

- 7.3 South Staffordshire is comprised of a variety of landscapes, with historic landscapes, extensive areas of forest, areas of heathland, commons, rivers and water courses. Some landscape character types have suffered losses or degradation, and the District's landscape is affected by change arising from development, mineral working and agriculture. There are a number of initiatives covering part of the District that aim to achieve enhancements to the existing landscape and create valuable new habitats that can play a part in increasing biodiversity value within the District and these include the Forest of Mercia.
- 7.4 There are currently 11 sites of Special Scientific Interest (SSSI) in the District including Motte Meadows, Kinver Edge and Highgate Common. Motte Meadows is also a National Nature Reserve and a Special Area of Conservation (SAC) designated under the Habitats Directive. There are also many other Sites of Biological Importance (SBI) across the District of various habitat types that require on-going protection and management including important areas of lowland heathland and ancient woodland. In addition, there are 5 Local Nature Reserves (LNR) in the District including Shoal Hill Common and Wom Brook Walk. The western edge of the Cannock Chase Area of Outstanding Natural Beauty (AONB) lies within the District.
- 7.5 South Staffordshire has a total of 19 conservation areas, most of them based upon historic village centres, which include canal conservation areas covering the Staffordshire and Worcestershire Canal, Shropshire Union Canal, and the Stourbridge Canal. There are over 850 listed buildings and structures in the District and a range of other buildings and structures of local importance. In addition, there are 23 Scheduled Ancient Monuments (SAMs).

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

The Council will support development or other initiatives where they protect, conserve and enhance the District's natural and heritage assets including ecological networks internationally, nationally and locally important designations. Particular support will be given to initiatives to improve the natural environment where it is poor and increase the overall biodiversity of the District including the development of green infrastructure links and to improve the historic environment where it is identified as at risk.

Development or initiatives will generally be supported which:

- a) will not have a detrimental impact upon the interests and significance of a natural or heritage asset;
- b) are not contrary to the control of development within internationally, nationally or locally designated areas including the Green Belt and Open Countryside, Cannock Chase Area of Outstanding Natural Beauty and Motte Meadows Special Area of Conservation, and contribute to the conservation and enhancement of the character of the landscape and local distinctiveness;

- c) are consistent with the sustainable management of the asset including the repair and reuse of historic buildings;
- d) protect and improve water and air quality;
- e) provide mitigation or compensatory measures to address any potential harmful implications and supporting enhancement measures.

Development proposals should be consistent with the NPPF, the Supplementary Planning Documents on the Historic Environment and Biodiversity and other local planning policies.

Development proposals should have regard to and support the actions and objectives of the Severn and Humber River Basin Management Plans (RBMPs) and also have regard to the River Severn and River Trent Catchment Flood Management Plans (CFMPs).

### **Explanation**

7.6 The Policy should be regarded as a positive policy that will support the protection and enhancement of South Staffordshire's natural and historic environment and reflects the importance attached to the assets in Strategic Objectives 3, 4 and 5. The natural and heritage assets in South Staffordshire can be identified as follows:

- The South Staffordshire portion of the West Midlands Green Belt
- The Open Countryside – its landscape character and appearance;
- The best and most versatile agricultural land;
- The character and setting of villages;
- Cannock Chase Area of Outstanding Natural Beauty (AONB);
- The Forest of Mercia;
- Statutory and local areas of wildlife and biological importance, including a National Nature Reserve, Sites of Scientific Interest;
- Motte Meadows Special Areas of Conservation (SAC);
- Protected species and their habitats;
- Regionally Important Geological/Geomorphological Sites;
- Ancient and semi-natural woodlands and veteran trees;
- Trees, woodlands and hedgerows;
- Areas of lowland heath;
- Rivers, watercourses and their floodplains, canals and ponds;
- Buildings, structures and areas of townscape, historic and architectural value and their setting – listed buildings, conservation areas, buildings of special local interest;
- Registered parks and gardens of historic interest including historic landscape areas;
- Sites or structures of archaeological importance – Scheduled Ancient Monuments, sites shown on the Sites and Monuments Record (SMR);
- Land of open space, recreational and amenity value;
- The public rights of way network.

- 7.7 Supporting, enhancing and protecting these assets will require the maintenance of strong partnerships with key partners, such as English Heritage, Natural England and the Environment Agency. The policies in the Core Strategy will contribute to the protection and management of the Cannock Chase AONB and contribute towards the aims and objectives of the Forest of Mercia. The Core Strategy will also make a major contribution towards achieving the objectives of the Staffordshire Biodiversity Action Plan (SBAP).
- 7.8 The approach to the management and protection of the Cannock Chase AONB will be covered in a Supplementary Planning Document (SPD). Further Supplementary Planning Documents will be prepared in relation to biodiversity and landscape character and linked to the relevant Core Strategy policies.

### **Key Evidence**

Sustainable Community Strategy 2008 – 2020  
South Staffordshire Council Plan –2012 - 2016  
Habitats Regulation Assessment Review of the Core Strategy 2010  
Staffordshire Biodiversity Action Plan 2001  
Staffordshire Geodiversity Action Plan 2004  
Staffordshire Ecological Records  
Tree and Woodland Strategy 2010  
Open Space Strategy 2009  
Conservation Area Appraisals and Management Plans 2010  
Village Design Guide SPD 2009  
Buildings of Special Local Interest  
Historic Environment Assessment 2011  
Cannock Chase AONB Management Plan 2009 - 2014  
Evidence Base relating to Cannock Chase SAC and the Appropriate Assessment of Local Authority Core Strategies 2010  
Cannock Chase Visitor Impact Mitigation Strategy 2010  
Assessment of Physical and Environmental Constraints 2009  
Planning for Landscape Change – Staffordshire County Council SPD 1996-2011  
Humber River Basin Management Plan 2009  
Severn River Basin Management Plan 2009  
River Severn Catchment Flood Management Plan 2009  
River Trent Catchment Flood Management Plan 2010  
Air Quality Updating and Screening Assessment 2009

### **Delivery and Monitoring**

Through Development Policies EQ1, EQ2 ,EQ3 and EQ4

The monitoring arrangements are set out in the Monitoring Framework in Appendix 1.

- 9.39 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 agricultural development. Should any applications for large scale pig or poultry units come forward, these will have to be subject to the Habitats Regulations Assessment (HRA) process to ensure that there are no significant effects on internationally important wildlife sites. The Policy expands on the guidance contained in the NPPF and provides specific local guidance relevant to South Staffordshire, to help achieve more sustainable development. Proposals for dwellings for workers associated with agriculture or forestry are an established feature in South Staffordshire, and such development will be supported as far as possible because of their contribution to the local economy. However, the impact of such development on the character and appearance of the countryside and other environmental implications will require careful consideration in accordance with other local planning policies.

**Key Evidence**

WMRSS Evidence Base  
Rural Evidence Base 2008

**Delivery and Monitoring**

Through the Development Management process  
Working with Economic Development partners

The monitoring arrangements are set out in the Monitoring Framework in Appendix 1.

**Sustainable Community Facilities and Services**

**Introduction**

- 9.40 Ensuring that local communities in the District thrive and develop in a sustainable way is an important aspect of achieving a sustainable future for South Staffordshire and this is reflected in Strategic Objective 12.
- 9.41 Access to the services and facilities people need is one of the important determinants of quality of life particularly in rural areas. Basic facilities such as local shops/convenience stores, village/community halls, schools, places of worship, public houses, doctor's surgeries, post offices, and banks are important to local communities and have a social and cultural role with other services which are essential to people such as the elderly. Such facilities can add vibrancy to communities and provide a focus for activities and foster community spirit and cohesion.

**Core Policy 10: Sustainable Community Facilities and Services**

The Council will support proposals and activities that protect, retain or enhance existing community facilities and services or lead to the provision of additional facilities that improve the wellbeing and cohesion of local communities and ensure that communities are sustainable.

The Council will support the co-location of facilities (shared use of buildings) where it would enhance the provision of services within local communities and involve the most efficient and sustainable use of land.

Proposals involving the loss of community facilities and services including the sole or last remaining facilities and land in community use such as community/village halls, village shops, convenience stores, post offices, schools, nurseries, places of worship, health services, police services, libraries, public houses, sport and recreation and cultural facilities will not be supported.

In preparing the Site Allocations DPD, the Council may allocate land to provide community facilities where there is evidence of need through engagement with local communities.

Development proposals should be consistent with other local planning policies.

### **Explanation**

- 9.42 Our aim is to ensure that our villages retain a range of essential facilities and services such as social, healthcare, education, open space and recreation and that these are accessible to local people and delivered locally, and that they are maintained and improved and meet the needs of all sectors of the community including the most vulnerable. The potential loss of community facilities can have adverse consequences for local communities and lead to unsustainable travel patterns, and such loss will not be supported.

### **Key Evidence**

Sustainable Community Strategy 2008 – 2020  
South Staffordshire Council Plan 2012 - 2016  
Review of Protection and Provision of Community Facilities in South Staffordshire 2008  
Settlement Study 2009  
WMRSS Rural Services Scoping Report 2006

### **Delivery and Monitoring**

Through the Development Management process  
Locality Areas Delivery Plans

**Policy EQ3: Conservation, Preservation and Protection of Heritage Assets**

The conservation and enhancement of South Staffordshire's historic environment will be achieved by a number of means:

a) The Council will establish, review and maintain records of known heritage assets including:

- Listed buildings
- Scheduled Ancient Monuments
- Conservation Areas
- Registered Parks and Gardens
- Buildings of Special Local Interest (a 'local list')
- Undesignated heritage assets
- Other historic landscapes

and will support and encourage ever greater appreciation, knowledge and enjoyment of the District's historic environment and heritage assets through:

- joint working with local communities and interest groups such as civic and historical societies;
- the continual development and refinement of the Local List; and
- interaction with the County Council's Historic Environment Record (HER).

b) The Council will support and encourage measures which secure the improved maintenance, management and sustainable reuse of heritage assets, particularly those which are identified nationally or locally as being at risk. Where necessary an assessment will be made of whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

c) The Council will ensure that development which affects a heritage asset or its setting will be informed by a proportionate assessment of the significance of the asset, including its setting, which is likely to be affected by the proposals. These will be judged by considering the extent to which an asset's archaeological, architectural, historic or artistic interest will be harmed, including its conservation, in the interest of present and future generations.

d) In the case of development in a conservation area proposals will be considered against any management plan and appraisal adopted for that area.

e) The Council will consider the significance and setting of all proposed works to heritage assets, informed by relevant guidance that is supported by English Heritage. In addition the following principles will be adhered to:

- minimising the loss and disturbance of historic materials
- using appropriate materials, and
- ensuring alterations are reversible

f) The Council will require all works proposed to heritage assets, or sites with the potential to include assets, to be informed by a level of historical, architectural and archaeological evidence proportionate to their significance. Where appropriate, the Council may also require historical research and archaeological recording to be undertaken before works to a heritage asset commence.

Heritage assets including Listed Buildings (and those on a local list) Registered Parks and Gardens (and other historic landscapes) Conservation Areas and Scheduled Ancient Monuments are identified on the Policies Map and Inset Plans.

Development proposals should be consistent with the NPPF, the adopted Village Design Guide Supplementary Planning Document (or subsequent revisions) and other local planning policies.

### **Explanation**

- 7.15 South Staffordshire's historic environment is a rich and varied, finite and vulnerable resource which results from the District's evolution over thousands of years. It includes natural and man-made landscapes as well as the historic built environment. The inevitable and continuous processes of change and development create pressures on this resource and policies are needed to ensure its continued conservation.
- 7.16 Recent changes in national policy have introduced two terms to encompass this very broad spectrum. "Designated heritage assets" include Scheduled Ancient Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas; whilst "Heritage assets" are essentially those identified by the Council in its decision making processes and include local listings.
- 7.17 In order to ensure that the historic environment has a sustainable future it is essential that decisions are informed by a sound evidence base. This is wide ranging and includes Staffordshire County Council's Historic Environment Records, Historic Characterisation and Landscape Characterisation mapping, Extensive Urban Surveys (for towns and villages with a market charter) and, in conjunction with English Heritage, the West Midlands Farmsteads and Landscapes Project Survey.
- 7.18 The Council commissioned appraisals of its 11 village conservation areas. These informed the production of Management Plans for each area, which will be reviewed and updated every 5 years. This will ensure an up-to-date basis for planning decisions in 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





The monitoring arrangements are set out in the Monitoring Framework in Appendix 1.

**Development Policies**

9.43 The following Development Policies support Core Policy 10.

**Policy EV9: Provision and Retention of Local Community Facilities and Services**

The Council will support the provision and enhancement of essential community facilities and services, and their retention, particularly where these are the sole or last remaining facility such as a village shop, post office or public house, where these make an important contribution to the vitality of the place and quality of life/wellbeing of local communities and the maintenance of sustainable communities.

Proposals for redevelopment or change of use of any premises currently used or last used to provide essential facilities or services which support the local community, whether of a commercial nature or not, will only be permitted where the Council is satisfied that:

- a) it has been demonstrated through a viability test that the use concerned is no longer economically viable, that all reasonable efforts have been made to sell or let the property at a realistic price for a period of at least 12 months, the use could not be provided by some other means, or is genuinely redundant; and
- b) the premises or site or an unused part of the building cannot readily be used for, or converted to any other community facility; or
- c) the facility or service which will be lost will be adequately supplied or met by an easily accessible existing or new facility in the local area or the village concerned, unless it has been accepted as redundant under criterion (a) above; and
- d) the facility concerned was not required to be provided and or retained as part of a planning permission for a new development.

Development proposals that enhance the provision of community facilities and services in accordance with Core Policy 10 will be encouraged and supported.

Development proposals should be consistent with other local planning policies.

**Explanation**

- 9.44 The presence of essential facilities and services in villages will be important in maintaining community cohesion, quality of life, and reducing the need to travel. These facilities include village shops, post offices, pubs, petrol filling stations, community facilities such as village/community halls, meeting rooms, open space, sport and recreation facilities together with schools, places of worship, doctor's surgeries and libraries. The Council will support the provision, enhancement and retention of such facilities and services where this will enhance the sustainability of community life.
- 9.45 Where local communities are well served with a particular type of facility such as a shop, the loss of one shop may not be critically important. However, where the facility is in short supply such as a public house or post office, the retention of the last remaining facility will be very important. In considering proposals for the redevelopment or conversion of facilities valued by the community, the Council will require applicants to meet the criteria set out in the Policy and will expect local communities to be consulted about the facility that may be lost. A particularly important element of the Policy is the need to demonstrate through a viability test that the use is no longer economically viable.

### **Key Evidence**

Sustainable Community Strategy 2008 – 2020  
South Staffordshire Council Plan 2012 - 2016  
Review of Protection and Provision of Community Facilities in South Staffordshire 2008  
Settlement Study 2009  
WMRSS Rural Services Scoping Report 2006  
Sport England Sports Facility Statement 2011  
Playing Pitch Strategy 2007

### **Delivery and Monitoring**

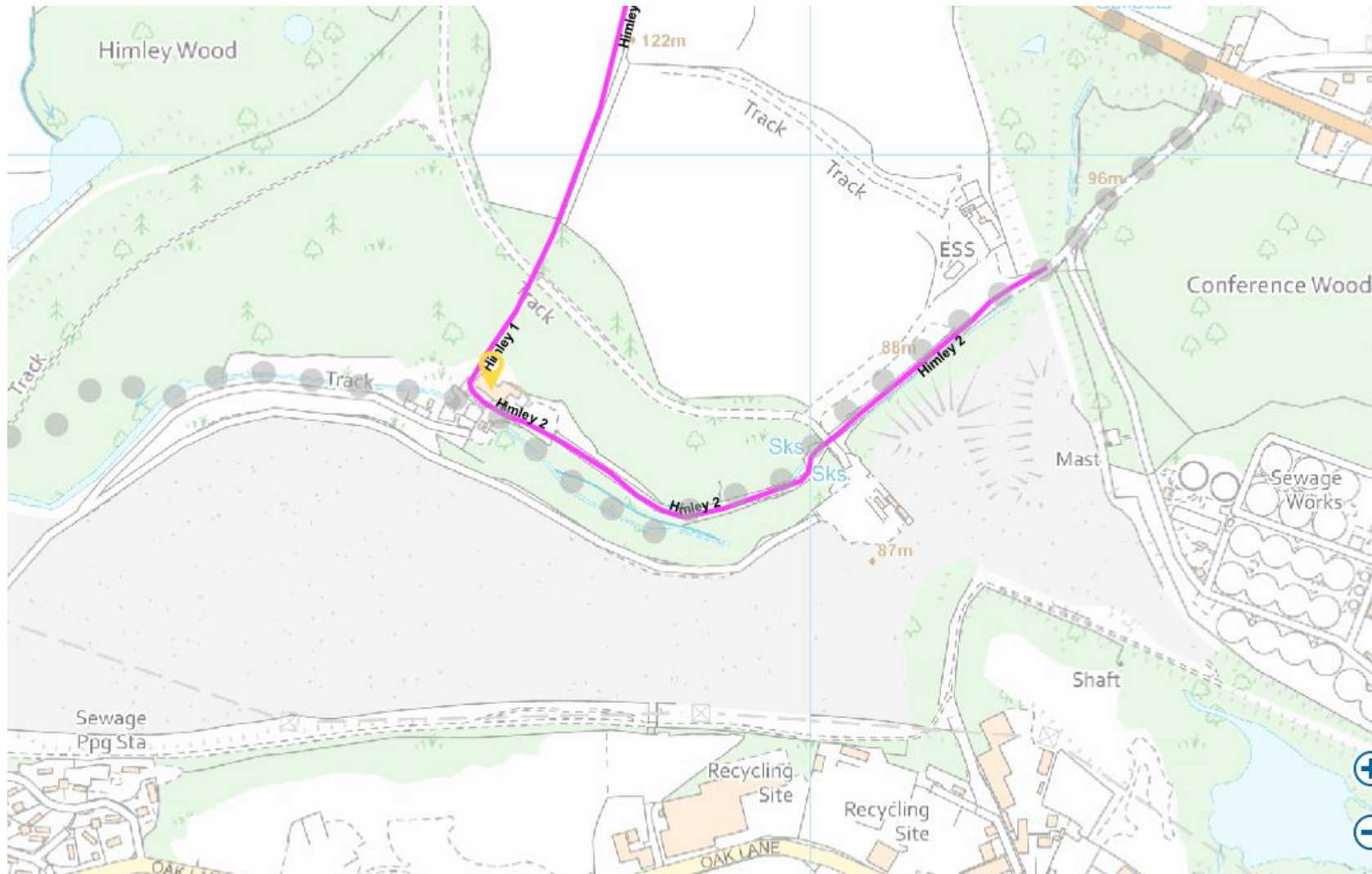
Through the Development Management process  
Locality Areas Delivery Plans

The monitoring arrangements are set out in the Monitoring Framework in Appendix 1.

### **Policy EV10: Telecommunications**

Proposals for telecommunications development (including radio masts), equipment and installations will only be permitted provided that:

- a) within the South Staffordshire portion of the West Midlands Green Belt it can be demonstrated that there are very special circumstances to justify the development;



Yellow pin indicates location of the Former Crooked House



## Town and Country Planning Act 1990

### Town and Country Planning (Tree Preservation)(England)Regulations 2012

#### Tree Preservation Order No. 23 / 99002 / TPO

SOUTH STAFFORDSHIRE DISTRICT COUNCIL in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order:

#### Citation

1. This Order may be cited as SOUTH STAFFORDSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER NO. 23/99002/TPO

#### Interpretation

2. (1) In this Order “the authority” means South Staffordshire District Council.  
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

#### Effect

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.  
(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall —
  - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
  - (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

#### Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.



# South Staffordshire Council

---

Dated this 9th day of August 2023

~~The Common Seal of South Staffordshire District Council  
was affixed to this Order in the presence of —~~

.....

Authorised by the Council to sign in that behalf

Signed on behalf of South Staffordshire District Council

Annette Roberts

.....

Authorised by the Council to sign in that behalf



# South Staffordshire Council

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## CONFIRMATION OF ORDER

This Order was confirmed by South Staffordshire District Council without modification on the 1st day of February 2024

OR

~~This Order was confirmed by South Staffordshire District Council subject to the modifications indicated by [state how indicated], on the XX day of [insert month and year]~~

Signed on behalf of South Staffordshire District Council

.....

Lorraine Fowkes

Authorised by the Council to sign in that behalf

## ~~DECISION NOT TO CONFIRM ORDER~~

~~A decision not to confirm this Order was taken by South Staffordshire District Council on the XX day of [insert month and year]~~

~~Signed on behalf of South Staffordshire District Council~~

.....

~~Authorised by the Council to sign in that behalf~~



# South Staffordshire Council

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## VARIATION OF ORDER

This Order was varied by South Staffordshire District Council on the XX day of [insert month and year] by a variation order under reference number [insert reference number to the variation order] a copy of which is attached

Signed on behalf of South Staffordshire District Council

.....

Authorised by the Council to sign in that behalf

## REVOCAION OF ORDER

This Order was revoked by South Staffordshire District Council on the XX day of [insert month and year]

Signed on behalf of South Staffordshire District Council

.....

Authorised by the Council to sign in that behalf





## SCHEDULE

### SPECIFICATION OF TREES

Trees specified individually (shown on the map as an unbroken black circle)

<u>Map ref.</u>	<u>Description</u>	<u>Situation</u>
N/A	N/A	N/A

Trees specified by reference to an area (shown on the map as a polygon with a dotted black outline)

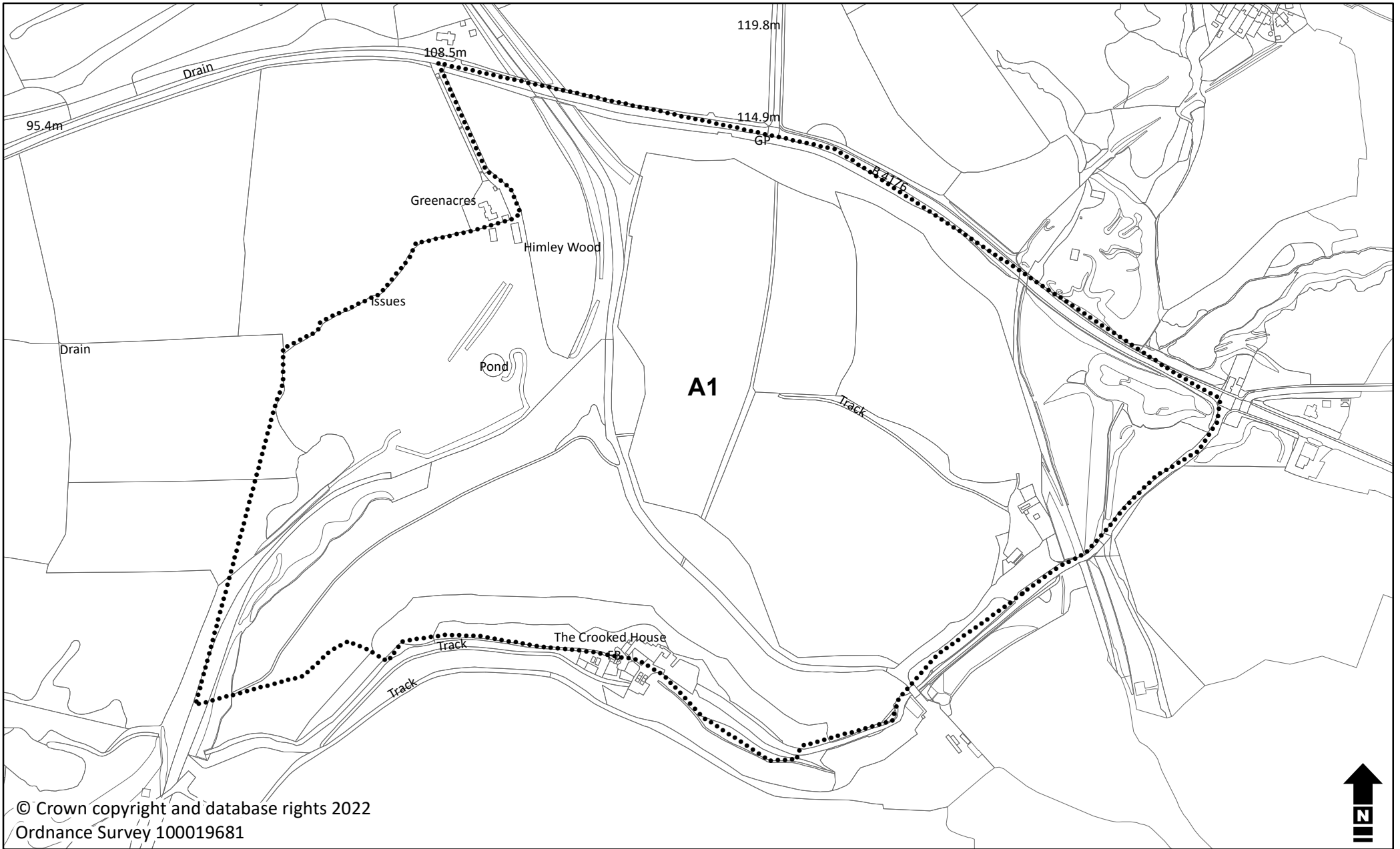
<u>Map ref.</u>	<u>Description</u>	<u>Situation</u>
A1	All broadleaf and coniferous trees located within the marked area.	Land to the south of Himley Road, Himley centred on grid reference SO 89788 91058.

Groups of trees (shown on the map as a polygon with a dashed black outline)

<u>Map ref.</u>	<u>Description</u>	<u>Situation</u>
N/A	N/A	N/A


Woodlands (shown on the map as a polygon with an unbroken black outline)

<u>Map ref.</u>	<u>Description</u>	<u>Situation</u>
N/A	N/A	N/A



**SOUTH STAFFORDSHIRE DISTRICT COUNCIL**  
**TREE PRESERVATION ORDER No. 23 / 99002 / TPO**  
**Land South of Himley Road, Himley, Grid Ref. SO 89788 91058**

Council Offices  
 Wolverhampton Road  
 Codsall  
 WV8 1PX



Scale: 1:5,000

## List of Persons and Interested Parties

Appeal Ref: APP/C3430/C/24/3341483

Enforcement Ref: 23/00199/UNDEV

Appeal by: ATE Farms Limited

Site at: The Crooked House, Himley Road, Himley, Dudley, DY3 4DA

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### **1 copy to the Occupier(s)**

No immediate neighbours

### **1 copy to the Clerk to Himley Parish Council**

Stephanie Farley, Clerk To Himley Parish Council

Email: [himleyparishcouncil@gmail.com](mailto:himleyparishcouncil@gmail.com)

### **1 copy to the Chairman/Vice-Chairman of the Council**

Councillor Meg Barrow

Email: [m.barrow@sstaffs.gov.uk](mailto:m.barrow@sstaffs.gov.uk)

Councillor, Dan Kinsey

Email: [d.kinsey@sstaffs.gov.uk](mailto:d.kinsey@sstaffs.gov.uk)

### **1 copy to the Chairman/Vice-Chairman of the Planning Committee**

Councillor Mark Evans

Email: [m.evans@sstaffs.gov.uk](mailto:m.evans@sstaffs.gov.uk)

Councillor Bob Cope

Email: [r.cope@sstaffs.gov.uk](mailto:r.cope@sstaffs.gov.uk)

### **1 copy to the following local member(s)**

Councillor Roger Lees BEM

Email: [r.lees@sstaffs.gov.uk](mailto:r.lees@sstaffs.gov.uk)