They should also have regard to environmental and landscape quality (so far as is consistent with paragraph 1.7 of this PPG); to the contribution which future redevelopment might make to remedying urban fringe problems, producing attractive, well-landscaped urban edges; and to the advice in PPG7 on protecting the best agricultural land.

Development control policies

B5 Development plans should state clearly the policies applying to safeguarded land over the period covered by the plan. They should make clear that the land is not allocated for development at the present time, and keep it free to fulfil its purpose of meeting possible longer-term development needs. No development which would prejudice later comprehensive development should be permitted (though temporary developments may assist in ensuring that the land is properly looked after). Valuable landscape and wildlife features and existing access for recreation should be protected.

B6 Development plan policies should provide that planning permission for the permanent development of safeguarded land should only be granted following a local plan or UDP review which proposes the development of particular areas of safeguarded land. Making safeguarded land available for permanent development in other circumstances would thus be a departure from the plan.

Annex C

Future Of Major Developed Sites In The Green Belt

C1 Green Belts contain some major developed sites such as factories, collieries, power stations, water and sewage treatment works, military establishments, civil airfields, hospitals, and research and education establishments. These substantial sites may be in continuing use or be redundant. They often pre-date the town and country planning system and the Green Belt designation.

C2 These sites remain subject to development control policies for Green Belts, and the Green Belt notation should be carried across them. If a major developed site is specifically identified for the purposes of this Annex in an adopted local plan or UDP, infilling or redevelopment which meets the criteria in paragraph C3 or C4 is not inappropriate development. In this context, infilling means the filling of small gaps between built development.

Infilling

C3 Limited infilling at major developed sites in continuing use may help to secure jobs and prosperity without further prejudicing the Green Belt. Where this is so, local planning authorities may in their development plans identify the site, defining the boundary of the present extent of development and setting out a policy for limited infilling for the continuing use within this boundary. Such infilling should:

- (a) have no greater impact on the purposes of including land in the Green Belt (paragraph 1.5) than the existing development;
- (b) not exceed the height of the existing buildings; and
- (c) not lead to a major increase in the developed proportion of the site.

Redevelopment

C4 Whether they are redundant or in continuing use, the complete or partial redevelopment of major developed sites may offer the opportunity for environmental improvement without adding to their impact on the openness of the Green Belt and the purposes of including land within it. Where this is the case, local planning authorities may in their development plans identify the site, setting out a policy for its future redevelopment. They should consider preparing a site brief. Redevelopment should :

- (a) have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it, and where possible have less;
- (b) contribute to the achievement of the objectives for the use of land in Green Belts (paragraph 1.6 - see also paragraph 3.13);

- (c) not exceed the height of the existing buildings; and
- (d) not occupy a larger area of the site than the existing buildings (unless this would achieve a reduction in height which would benefit visual amenity).

C5 The relevant area for the purposes of (d) is the aggregate ground floor area of the existing buildings (the "footprint"), *excluding* temporary buildings, open spaces with direct external access between wings of a building, and areas of hardstanding.

C6 The character and dispersal of proposed redevelopment will need to be considered as well as its footprint. For example many houses may together have a much smaller footprint than a few large buildings, but may be unacceptable because their dispersal over a large part of the site and enclosed gardens may have an adverse impact on the character of the Green Belt compared with the current development. The location of the new buildings should be decided having regard to the openness of the Green Belt and the purposes of including land in it, the objectives for the use of land in Green Belts, the main features of the landscape, and the need to integrate the new development with its surroundings. For instance it may be more appropriate to site new development closer to existing buildings.

C7 The site should be considered as a whole, whether or not all the buildings are to be redeveloped. The test of area in paragraph C5 relates to the redevelopment of the entire site; any proposals for *partial* redevelopment should be put forward in the context of comprehensive, long-term plans for the site as a whole.

C8 Proposals should be considered in the light of all material considerations, including for example visual amenity (see paragraph 3.15 of this PPG) and the traffic and travel implications of redevelopment (see [PPG13](#)).

C9 Where buildings are demolished rather than being left in a semi-derelict state pending decisions about their redevelopment, it will be necessary to keep suitable records for the purposes of paragraph C5. These should be agreed between the local planning authority and the landowner.

C10 In granting any planning permission local authorities may wish to consider whether to impose conditions to ensure that buildings which are not to be retained permanently are demolished as new buildings are erected, thus keeping the total developed area under control.

Architectural and historic interest

C11 Suitable re-use is to be preferred to redevelopment where the buildings are of architectural or historic interest. Any proposals for altering or demolishing listed buildings or which affect their settings should be considered in the light of the advice in [Planning Policy Guidance 15: Planning and the Historic Environment](#).

C12 Local planning authorities should have regard to the desirability of preserving gardens and grounds of special historic interest. The English Heritage register of historic gardens lists sites of particular importance (see [PPG15](#)).

Public expenditure

C13 Redevelopment should not normally require additional expenditure by the public sector on the provision of infrastructure, nor should it overload local facilities such as schools and health care facilities. Local planning authorities should take account of any additional infrastructure requirements (eg roads) which may have significant adverse effects on the Green Belt. Adequate financial provision should where necessary be made for the future maintenance of landscaped areas (taking account of advice in DoE Circular 16/91, Planning Obligations).

Redundant hospitals

C14 The special position of redundant hospitals in Green Belts was recognised in DoE Circular 12/91 and earlier advice. That Circular is cancelled by this PPG; hospitals are covered by this Annex. As a transitional measure, pending the next local plan or UDP review, the redevelopment of redundant hospital sites which are not identified in development plans but meet the criteria in paragraph C4 above is not inappropriate development.

Higher and further education establishments

C15 Previous policy allowed "institutions standing in extensive grounds" to undertake new development, because such institutions pre-dated Green Belt policy. It was unclear how much new development was permitted. More recently this provision has been used to press for wholly new development on a scale that is inappropriate in the Green Belt. This revision of PPG2 makes it clear that development by institutions is subject to the same controls as other development in the Green Belt.

C16 It is however Government policy to encourage more people to undertake higher and further education (HFE). There has been a large increase in student numbers and further increases can be expected. The lack of a reasonable alternative site outside the Green Belt (whether within the urban area or elsewhere) for the proposed expansion of an HFE establishment located in or adjacent to the Green Belt should be taken into account in preparing or reviewing a development plan. Green Belt boundaries should be altered only in exceptional circumstances, after consideration of development opportunities within urban areas. Local planning authorities will wish to take an early opportunity to consult HFE establishments in or adjacent to the Green Belt about their development intentions. Plan preparation procedures provide opportunities for full public consultation on proposals to alter boundaries. Guidance on the timing of plan reviews is given in PPG12.

C17 Meanwhile, pending the next local plan or UDP review, the infilling or (partial or complete) redevelopment of HFE establishments on major sites in the Green Belt, which are not identified in development plans but otherwise meet the criteria in paragraph C3 or C4 of this Annex, is not inappropriate development. HFE establishments means: universities, colleges, schools and institutes of higher education; and establishments funded by the Further Education Funding Council for England, including colleges of further education, VI form colleges, and agricultural and horticultural colleges.

Annex D

Re-Use Of Buildings - Additional Advice

Agricultural buildings

D1 It is important to discourage abuse of permitted development rights. Local planning authorities should examine particularly carefully applications for re-use made within four years of the substantial completion of agricultural buildings erected under the General Development Order. This should alert them to the possibility that, when it was substantially completed, the building was in breach of planning control because there was no genuine agricultural justification.

D2 When granting permission for the use of agricultural buildings for non-agricultural purposes, local planning authorities should consider whether proliferation of farm buildings constructed under permitted development rights could have a seriously detrimental effect on the openness of the Green Belt. If so, they should consider whether it would be reasonable to attach a condition withdrawing these rights for new farm buildings in respect of that particular agricultural unit or holding. Such a condition should be used with great care, and must fairly and reasonably relate to the proposed development. While a restriction on additions to a particular group of farm buildings without specific permission might be reasonable, a restriction which sought to cover the whole of a large holding in connection with the re-use of a single building might well be unreasonable. Authorities should, where appropriate, include in their local plans a policy indicating the factors that they would take into account. If permitted development rights have been withdrawn, very special circumstances would need to be established for a new agricultural building to be permitted.

Residential conversions

D3 The following advice from PPG7, *The Countryside and the Rural Economy* (January 1992), is relevant to the re-use of buildings in Green Belts for residential purposes.

"In some villages, the pressure to convert existing buildings to dwellings is great, and applications for a change of use may, if granted, lead to adverse effects on the local rural economy. The need to accommodate local commerce and industry may well be a material consideration in deciding such applications." (Paragraph 2.13)

"Local planning authorities should examine applications for changes to residential use with particular care. The advice in paragraph D4 of PPG7, is often particularly relevant to such proposals. New housing in the open countryside is subject to strict control (paragraph 2.18 of PPG7); it may be appropriate to apply similar principles to proposals for the conversion of existing rural buildings to dwellings, especially where such buildings are unsuitable for conversion without extensive alteration, rebuilding and/or extension. Residential conversions can often have detrimental effects on the fabric and character of historic farm buildings. While new uses can frequently be the key to the preservation of historic buildings, it is important to ensure that the new use is sympathetic to the rural character. In addition, the creation of a residential curtilage around a newly converted building can sometimes have a harmful effect on the character of the countryside, especially in areas of high quality landscape, including

National Parks and Areas of Outstanding Natural Beauty." (Paragraph D5)

"Residential conversions have a minimal impact on the rural economy. However conversions for holiday use can contribute more, and may reduce pressure to use other houses in the area for holiday use. Separate considerations apply to agricultural dwellings (see Annex E of PPG7)". (Paragraph D6).

Listed buildings

D4 If a building is listed, listed building consent may be needed for its conversion as well as planning permission (see PPG15).

Annex E

Further Guidance From Other PPGs And Circulars

Other PPGs and Circulars provide further guidance on Green Belt aspects of some specific types of development. Relevant passages are reproduced below.

Affordable Housing (from Annex A of PPG3, March 1992)

"11 This guidance does not alter the general presumption against inappropriate development in the Green Belts. Green Belt policy remains as set out in Planning Policy Guidance note 2.

"12 Most Green Belt areas are by their nature close to the main conurbations, and conditions are not typical of the generality of rural areas to which this policy is addressed. Special considerations may, however, arise in some of the more extensive areas of Green Belt away from the urban fringe, particularly in areas where there are many small settlements and it may not be practicable or appropriate to define Green Belt boundaries around each one.

"13 In some of these areas local planning policies already recognise that very limited development within existing settlements may be acceptable and consistent with the function of the Green Belt. It is for local planning authorities to judge whether low cost housing development for local community needs would fall within the scope of such policies.

"14 The release, exceptionally, for small-scale, low cost housing schemes of other sites within existing settlements, which would not normally be considered for development under such policies, would again be a matter for the judgement of the planning authority, having regard to all material considerations, including the objectives of Green Belt policy and the evidence of local need."

Motorway Service Areas (from Annex A of PPG13, March 1994)

"13 In Green Belts, there is a general presumption against inappropriate development. In line with PPG2, approval should not be given for an MSA within a Green Belt except in very special circumstances. One of the material considerations which could justify such an exception could be the lack of any signed MSAs. The greater the interval between the proposed site and any existing facility the more weight should be placed on the needs of motorway users. Developers should bear in mind the sensitive nature of Green Belt sites and avoid them where possible. Where no alternatives are readily available, developers will be expected to take great care to mitigate the likely impact of the development."

All-seater Football League Stadia (from PPG17, September 1991)

"50 Because of the size of the structures involved, major football stadia cannot be regarded as appropriate development within an approved Green Belt. As PPG2 makes clear, very special circumstances would be needed to justify setting aside the general presumption against inappropriate development in the Green Belts. It would be most unusual for a stadium proposal to meet those very special circumstances unless all other practicable options for location had been exhausted and other considerations had been fully addressed. A site for development as

large as a major football stadium should normally be identified in a local plan. It could be considered alongside any proposal for the adjustment of Green Belt boundaries. Such boundaries should be altered only in exceptional circumstances, after consideration of development opportunities within urban areas. The procedures for making and reviewing local plans provide opportunities for full public consultation on proposals to alter boundaries."

Gypsy Sites (from paragraph 3 of DOE Circular 1/94)

"As a rule it will not be appropriate to make provision for gypsy sites in areas of open land where development is severely restricted, for example, Areas of Outstanding Natural Beauty, Sites of Special Scientific Interest, and other protected areas. Gypsy sites are not regarded as being among those uses of land which are normally appropriate in Green Belts. Green Belt land should not therefore be allocated for gypsy sites in development plans."

APPENDIX 14

Stourbridge Lodge from Wolverhampton Road March 2009 Showing Openness of Area To East Elevation in the Absence of Tree Boundary Hedging



Stourbridge Lodge from Wolverhampton Road November 2021 Showing Area To East Elevation with Tree Boundary Hedging Present



APPENDIX 15

Stourbridge Lodge Northbound from Wolverhampton Road March 2009



Stourbridge Lodge Northbound from Wolverhampton Road November 2021 Showing the Unauthorised West Extension



APPENDIX 16



South Staffordshire Council

Core Strategy

December 2012



Further information can be found at
www.sstaffs.gov.uk



Policy GB1: Development in the Green Belt

Within the South Staffordshire portion of the West Midlands Green Belt as defined on the Policies Map, development acceptable within the terms of national planning policy set out in the NPPF will normally be permitted where the proposed development is for either:

A. A new or extended building, provided it is for:

- a) purposes directly related to agriculture or forestry; or
- b) appropriate small-scale facilities for outdoor sport or recreation, nature conservation, cemeteries and for other uses of land which preserve the openness of the Green Belt and which do not conflict with its purposes; or
- c) affordable housing where there is a proven local need in accordance with Policy H2; or
- d) limited infilling* and limited extension(s), alteration or replacement of an existing building where the extension(s) or alterations are not disproportionate to the size of the original building, and in the case of a replacement building the new building is not materially larger than the building it replaces. Guidance in these matters will be contained in the Green Belt and Open Countryside Supplementary Planning Document (SPD).

B. The re-use of a building provided that:

- e) the proposed use of any building (taking into account the size of any extensions, rebuilding or required alterations), would not harm the openness of the Green Belt or the fulfilment of its purposes.

C. Changes of Use of Land:

- f) the carrying out of engineering or other operations, or the making of a material change of use of land, where the works or use proposed would have no material effect on the openness of the Green Belt, or the fulfilment of its purposes.

D. Development brought forward under a Community Right to Build Order.

Development proposals should be consistent with other local planning policies.

**Footnote: Limited infilling is defined as the filling of small gaps (1 or 2 buildings) within a built up frontage of development which would not exceed the height of the existing buildings, not lead to a major increase in the developed proportion of the site, or have a greater impact on the openness of the Green Belt and the purpose of including land within it.*

these conservation areas. In addition the County Council has completed a series of Historic Environment Character Assessments for 14 of the District's villages. This, together with the Council's own survey work, will help to explain how the historic built environment has evolved and to identify buildings for the local list.

- 7.19 This comprehensive evidence base will emerge as a Supplementary Planning Document which encompasses the Historic Environment, identifying the main issues, and will also be used to inform and refresh the Village Design Guide.
- 7.20 In order to ensure that buildings at risk are saved or not degraded further, sometimes 'enabling development' is the only viable option. In this case paragraph (b) of this policy will be used in conjunction with guidance 'Enabling Development and the Conservation of Significant Places' issued by English Heritage in 2008 or subsequent guidance for enabling development.

Key Evidence

Sustainable Community Strategy 2008 - 2020
 Conservation Area Appraisals and Management Plans 2010
 Village Design Guide SPD 2009
 Buildings of Special Local Interest (on going)
 Historic Environment Character Assessment 2011
 Assessment of Physical and Environmental Constraints 2009
 West Midlands Farmsteads and Landscapes Project 2010

Delivery and Monitoring

Through the Development Management process in consultation with English Heritage, the County Council and other partners
 Conservation and Design advice
 Conservation Area Management Plans
 Village Design Guide SPD(or subsequent revisions)
 Historic Environment SPD
 LSP Environmental Quality Delivery Plan

The monitoring arrangements are set out in the Monitoring Framework in Appendix 1.

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

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. For visual and ecological reasons, new and replacement

planting should be of locally native species.

The Council will encourage and support the creation of new woodlands and the management of existing woodlands particularly where they contribute to community forestry. Reference should be made to the Council's Tree and Woodland Strategy.

Throughout the District, 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.

The siting, scale, and design of new development will need to take full account of the nature and distinctive qualities of the local landscape. The use of techniques, such as landscape character analysis, to establish the local importance and the key features that should be protected and enhanced, will be supported.

Proposals should retain and strengthen the components of landscape character and local distinctiveness, with particular attention to the detailing of any proposal and its relationship with existing buildings, features and vegetation. Proposals within the Historic Landscape Areas (HLA) defined on the Policies Map should have special regard to the desirability of conserving and enhancing the historic landscape character, important landscape features and the setting of the HLA. The County Council's Landscape Character Assessment and Historic Landscape Characterisation will provide an informed framework for the decision making process.

Where possible, opportunities should be taken to add character and distinctiveness through the contribution of new landscape features, particularly to landscapes which have been degraded.

Development within the Cannock Chase Area of Outstanding Natural Beauty (AONB) and its setting as shown on the Policies Map will be subject to special scrutiny, in accordance with national policy and any additional guidance, in order to conserve and enhance the landscape, nature conservation and recreation interests of the area.

Proposals that contribute to the objectives of the Cannock Chase AONB Management Plan, the Forest of Mercia and other local initiatives that will contribute to enhancing landscape character will be supported.

Development proposals should be consistent with the adopted Village Design Guide Supplementary Planning Document (or subsequent revisions), the Supplementary Planning Documents on Landscape Character and Biodiversity and other local planning policies.

Explanation

- 7.21 The landscape of South Staffordshire is rich and varied and includes part of the Cannock Chase Area of Outstanding Natural Beauty (AONB). It is an important objective of the Core Strategy to protect the character and appearance of the landscape and conserve this heritage for the future. The NPPF states that the highest status of protection in relation to landscape and scenic beauty should be given to AONBs, and the extent of the Cannock Chase AONB, to which the national policy applies, is shown on the Policies Map.
- 7.22 There are 13 historic parklands and gardens in South Staffordshire, at Chillington, Enville, Four Ashes, Hatherton, Hilton, Himley/Wodehouse, Somerford, Stretton, Teddesley, Patshull, Prestwood, Wergs and Weston. The parklands at Chillington Hall, Enville, and Weston Park are of particularly high quality and have been identified as Grade ii* in the National Register of Historic Parks and Gardens by English Heritage. Patshull Hall and Himley Hall have been identified as Grade ii.
- 7.23 Historic parklands are valuable heritage assets and important to the distinctive rural character of South Staffordshire. They may contain avenues of trees, woodlands, individual veteran trees, areas of wood pasture, lakes and other water features, historic earthworks, moats, hedges, banks and green lanes which are all valuable habitats for wildlife. They also have potential for environmental education and tourism, as well as contributing to the attractiveness of the landscape.
- 7.24 The historic parklands and gardens in South Staffordshire, including those designated as Registered Parks and Gardens have been designated as 'Historic Landscape Areas' (HLAs) to protect them from inappropriate development and management. The principle of the HLAs was first established in the 1996 Local Plan and has been carried forward into the new local planning strategy to ensure that these areas are retained for the future.
- 7.25 The Council will encourage and support the conservation, enhancement and sustainable management of these heritage assets through the preparation of conservation management plans. The Council will work with landowners, English Heritage, the Staffordshire Gardens and Parks Trust, the Garden History Society, Natural England, Staffordshire Wildlife Trust and Staffordshire County Council on matters relating to historic parklands and gardens.
- 7.26 The Policy is consistent with the NPPF. Any development which will have an impact on the landscape should address the intrinsic character of its surroundings, and seek where possible to retain and strengthen the intrinsic character of areas. Landscape character analysis will be an important technique in many circumstances, utilising detailed work already undertaken by Staffordshire County Council in the Supplementary Planning Document 'Planning for Landscape Change' and work on historic landscape characterisation. More detailed guidance on landscape character will be included in a Supplementary Planning Document.

Key Evidence

Sustainable Community Strategy 2008 - 2020
Planning for Landscape Change – Staffordshire County Council SPG 1996-2011
South Staffordshire Landscape Assessment 2003
Historic Environment Character Assessment 2011
Tree and Woodland Strategy 2010
Village Design Guide SPD 2009
Open Space Strategy 2009
Cannock Chase AONB Management Plan 2009 - 2014
Forest of Mercia Plan 1993
Assessment of Physical and Environmental Constraints 2009
Staffordshire Historic Landscape Characterisation Project 2010

Delivery and Monitoring

Through the Development Management process in consultation with Natural England, the County Council and other partners
Landscape advice
Management plans for major open spaces
Cannock Chase AONB Management Plan
Forest of Mercia Plan
LSP Environmental Quality Delivery Plan
Landscape Character SPD
Biodiversity SPD

The monitoring arrangements are set out in the Monitoring Framework in Appendix 1.

Sustainable Development

Introduction

- 7.27 Development which embodies the principles of sustainable development is at the heart of the local planning strategy and is fundamental to the creation of sustainable communities. This means creating a pattern of resource use that aims to meet the needs of the present without compromising the ability of future generations to meet their own needs. The movement towards low carbon lifestyles is one way in which South Staffordshire can respond positively to the challenge of climate change, and therefore the local planning strategy is focused on directing development towards the most sustainable locations, minimising the need to travel and distances travelled, particularly by private car, and providing supporting facilities and infrastructure.
- 7.28 Climate change is recognised as the most urgent environmental challenge facing the world today. The need to respond pro-actively to this issue has been identified as a

major priority for local authorities including South Staffordshire, and planning has a key role to play in ensuring that development minimises its impact on the environment, helps to mitigate and adapt to adverse effects of climate change and provides renewable energy generation in a sensitive way.

- 7.29 As a means of tackling climate change South Staffordshire must be a place where sustainable communities are created and a District where people want to live and work, now and in the future. The Council is therefore seeking to create communities which meet the diverse needs of existing and future residents, are sensitive to their environment, and contribute to a high quality of life. Communities must be safe and inclusive, well planned, built and run, and offer equality of opportunity and good services for all.

Core Policy 3: Sustainable Development and Climate Change

The Council will require development to be designed to cater for the effects of climate change, making prudent use of natural resources, enabling opportunities for renewable energy and energy efficiency and helping to minimise any environmental impacts. This will be achieved by:

- a) giving preference to development on previously developed land (brownfield land) in sustainable locations, provided it is not of high environmental value; and supporting and encouraging the reuse of buildings as a sustainable option;
- b) supporting and encouraging development which facilitates sustainable modes of transport, including the transport of materials and recycling products, by requiring travel plans for developments which would have significant transport implications;
- c) ensuring that development on brownfield land affected by contamination or land instability is remediated in accordance with the NPPF;
- d) ensuring that all new development and conversion schemes, are located and designed to maximise energy efficiency, and incorporate the best environmental practice and sustainable construction techniques appropriate to the size and type of development; and minimises the consumption and extraction of minerals by making the greatest possible reuse and recycling of materials in new construction;
- e) ensuring that building design is flexible to future needs and users, and reduces energy consumption by appropriate methods, such as high standards of insulation, layout, orientation, using natural lighting and ventilation, and capturing the sun's heat where appropriate;
- f) minimising and managing waste in a sustainable way, particularly through re-use and recycling;

Village Design Guide SPD 2009
Conservation Area Appraisals and Management Plans 2010
Open Space Strategy 2009

Delivery and Monitoring

Through Development Policy EQ13
LSP Environmental Quality Delivery Plan
Conservation Area Management Plans
Village Design Guide SPD (or subsequent revisions)

The monitoring arrangements are set out in the Monitoring Framework in Appendix 1.

Development Policies

7.58 The following Development Policies support Core Policy 4.

Policy EQ11: Wider Design Considerations

The design of all developments must be of the highest quality and the submission of design statements supporting and explaining the design components of proposals will be required. Proposals should be consistent with the design guidance set out in the adopted Village Design Guide Supplementary Planning Document (or subsequent revisions) and be informed by any other local design statements.

Development proposals must seek to achieve creative and sustainable designs that take into account local character and distinctiveness, and reflect the principles set out below. The Council will encourage innovative design solutions.

A. Use

- a) mixed use developments will be encouraged where the uses are compatible with and complementary to each other and to other uses in the existing community, and where the development will help support a range of services and public transport (existing or new);
- b) proposals should where possible promote a density and mix of uses which create vitality and interest where appropriate to their setting;

B. Movement

- c) opportunities should be taken to create and preserve layouts giving a choice of easy and alternative interconnecting routes, including access to facilities and public transport and offer a safe, attractive environment for all users;

- d) provision should be made, especially within the proximity of homes, for safe and attractive walking and cycling conditions, including the provision of footpath links, cycleways and cycle parking facilities, and links to green infrastructure in accordance with Policies EV11 and HWB2;

C. Form

- e) proposals should respect local character and distinctiveness including that of the surrounding development and landscape, in accordance with Policy EQ4, by enhancing the positive attributes whilst mitigating the negative aspects;
- f) in terms of scale, volume, massing and materials, development should contribute positively to the streetscene and surrounding buildings, whilst respecting the scale of spaces and buildings in the local area;
- g) development should relate to and respect any historic context of the site, including plot patterns and street layout taking account of the guidance contained in Policy EQ3;
- h) development within or adjacent to a waterway corridor should take advantage of the waterside setting with an appropriate green corridor taking account of the aims and objectives of Policy HWB2;
- i) development should take every opportunity to create good design that respects and safeguards key views, visual amenity, roofscapes, landmarks, and focal points;
- j) development should take account of traditional design and forms of construction where appropriate, and avoid the use of inappropriate details;
- k) development should incorporate high quality building design and detailing, with particular attention given to appropriately designed elements;
- l) development must ensure a high standard of access for all and that safe and easy access is available to all potential users, regardless of ability, age or gender;
- m) sustainable forms of development should be designed, incorporating renewable energy use, minimising waste production and providing opportunities for recycling, and minimising pollution. Development should seek to minimise water use including the incorporation of water recycling and harvesting, and ensure the use of Sustainable Drainage Systems (SUDS). Use or re-use of sustainable materials will be encouraged. Orientation and layout of development should maximise the potential for passive solar heating, taking account of the implications of solar heat gain;

D. Space

- n) proposals should create pedestrian-friendly places that allow for necessary vehicular access;
- o) places should be safe and secure, with effective natural surveillance;
- p) well designed private and semi-private open space should be incorporated for all buildings, appropriate to the character of the area;
- q) opportunities should be taken to support the development of a varied network of attractive, and usable publicly accessible spaces;
- r) provision for parking should where possible be made in discreet but planned locations within the development;
- s) design should seek to retain existing important species and habitats and maximise opportunities for habitat enhancement, creation and management in accordance with Policy EQ1.

The Council's Space About Dwelling standards are set out in Appendix 6.

Development proposals should be consistent with other local planning policies.

Explanation

- 7.59 The Council attaches significant importance to securing a high level of design quality in the District and this is reflected in the adopted Village Design Guide SPD (or subsequent revisions). The NPPF also refers to the importance of achieving high quality and inclusive design and the CABI publication "Making Design Policy Work" highlights a number of important issues to take into account in developing a policy approach to design.
- 7.60 The design guidance set out in the above Policy identifies the importance of local character and distinctiveness, and gives guidance on achieving sustainable development, use, movement, form and space. Achieving safe designs will be important and issues relating to community safety are addressed in Core Policy 13 and Policy CS1.

Key Evidence

Sustainable Community Strategy 2008 – 2020
 Southern Staffordshire Surface Water Management Plan Phase 1 2010
 Planning for Landscape Change – Staffordshire County Council SPG 1996-2011
 South Staffordshire Landscape Assessment 2003
 Historic Environment Character Assessment 2011
 Village Design Guide SPD 2009

Green Belt and Open Countryside Supplementary Planning Document (SPD)



**South
Staffordshire
Local Plan**

April 2014

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1. Introduction

What is the purpose of the SPD?

- 1.1 This Supplementary Planning Document (SPD) seeks to provide greater detail on the issues and implications of proposals for various development types on sites within the Green Belt and Open Countryside in South Staffordshire.
- 1.2 Once adopted, the SPD will form part of the South Staffordshire Local Plan where the SPD is referenced in the policies.
- 1.3 This document is in addition to the policies contained in the Local Plan and is not the starting point for decision making. This document provides guidance as to how the policies will be interpreted and is not formal planning policy in its own right.
- 1.4 The SPD is divided into sections and is directly linked to policies GB1 and OC1 of the adopted Core Strategy, where the SPD is specifically mentioned.
- 1.5 All proposals for development in the Green Belt shall be compliant with the guidance contained in the Village Design Guide SPD¹. In many circumstances, good design principles can contribute to the acceptability of potential impact.
- 1.6 Please note that this SPD and the guidance contained within it applies to developments where planning permission is required and does not affect your existing permitted development (PD) rights if you have them. The PD fallback position will be taken into account when assessing proposals.
- 1.7 The SPD covers three elements:
 - Replacement of existing buildings
 - Extension or alteration of existing buildings
 - Limited infilling



The Green Belt

- 1.8 There are 5 main purposes of the Green Belt, which are upheld by South Staffordshire Council through planning new development in the most appropriate locations and through the careful management of all developments.
- 1.9 The purposes of the Green Belt are as follows:
 - To check the unrestricted sprawl of large built-up areas;
 - To prevent neighbouring towns merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns; and
 - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

¹ The VDG is being updated and will be renamed South Staffordshire Design Guide.

- 1.10 In the Council's role in protecting the Green Belt, policies are contained in the Core Strategy which are used in the determination of planning applications and will be used when allocating sites for future developments. Around 80% of the district is made up of Green Belt land, which surrounds the majority of settlements in the district and is present in all 5 localities. Due to the restrictive nature of Green Belt policy at a national and a local level, the Council will seek to protect the Green Belt from inappropriate development and to maintain the character and openness of the Green Belt.
- 1.11 This document seeks to clarify policy set out in policy GB1 and how this will be used in decision making in Development Management.
- 1.12 It is important to note that Core Policy 1: The Spatial Strategy of the Core Strategy applies to the Green Belt, which encourages development to be in sustainable locations. See the Core Strategy for further details.
- 1.13 Where the Core Strategy is silent on Green Belt issues, the Council will defer to the NPPF which is a material planning consideration. A recent appeal decision² has confirmed that the supporting text to GB1 makes it clear that in order to be acceptable, any proposals must comply with the provisions of the NPPF.

The Open Countryside beyond the West Midlands Green Belt

- 1.14 The Open Countryside is located in the north west of the district and makes up a proportion of localities 1 and 2. 80% of the District is Green Belt, with the remaining 20% being Open Countryside and land within village envelopes. The main settlements surrounded by Open Countryside are:



- Penkridge (north)
- Dunston
- Coppenhall
- Acton Trussell
- Wheaton Aston
- Weston Under Lizard
- Great Chatwell
- Brineton
- Blymhill

- 1.15 It is important to note that National Policy 1: The Presumption in Favour of Sustainable Development of the Core Strategy applies to the Open Countryside,

² APP/C3430/A/13/2196656

namely that the 'presumption in favour of sustainable development' is applicable. However, the Open Countryside of South Staffordshire has a traditional agricultural landscape, with this being the main land use. Due to the important character of this landscape, the Council will retain this character by ensuring that development remains sympathetic to its setting and therefore development is restricted. This is reflected in policy OC1 of the adopted Core Strategy.

Using this SPD

- 1.16 The following principles are relevant in the application of guidance provided in this SPD
- 1.17 All applications for development in the Green Belt will be assessed using all relevant policies in the Development Plan, and Green Belt policy will not be used in isolation. Preference will be given to those sites in sustainable village locations. It is recommended that applicants request pre-application advice prior to submitting an application to ascertain whether or not an application is likely to be acceptable.
- 1.18 The principle of applying a range of percentage increases for extensions, alterations or replacements dwellings is to allow for flexibility in the application of the policy. For some proposals, a 20% (10%) increase may be considered disproportionate; whereas a 40% (20%) increase on a different building, in a different location may be acceptable. All proposals will therefore be considered on the individual merits of the case.
- 1.19 The onus is on the applicant to provide evidence of very special circumstances and each proposal is taken on its merits.
- 1.20 Where reference is made to floor area, this will be calculated on the basis of external floor area.
- 1.21 The Council expects good design to be an integral part of any proposal and this is supported by the Village Design Guide.

2. The Green Belt Policy

Core Strategy Policy GB1: Development in the Green Belt

Within the South Staffordshire portion of the West Midlands Green Belt as defined on the Policies Map, development acceptable within the terms of national planning policy set out in the NPPF will normally be permitted where the development is for either:

A. A new or extended building, provided it is for:

- a) purposes directly related to agriculture or forestry; or
- b) appropriate small-scale facilities for outdoor sport or recreation , nature conservation, cemeteries and for other uses of land which preserve the openness of the Green Belt and which do not conflict with its purposes; or
- c) affordable housing where there is a proven local need in accordance with Policy H2; or
- d) limited infilling* and limited extension(s), alteration or replacement of an existing building where the extension(s) or alterations are not disproportionate to the size of the original building, and in the case of a replacement building the new building is not materially larger than the building it replaces. Guidance in these matters will be contained in the Green Belt and Open Countryside Supplementary Planning Document (SPD).

B. The re-use of a building provided that:

- e) the proposed use of any building (taking into account the size of any extensions, rebuilding or required alterations), would not harm the openness of the Green Belt land or the fulfilment of its purposes.

C. Changes of Use of Land:

- f) the carrying out of engineering or other operations, or the making of a material change of use of land, where the works or use proposed would have no material effect on the openness of the Green Belt, or the fulfilment of its purposes.

D. Development brought forward under a Community Right to Build Order.

Development proposals should be consistent with other local planning policies.

**Footnote: Limited infilling is defined as the filling of small gaps (1 or 2 buildings) within a built up frontage of development which would not exceed the height of the existing buildings, not lead to a major increase in the developed proportion of the site, or have a greater impact on the openness of the Green Belt and the purpose of including land within it.*

3. Replacement of existing buildings

Use

- 3.1 The replacement of an existing building is an acceptable form of development within the Green Belt as stated in policy GB1; this is also considered to be acceptable in terms of the NPPF (providing it is in the same use). Should an application be submitted for a replacement building in a different use, this would constitute inappropriate development – see para 1.13. In such cases the applicant will be required to demonstrate ‘very special circumstances’ in order to outweigh the harm to the Green Belt.

Size

- 3.2 The Council’s adopted policy (GB1) on replacement buildings states that the replacement must not be materially larger than the building it replaces. In order to judge this a range of floor area increases will be used as guidance, this range is between 10-20%. This will be the basis for making a judgment on planning applications put before the Council, however all applications will be judged on their merits on a case by case basis. We will require complete floor plans and elevations (of both existing and proposed), because we will, as part of the application process, calculate floor areas and in some cases volume. If the proposal is for a building that is considered to be materially larger it will be contrary to policy GB1 and is likely to be unsuccessful. However, intelligent architectural design can sometimes increase usable floor area, whilst reducing bulk and impact of the building on the openness of the Green Belt. For example this can include subterranean levels and reduced building height.

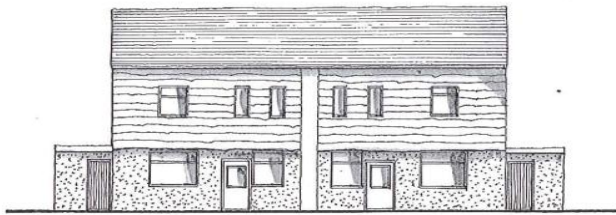
Positioning

- 3.3 In some instances replacement buildings are desired elsewhere on a site. Sometimes the replacement of buildings can have a greater or lesser impact dependent on their location on a site. In these cases the Council will assess the existing site and the impact the existing building has on the site. If the new position would be incongruous, and/or more open to view, or reduce the openness of the Green Belt, the proposal is less likely to be acceptable. However, if it is considered to improve the openness, it is likely to weigh in favour of the application.

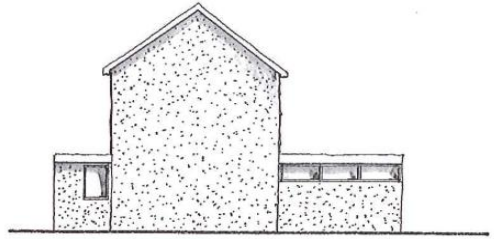
Other buildings on site

- 3.4 Generally off-setting garden or ancillary buildings would not be an acceptable approach to adding bulk, massing, floor area or volume to a new building. Ancillary buildings are usually low and sometimes constructed from more natural materials such as timber which blend into the landscape. Some ancillary buildings have been softened over time with landscaping and have a minimal impact on openness. Therefore these types of buildings are unlikely to be acceptable to adding significantly to a replacement building. The opportunity to off-set ancillary buildings in lieu of a larger replacement building will be dealt with on a case by case basis. If off-setting is considered to be an acceptable approach by the Council, removal of Permitted Development rights may be considered.

Acceptable Replacement Dwelling – Not Materially Larger



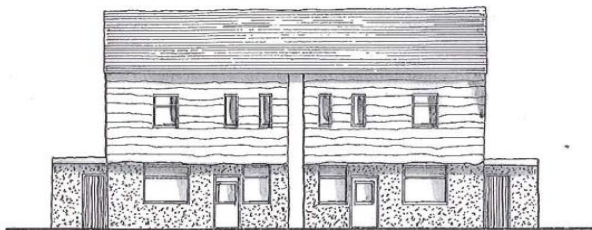
Existing



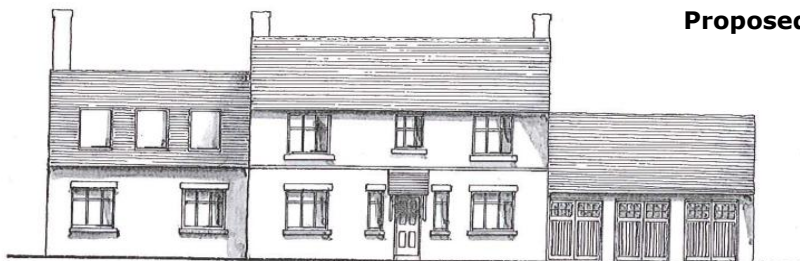
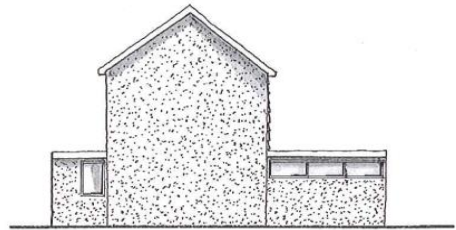
Proposed



Unacceptable Replacement Dwelling – Materially Larger



Existing

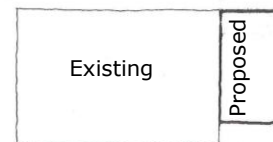
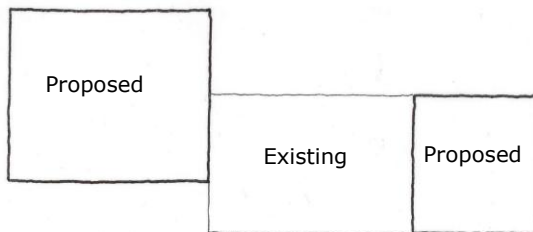


Proposed



4. Alterations or extensions to existing buildings

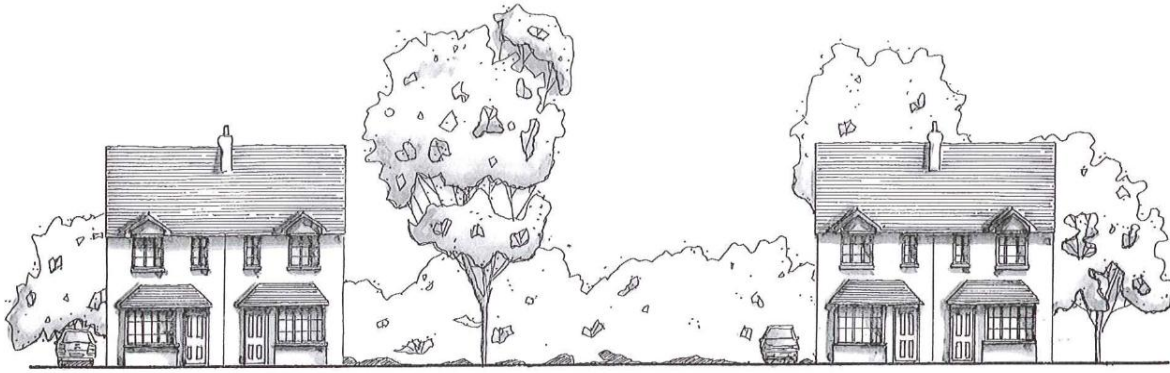
- 4.1 Extensions and alterations to buildings are not considered in National or Local planning policy to constitute inappropriate development, providing that any extension or alteration is not disproportionate and therefore by definition harmful to the openness of the Green Belt. This element of policy guidance was historically specific to dwellings. However following the publication of the NPPF and the requirement for Local Plan policies to conform to national guidance, the reference to buildings was introduced into policy GB1. This approach will therefore be reflected in the guidance to be in accordance with Local and National planning policy.
- 4.2 In relation to dwellings, the Council has historically applied a 30% limit on extensions to dwellings in the Green Belt; this related to an increase in 30% of footprint over the original footprint. [NB. Original footprint is that which existed on 01 July 1948 or as originally built if building constructed after that date.
- 4.3 For this SPD a percentage range is considered to be the most appropriate approach; this range is between 20-40%. A range is proposed to recognise that a 'one size fits all' approach is not always suitable.
- 4.4 Anything above the 20-40% range will be likely to be disproportionate simply because it would not be in proportion with the host building and therefore would be likely to have an impact on openness. This range will be applied to floor area, rather than footprint which had been used historically (for dwellings). The reason for this is that often single storey additions can have a limited impact on the openness of the Green Belt, and conversely multiple storey or bulky additions can have a significant detrimental impact on openness, whilst remaining within a percentage limit.
- 4.5 All cases will be dealt with on an individual basis and the Council will make a judgement, as part of the decision making process, as to whether the extension is disproportionate or not. If the extensions or alterations are likely to appear disproportionate the application will be unacceptable in Green Belt terms.
- 4.6 If, however, an applicant or agent considers that additions deemed disproportionate by the Council are absolutely necessary for the function of the building, or have a limited effect on the openness of the Green Belt, or will bring community or economic benefit, then a case to demonstrate 'Very Special Circumstances' will be required in the form of a supporting statement. This element will then be weighed up, including the quality of the design, in the planning balance and will form part of the decision making process.
- 4.7 If the 'Very Special Circumstances' are considered to outweigh the harm to the openness of the Green Belt and the application is acceptable, it will be determined by the Regulatory Committee which is not bound to follow the officer recommendation.



Disproportionate/Proportionate Extensions

5. Limited Infilling

- 5.1 Limited infilling does not constitute inappropriate development in Green Belt terms and was not previously defined in the 1996 Local Plan. However in the Core Strategy it is defined in policy GB1 as the filling of small gaps (1 or 2 buildings) within a built up frontage of development, which would not exceed the height of the existing buildings, not lead to a major increase in the developed proportion of the site, or have a greater impact on the openness of the Green Belt and the purpose of including land within it.
- 5.2 Limited infilling will be considered to be acceptable where it would not harm the character or the openness of the Green Belt. For example, a strong ribbon of development with a gap suitable for an additional building would not necessarily be harmful to the openness of the Green Belt, as it would strengthen the ribbon. This is providing the building is no higher than, and is sympathetic to the surrounding buildings. The design of the building would need to be suitable and the development would need to be acceptable in terms of other appropriate policies within the Core Strategy.
- 5.3 An example of limited infilling that is also likely to be acceptable is within a tight cluster of buildings, where the additional building is unlikely to impact on the openness of the area, due to its position within the cluster.
- 5.4 In both examples, a building at the end of a ribbon, or the edge of a cluster does not fall within the definition of limited infilling, and would therefore constitute inappropriate development and would therefore be unacceptable.
- 5.5 Where 'infilling' is considered to constitute 'appropriate development' in the Green Belt, as defined in Policy GB1 and the NPPF, it is important to remember that all relevant policies in the Development Plan for South Staffordshire need to be considered when making decisions on planning proposals. However, developments should be in sustainable locations in accordance with policy CP1 of the Local Plan.



Limited Infilling

6. The Open Countryside beyond the West Midlands Green Belt Policy

Core Strategy Policy OC1 – Development in the Open Countryside Beyond the West Midlands Green Belt

The Open Countryside beyond the South Staffordshire portion of the West Midlands Green Belt as defined on the Policies Map will be protected for its own sake, particularly for its landscapes, areas of ecological, historic, archaeological, agricultural and recreational value.

Development within the Open Countryside will normally be permitted where the proposed development is for either:

A. A new or extended building, provided it is for:

- a) purposes directly related to agriculture or forestry; or
- b) appropriate small-scale facilities for outdoor sport or recreation, nature conservation, cemeteries and for other uses of land which preserve the appearance or character of the Open Countryside beyond the Green Belt; or
- c) affordable housing where there is a proven local need in accordance with policy H2; or
- d) limited infilling* and limited extension(s), alteration or replacement of an existing building where the extensions(s) or alterations are not disproportionate to the size of the original building, and in the case of a replacement building the new building is not materially larger than the building it replaces. Guidance in these matters will be contained in the Green Belt and Open Countryside Supplementary Planning Document (SPD).

B. The re-use of a building provided that:

- e) the proposed use of any building (taking into account the size of any extensions, rebuilding or required alterations), would not harm the appearance or character and local distinctiveness of the Open Countryside beyond the Green Belt.

C. Changes of Use of Land:

- f) the carrying out of engineering or other operations, or the making of a material change of use of land, where the works or use proposed would have no material effect on the appearance and character of the Open Countryside beyond the Green Belt.

D. Development brought forward under a Community Right to Build Order.

Development proposals should be consistent with other local planning policies.

**Footnote: Limited infilling is defined as the filling of small gaps (1 or 2 buildings) within a built up frontage of development which would not exceed the height of the existing buildings, and not lead to a major increase in the developed proportion of the site.*

7. Replacement of existing buildings

Use

- 7.1 The replacement of an existing building is an acceptable form of development within the Open Countryside, providing that 'it is not materially larger than the building it replaces', as stated in policy OC1. Should an application be for a replacement building in a different use, the judgment on suitability will be based on the social, environmental and economic implications of that use, having regard to Policy NP1 ('presumption in favour of sustainable development'), and additional paraphernalia resulting from that use. Whether or not the new use is likely to have a greater impact on the character of the landscape than the existing use is likely to be an important factor in the decision.

Size

- 7.2 The Council's adopted policy (OC1) on replacement buildings states that the replacement must not be materially larger than the building it replaces. In order to judge this a range of floor area increases will be used as guidance; this range is between 10-20%. This will be the basis for making a judgement on planning applications put before the Council. We will require complete floor plans and elevations (of both existing and proposed), because we will, as part of the application process, calculate floor areas and in some cases volume. If the proposal is for a building that is harmful to the character of the landscape it will be contrary to policy OC1 and is likely to be unsuccessful. However, intelligent architectural design can sometimes increase usable floor area whilst reducing bulk and impact of the building on the character of the landscape. For example, this can include subterranean levels and reduced building height.


Positioning

- 7.3 In some instances replacement buildings are desired elsewhere on a site. Sometimes the replacement of buildings can have a greater or lesser impact based on their location on a site. In these cases the Officer will assess the existing site and the impact the existing building has on the site. If the new position would be incongruous and/or more open to view, or have an impact on the character of the landscape, the proposal is less likely to be acceptable. However, if it is considered to improve the openness, it is likely to weigh in favour of the application.

Other buildings on site

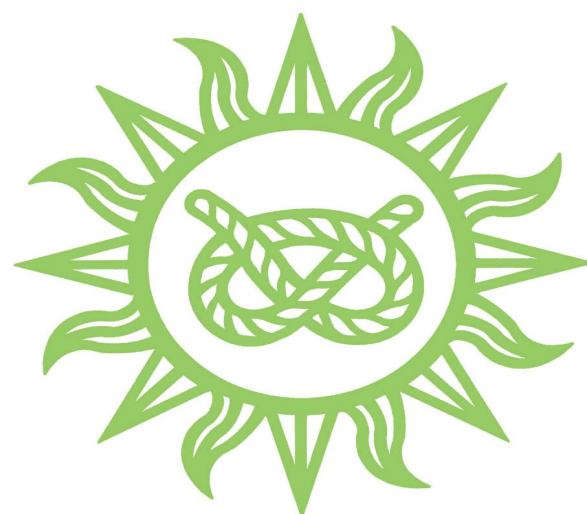
- 7.4 Generally, off-setting garden or ancillary buildings would not be an acceptable approach to adding bulk, massing, floor area or volume to a new building. Ancillary buildings are usually low and sometimes made from more natural materials such as timber which blend into the landscape. Some ancillary buildings have been softened over time with landscaping and have a minimal impact on the character of the area. Therefore these types of buildings are unlikely to be acceptable to adding significantly to a replacement building. The opportunity to off-set ancillary buildings in lieu of a larger replacement building will be dealt with on a case by case basis. If off-setting is considered to be an acceptable approach by the Officer, removal of Permitted Development rights may be considered.

8. Alterations or extensions to existing buildings

- 8.1 Extensions and alterations to buildings are not considered in local planning policy to be unacceptable within the Open Countryside. This is providing that any extension or alteration is not disproportionate to the original building.
- 8.2 The size of extension must be proportionate to the building and not adversely harm the intrinsic character of the Open Countryside.
- 8.3 For this SPD a percentage range is considered to be the most appropriate approach; this range is between 20-40%. A range is proposed to recognise that a 'one size fits all' approach is not always suitable.
- 8.4 Anything above the 20-40% range will be likely to be disproportionate, simply because it would not be in proportion with the host building and therefore would be likely to have an impact on the character of the landscape of the Open Countryside. This will be applied to floor area, rather than footprint which had been used historically (for dwellings). The reason for this is that often single storey additions can have a limited impact on the character of the area and conversely multiple storey or bulky additions can have a significant detrimental impact on character whilst remaining within a percentage limit.
- 
- 8.5 All cases will be dealt with on an individual basis and the Council will make a judgement as part of the decision making process as to whether the extension is disproportionate or not. If the extensions or alterations are likely to appear disproportionate, the application will be unacceptable in the Open Countryside as per policy OC1.
- 8.6 If however an applicant or agent considers that additions deemed disproportionate by the Council are absolutely necessary for the function of the building, or will bring community or economic benefit, then a case to justify the development will be required in the form of a supporting statement. This element will then be weighed up, including the quality of the design, in the planning balance and will form part of the decision making process.
- 8.7 If the justification put forward is considered to outweigh the harm to the character of the Open Countryside and the application is acceptable, it will be determined by the Regulatory Committee which is not bound to follow the officer recommendation.

9. Limited Infilling

- 9.1 Limited infilling is acceptable within the Open Countryside and was previously defined in the 1996 Local Plan. Limited infilling has been defined in policy OC1 of the Core Strategy as the filling of small gaps (1 or 2 buildings) within a built up frontage of development, which would not exceed the height of the existing buildings and not lead to a major increase in the developed proportion of the site.
- 9.2 Limited infilling will be considered to be acceptable where it would not harm the character of the Open Countryside. For example, a strong ribbon of development with a gap suitable for an additional building would not necessarily be harmful to the character of the Open Countryside or the landscape as it would strengthen the ribbon and the character of that area. This is providing the building is no higher than, and is sympathetic to the surrounding buildings. The design of the building would need to be suitable and the development would need to be acceptable in terms of other appropriate policies within the Core Strategy.
- 9.3 An example of limited infilling that is also likely to be acceptable is within a tight cluster of buildings, where the additional building is unlikely to impact on the openness of the area due to the position within the cluster.
- 9.4 In both examples, a building at the end of a ribbon, or the edge of a cluster does not fall within the definition of limited infilling, and would therefore be unacceptable.



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696000**