

Agenda Item:	5.2
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Site:	Winter House, Hall Grounds, Rolleston On Dove, Staffordshire, DE13 9BS
Proposal:	Demolition of existing dwelling and erection of a replacement dwelling

Report of Head of Service (Section 151 Officer)

This report has been checked on behalf of Legal Services by John Kirkham

[Hyperlink to Application Details](#)

Application Number:	P/2016/01207
Planning Officer:	Emily Christie
Type of Application:	Detailed Planning Application
Applicant:	Mr M Waters
Ward:	Rolleston on Dove
Ward Member (s):	Councillor B Toon
Date Registered:	26 September 2016
Date Expires:	18 November 2016

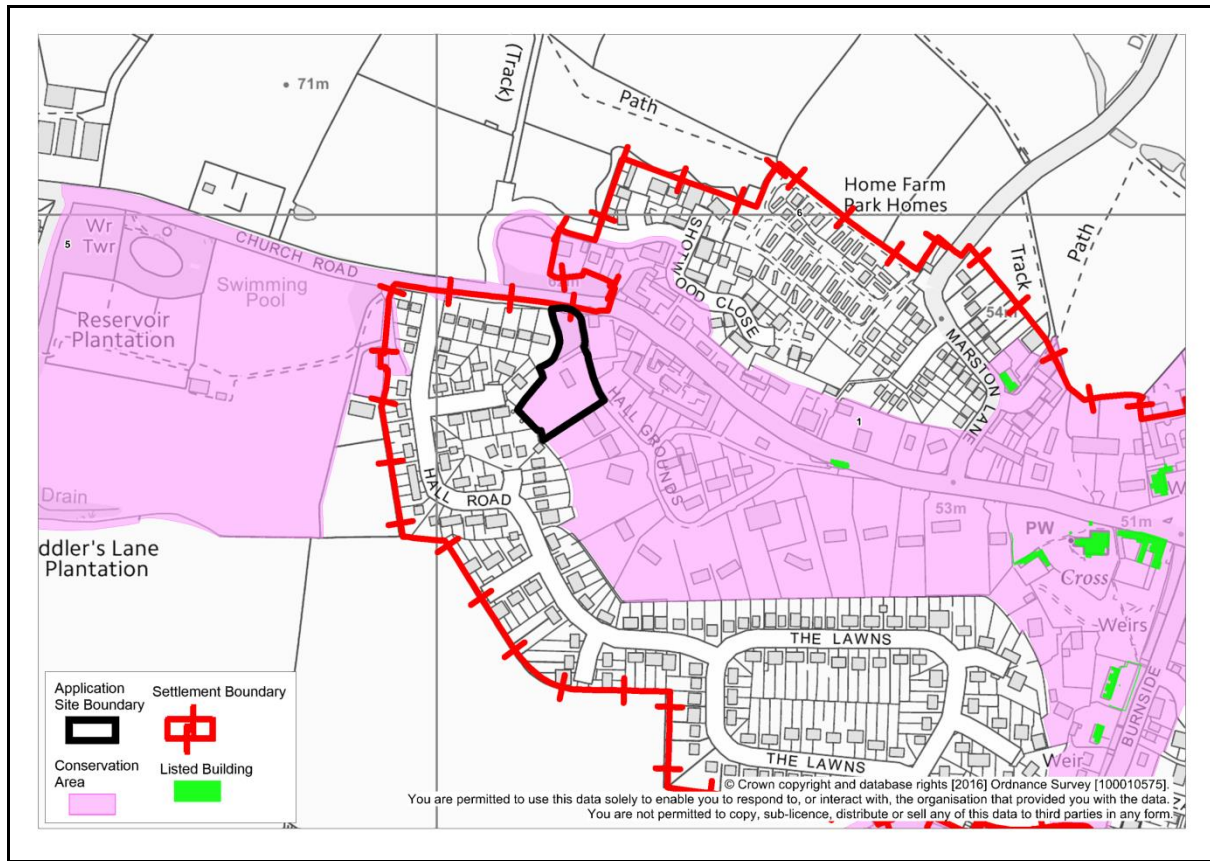
This application has been called in by Councillor Toon for the following reasons:

I would like the Planning Committee to consider:-

1. The historical importance of the site.
2. The limited access
3. The impact upon the character and appearance of the area, including conservation area.
4. And the loss of trees.

1. Executive Summary

- 1.1 The site is located within the Hall Grounds in Rolleston on Dove. There is an existing two storey dwelling of an arts and crafts style dating to the 1920s/1930s.
 - 1.2 The application seeks approval for the demolition of the existing dwelling and the erection of a replacement dwelling of a contemporary style.
 - 1.3 Statutory consultees have raised no objections that cannot be overcome via planning conditions. The Parish Council has raised concerns regarding the design of the proposal and the impact upon the character and appearance of the Rolleston on Dove conservation area; the loss of materials salvaged from Rolleston Hall used in the construction of the existing dwelling and the level of objection from the local community.
 - 1.4 Twenty-four responses (13 Objections and 11 in support) have been received from local residents.
 - 1.5 It is considered that the development is of sufficiently high quality design within its context to comply with the provisions of relevant development plan policies and the National Planning Policy Framework.
 - 1.6 The proposal will also not adversely affect the amenities of occupiers of existing nearby dwellings, and will provide an acceptable level of amenity for occupiers of the new dwellings.
 - 1.7 The proposal will not have an unacceptably adverse impact on the existing highway network.
 - 1.8 The site is located within the Rolleston on Dove conservation area, however given the location of the site, within an area of properties with an eclectic style and given the dense natural screening by the mature trees on and adjacent to the site, it is considered that the proposal would preserve the character or appearance of the Conservation Area.
- 1.1 **Members are advised that the above is a brief summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.**

Map of site**2. The site description**

- 2.1 The site comprises a residential property, located within the Hall Grounds in Rolleston on Dove. The site is located adjacent to the west gates which form one of the entrances to the hall grounds (this entrance is used occasionally with the main access route to the south east adjacent to 9 Church Road).
- 2.2 The existing dwelling dates to the late 1920s/early 1930s, built in an Arts and Crafts style and is said to be constructed in materials taken from the Hall when it was demolished in the mid 1920s.
- 2.3 The existing dwelling is set within a mature landscaped garden which has many mature trees. A number of the trees are protected under Tree Preservation Order 1 (TPO 1) and include an Oak tree known as The Mosley Oak (planted around 1900 by a member of the Mosley family), a Walnut, a Cedar of Lebanon and a Corsican Pine, there is also an area of mixed broadleaved and coniferous woodland included within the TPO to the south west of the dwelling.
- 2.4 The site is located within the Rolleston on Dove Conservation Area. The Rolleston on Dove Conservation Area Appraisal (2007) describes the Hall Grounds as containing attractive large 20th century houses sited more or less centrally in extensive and verdant gardens, heavily treed.

3. Planning history

- 3.1 HO/01158/006 - Alterations and extensions to house – Approved 13/08/1990.

4. The proposal

- 4.1 The application proposes the demolition of the existing dwelling and the erection of a replacement dwelling.
- 4.2 The proposed dwelling comprises a two storey contemporary structure with a flat roof. The dwelling is sited in a similar position to the existing dwelling towards the front of the site adjacent to the access road.
- 4.3 The proposed accommodation within the new dwelling amounts to a lounge, open plan kitchen/dining area, utility room, office/snug, a gym and garage at ground floor level and four en-suite bedrooms at first floor level.
- 4.4 The dwelling will be served by the existing vehicular access to the property and will have use of the existing domestic curtilage.

List of supporting documentation

- 4.5 The following documents have been provided as part of the application:
 - 062/A.L.001 – 1:1250 Location Plan dated as received 20th September 2016.
 - 062/A.L.010 rev A – 1:200 and 1:500 Proposed Site Plans dated as received 20th September 2016.
 - 062/A.L.011D – 1:100 Proposed Ground Floor Plan dated as received 20th September 2016.
 - 062/A.L.012C – 1:100 Proposed First Floor Plan dated as received 20th September 2016.
 - 062/A.L.014B – 1:100 Proposed East Elevations dated as received 22nd September 2016.
 - 062/A.L.015C – 1:100 Proposed South Elevation dated as received 23rd September 2016.
 - 062/A.L.016B – 1:100 Proposed West Elevation dated as received 22nd September 2016.
 - 062/A.L.017B – 1:100 Proposed North Elevation dated as received 22nd September 2016.
 - 062/A.L.018 – 1:100 Proposed Roof Plan dated as received 20th September 2016.
 - 062/A.L.019 – 1:50 Proposed Section dated as received 20th September 2016.
 - EA-2016-015 (TPP) – Tree Protection Plan dated as received 9th September 2016.
 - EA-2016-015 (TCP) – Tree Impact Plan dated as received 9th September 2016.
 - RBS-16/0543/001 – Topographical Survey dated as received 9th September 2016.
 - Planning Design and Access and Heritage Statement dated as received 9th September 2016.
 - Preliminary Ecological Appraisal including Preliminary Roost Assessment for Bats and Birds dated as received 9th September 2016.
 - Activity Survey for Bats dated as received 19th September 2016.
 - Arboricultural Impact Assessment (Ref: EA-2016-015 (AIA)) dated as received 9th September 2016.

- Arboricultural Method Statement (Ref: EA-2016-015 (AMS)) dated as received 9th September 2016.

4.6 The relevant findings are dealt with in section 8 onwards below.

5. Consultation responses and representations

5.1 A summary of the consultation responses is set out below:

Statutory and non statutory consultee		Response
5.2	Parish Council	<i>Parish Council wishes to object to this application on the grounds that it is not in keeping with other houses in the vicinity and certainly not in the conservation area. Parts of the current dwelling use salvage from Rolleston Hall. Lots of community objection also. We request this application goes before a full planning meeting.</i>
5.3	SCC Highways	No objection
5.4	SCC Archaeology	No objection

6. Neighbour responses

6.1 24 responses have been received (13 Objections and 11 in support).

Neighbour responses	
Principle	<ul style="list-style-type: none"> - The proposal is contrary to the principles of the Rolleston on Dove Neighbourhood Plan (Core Objectives 1 and 5) - This application will set a precedent for development in the area and will lead to the erosion of the local distinctive character. - The development has no benefit – it does not propose addition dwellings to contribute to the housing needs of the area. - The proposal does not meet the requirements of the NPPF as there are no economic, social or environmental gains as a result of the development. - Extending the existing property sympathetically would be more in keeping with the area. - The proposal is industrial in design. the design of the proposed dwelling is not appropriate and is not in keeping with the traditional character of the area - The proposed materials are not appropriate. - The development is contrary to the Conservation Area Appraisal of 2007. - The development will appear as an over-bearing addition to the streetscene and conservation area

	<ul style="list-style-type: none"> - There is no justification for replacing the existing dwelling - The proposal is contrary to Section 72 of the Listed Buildings and Conservation Areas Act 1990
Impacts on Amenity	<ul style="list-style-type: none"> - Construction vehicles will disturb the occupants of neighbouring dwellings - The siting of works cabins opposite to the Lodge by the west gates is inappropriate and will have a detrimental impact upon the amenities of neighbours.
Highways Impacts	<ul style="list-style-type: none"> - The private road is not suitable for construction vehicles - The access off Church Road is not suitable for use by construction vehicles as visibility is poor. - The access roads and gateways are owned by The Lodge, and no permission has been granted to provide access for construction. - Access must be maintained for emergency vehicles at all time.
Impact on Heritage Assets	<ul style="list-style-type: none"> - The existing dwelling is constructed in materials salvaged from the old Hall in the 1920s – their removal will result in the loss of locally important assets. - The design of the existing property is reflective of the period in which it was built and is an important building within the Hall Grounds and the conservation area. - The proposed materials are not appropriate - The proposal will affect the setting of the neighbouring properties and historic gates to the detriment of the conservation area - Views in and out of neighbouring properties will be affected to their detriment. - Loss of an important example of arts and crafts architecture. - A scheme of archaeological investigation is proposed by the applicant however, no details of such an assessment are included within the application documents.
Impact upon trees and biodiversity	<ul style="list-style-type: none"> - The proposal will lead to the damage and removal of mature trees - The removal of the Oak tree (T5) is not acceptable. - The application documents states that foundation and refurbishment works to the driveway shall be dug by hand – who will police this to ensure machinery does not damage trees and their root systems? - The Mosley Oak is planted within the garden of the property and must not be affected.

Other	<ul style="list-style-type: none"> - Loss of property value in the area - The alignment of the property will not make use of natural light and environmental benefits - The renaming of the property is inappropriate and too similar to other properties within the Hall Grounds. - The flat roof design will result in ongoing issues as a result of large amounts of organic matter collecting on it, therefore reducing the life and the performance of the roof itself.
Letters in Support	<ul style="list-style-type: none"> - high quality design - scheme designed to conserve mature trees on the site - well integrated within the site - appropriate addition to the eclectic mix of houses on Hall Grounds - little impact upon the conservation area - appropriate use of materials and finishes - interesting addition to the village - the development will enhance the reputation of the village and increase property prices - improvement on the existing property - ideal setting for such a development - design is forward thinking.
Rolleston Civic Trust	<p><i>Rolleston Civic Trust are objecting to this Application on the basis firstly that the existing building, which is within the Conservation Area, has too valuable a heritage with regard to its past, its design (and materials used) to be lost to the village; and secondly that the proposed design for its replacement does not fit with its neighbouring properties. Although the existing houses in Hall Grounds vary considerably in style and size, etc, it must be that any new house has to conserve the general character of the area, and we think it's just too radically different.</i></p> <p><i>We are also very concerned about the effect on the Hall Grounds roadway and entrance during the construction phase. The applicant makes great play on conserving the existing trees and shrubbery, which are such a feature of the site, but it is hard to imagine how those at the front of the site can be retained undamaged.</i></p>

7. Policy Framework

National Policy

- National Planning Policy Framework
- National Planning Policy Guidance

Local Plan

- Principle 1: Presumption in Favour of Sustainable Development

- SP1: East Staffordshire Approach to Sustainable Development
- SP2: Settlement Hierarchy
- SP24 High Quality Design
- SP25 Historic Environment
- SP26 National Forest
- SP27 Climate Change, Water Body Management and Flooding
- SP28 Renewable and Low Carbon Energy Generation
- SP29 Biodiversity and Geodiversity
- SP35 Accessibility and Sustainable Transport
- DP1 Design of New Development
- DP2 Designing in Sustainable Construction
- DP3 Design of New Residential Development, Extensions and Curtilage Buildings
- DP5 Protecting the Historic Environment: All Heritage Assets, Listed Buildings, Conservation Areas and archaeology
- DP6 Protecting the Historic Environment: Other Heritage Assets
- DP7 Pollution and Contamination
- DP8 Tree Protection

- The Rolleston Neighbourhood Plan
 - The plan was examined in October 2013 however, to date the status of the plan remains in draft. Therefore it has limited weight in the assessment of this application.

- East Staffordshire Design Guide
- Rolleston Village Design Statement

8. Principle of Development

8.1 The NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Paragraph 14 of the NPPF states that for decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

8.2 Paragraph 251 of the NPPF states that 'due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the framework, the greater the weight that may be given'.

9. 5 Year land Supply

- 9.1 The most recent calculation uses figures as at 31st March 2016 and concludes there is 5.72 years of supply. Therefore the housing policies in the plan can be considered up to date.

10. Local Plan

- 10.1 The Council has adopted a positive approach in seeking to meet objectively assessed development needs of the Borough. The policies in the plan provide a clear framework to guide sustainable growth and the management of change, thereby following the Government's presumption in favour of sustainable development.

- 10.2 Strategic Policy 1 sets out the East Staffordshire Approach to Sustainable Development. Principles listed in the policy include social, environmental and economic considerations to be taken into account in all decision making where relevant. The principles are:

- located on, or with good links to, the strategic highway network, and should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of open countryside;
- it is convenient and safe to walk, cycle and travel by public transport between (and for larger sites, around) the site and existing homes, workplaces, shops, education, health, recreation, leisure, and community facilities and between any new on-site provision;
- retains, enhances, expands and connects existing green infrastructure assets into networks within the site and within the wider landscape;
- re-uses existing buildings where this is practicable and desirable in terms of the contribution the buildings make to their setting;
- integrated with the character of the landscape and townscape, provides for archaeological investigation where this is appropriate and conserves and enhances buildings of heritage importance, setting and historic landscape character;
- designed to protect the amenity of the occupiers of residential properties nearby, and any future occupiers of the development through good design and landscaping;
- high quality design which incorporates energy efficient considerations and renewable energy technologies;
- developed without incurring unacceptable flood risk or drainage problems and uses Sustainable Drainage Systems (SUDS) where appropriate;
- does not harm biodiversity, but rather enhances it wherever possible, including increasing tree-cover, especially as part of the National Forest;
- creates well designed and located publicly accessible open space;
- would demonstrably help to support the viability of local facilities, businesses and the local community or where new development attracts new businesses and facilities to an area this does not harm the viability of existing local facilities or businesses;
- would contribute towards the creation of sustainable communities through the provision of a mix of housing types and tenures;
- uses locally sourced, sustainable or recycled construction materials (including wood products from the National Forest where this is

appropriate), sustainable waste management practices and minimises construction waste;

- safeguards the long term capability of best and most versatile agricultural land (Grade 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future; and
- would result in the removal of contamination and other environmental problems associated with the site.

10.3 The site is located within the Rolleston on Dove settlement boundary (policy SP2) and therefore the principle of development by way of a replacement dwelling on the site is considered to be acceptable.

10.4 The considerations relating to amenity, highway safety, the impact upon heritage assets and design are covered in the following sections of this report.

11. Design and Impact on the character and appearance of the area

11.1 The NPPF attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

11.2 Strategic Policy 1 and 24 state that development proposals must contribute positively to the area in which they are proposed. The policy lists a number of criteria developments are expected to achieve including creating a sense of place, reinforcing character, reflecting densities and where possible minimise the production of carbon through sustainable construction.

11.3 Policy DP1 of the Local Plan re-iterates the design principles set by SP24 stating that development must respond positively to the context of the surrounding area, exhibit a high quality of design and be compliant with the East Staffordshire Design Guide.

11.4 The East Staffordshire Design Guide requires the design of development to demonstrate a strong, considered and sensitive response to its context. Design which is relevant to the site and wider context will be important, as this can support local distinctiveness. The Guide allows for development which employs a more modern architectural style but in terms of its proportions and siting it should still compliment its surroundings.

11.5 The East Staffordshire Design Guide is equally applicable to the policy aspirations of SP24. It states that:

- (a) Residential layouts should be designed with focus on the streets and spaces between dwellings rather than the individual buildings themselves;
- (b) The location of buildings in relation to streets should create interesting streetscapes including consciously arranged views and vistas within and out of the development;
- (c) Long straight and sweeping roads should be avoided with a preference for traffic calming inherent in the design of the development;

- (d) Repetitive house types should be avoided;
 - (e) The cramming together of large numbers of detached properties should be avoided.
 - (f) High proportions of frontage car parking will not be acceptable.
- 11.6 Detailed policy 2 aims for development to achieve high sustainability and environmental credentials adopted energy efficiency techniques and other standards where possible.
- 11.7 Paragraph 17 of the NPPF states that Local Authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 11.8 Paragraph 60 of the NPPF states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
- 11.9 Paragraph 61 goes on to say that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
- 11.10 Paragraph 2.4.6 of the East Staffordshire Design Guide states that the Council will support well mannered contemporary architecture in new development. It will be important to achieve human scale in residential design and the articulation of the architecture, the choice of materials and the detailing all play a role in achieving this. Human scale is characterised by the use of good quality, tactile materials which are of a generally smaller unit size and which create visual interest. It is also characterised by effective articulation of form and mass through the design of frontages, the interplay of materials, the fenestration treatment and the detailing.
- 11.11 Paragraph 2.5.6 of the East Staffordshire Design Guide states that in contemporary schemes where traditional window details are not proposed, it is still important to ensure the proportions, positioning and details of windows are appropriate to the context (or improve on the context where necessary). In relation to the above list, the use of appropriate lintel and cill details can provide definition to the windows, and setting windows back from the front face of the building by at least 50mm helps to provide depth and character to the façade.
- 11.12 Policy D5 of the Rolleston on Dove Neighbourhood Plan states that proposal should be constructed in brick or render with tiled roofs. Whilst render is proposed for the walls, due to the design of the proposed dwelling, tiles will not be used within its construction. Paragraph 2.4.3 of the East Staffordshire Design Guide states that robust materials which age well and stand the test of time will be required. Such high quality materials may cost more in the short-term, but will perform better in the longer-term. Care should be taken to

coordinate materials, finishes and detailing. Ongoing maintenance should be considered when specifying both products and finishes to ensure long-term performance and highlight long-term maintenance requirements. Some lighter coloured renders for instance can be susceptible to staining from surface water run-off around window sills and roofs.

11.13 Objective 1 of the Rolleston on Dove Neighbourhood Plan states that the community accepts some new homes are necessary but these should be built in the most sustainable and least impacting areas of the village, preserving the village atmosphere for future generations.

11.14 Furthermore objective 5 of the Rolleston on Dove Neighbourhood Plan states that developments should meet the housing needs of the local community and be designed to be in keeping with the existing properties in the village.

11.15 The Rolleston Village Design Statement states that *'successful building design is not just a matter of how a new dwelling or extension will look on its own plot. It is the relationship it has to neighbouring properties and the prevailing character of each area of the village. The existing layout of property boundaries, the scale and proportions of buildings, their relationship to the street scene, materials and detailing, and the quality of landscaping, all contribute to the character both within the Conservation Area and outside it.*

A method of achieving this is to encourage new buildings to perpetuate and complement traditional styles. Whilst it is not intended that all new buildings directly copy traditional buildings, new developments should establish a good relationship with existing buildings and the landscape setting. Successful buildings will only come through a shared understanding and a partnership between the Planning Authority, developers and the local community. A lot will depend on careful consideration of siting, form, detailing, scale and materials'. (Taken from Section 8 - Building Form and Relationships).

11.16 The proposed plans show a contemporary scheme with simple lines and proportions nestled within the existing trees and landscaping on the site. The modern style of the dwelling, although different from other dwellings within the Hall Grounds area, is considered to be acceptable in principle and will compliment the diverse and eclectic mix of dwellings in the complex. It is however, considered that the materials and finishes used within the construction of the property will be paramount to the success of its delivery.

11.17 The use of a slate coloured render on the first floor portion of the building is considered to be an affective detail, emulating the colour of the existing roof material on the existing dwelling. The use of the slate colour will help the building to blend into its surroundings and it is considered that from public vantage points, you will get glimpses of the building rather than the dwelling becoming an overly dominant feature within the conservation area.

11.18 The use of large quantities of glazing is considered to be acceptable and reflective of the contemporary style of the property. The windows should be set back to provide a deep recess to give more depth to the elevations (it is acknowledged that the windows are set back on the CGI images and it is considered that this adds to the character of the building).

11.19 It is considered that a contemporary approach to the style of the new dwelling is considered acceptable. The retention of the existing vegetation and trees on site is considered paramount to the success of the scheme, to provide mature landscaping to screen the building and to reduce any impact that the development would have on views in and out of the conservation area.

11.20 The detailed arboricultural assessments and plans submitted with the application demonstrate that the development can be achieved whilst preserving the mature vegetation in most part on the site.

12. Residential Amenity

12.1 The National Planning Policy Framework and DP1, DP3 of the Local Plan seeks to ensure new residential development will not have an adverse impact on the amenities of new or existing residents by way of loss of light, overlooking or overbearing.

12.2 Policy D2 of the Rolleston Neighbourhood Plan seeks to ensure that no new residential development or extension to residential property should be more than two storeys in height to ensure schemes are in keeping with the rest of the village and protect views into and out of the village. The proposed dwelling is to be sited in a similar position to the existing dwelling within the plot, with considerable separation distances between the new dwelling and neighbouring properties. The property is not proposed to be significantly higher than the dwelling it proposes to replace and as such the new dwelling will not appear as an overly imposing structure.

12.3 The separation distances, together with the natural screening on the site from existing trees and vegetation will negate any issues of loss of amenity.

12.4 With regard to noise and disturbance during the construction phases of the development, it is recommended that construction hours should be limited given the location of the property within an established residential area, within this it is considered appropriate to limit works to include no working at weekends or on bank holidays and hours of working to be kept to sociable times in the interests of residential amenity.

13. Sustainability (energy efficiency and low carbon)

13.1 DP2 of the Local Plan sets out expectations for development which ensure the design and delivery of low carbon buildings and energy improvements to existing buildings. Considerations include where relevant:

- follow the energy hierarchy of designing out energy demand from the outset, incorporating energy efficiency measures and introducing low carbon energy supply;
- incorporate the best environmental practice and construction techniques in line with the Governments zero carbon buildings policy;
- use appropriate materials, form, orientation and layout of buildings to maximise the benefits of passive solar heating, cooling, lighting and natural ventilation;
- incorporate facilities to minimise the use of water and the creation of waste, and which maximise opportunities for recycling;

- incorporate ecologically sensitive design and features for biodiversity early on within a development scheme, following guidance in ‘Biodiversity by Design’ or future revisions;
- where appropriate prepare Site Waste Management Plans to ensure that at least 25% of the total minerals used derive from recycled and reused content;
- aim to reduce predicted carbon emissions through the generation of decentralised and renewable or low carbon energy generation where practicable;
- where on site renewable or low carbon energy generation is not practical, a contribution towards an off-site renewable energy or carbon reduction scheme will be acceptable.

13.2 The aspirations of Local Plan Policy D2 are echoed in Policy D3 of the Rolleston on Dove Neighbourhood Plan.

13.3 The Planning Design and Access and Heritage Statement submitted with the application states that the new dwelling will incorporate modern construction and heating technologies and will subsequently reduce the pressure on natural resources.

13.4 The requirement to deliver the dwelling to a higher standard of building regulations than that of the existing dwelling will secure such improvements.

14. Highway Matters

14.1 The NPPF in section 4 sets out the role transport policies play in facilitating sustainable development which contributes to wider sustainability and health objectives. Decisions should ensure development proposals have taken the opportunities for sustainable transport modes, ensure safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

14.2 Policies SP1 and SP35 of the Local Plan aim to ensure development is located on sites with good links to the highway network, development is convenient and safe to walk, cycle and travel by public transport. Developments should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of the open countryside. For those developments likely to have an impact on the wider highway infrastructure, proposals should be accompanied by a transport assessment clearly setting out how the likely impacts of the development will be addressed.

14.3 The Council’s parking standards SPD sets out standards for different uses including space size, accessibility and the quantity of car parking spaces required for different uses. Policy D4 of the Rolleston on Dove Neighbourhood Plan requires 3 off road parking spaces to serve properties comprising four bedrooms.

14.4 The development will be accessed via the existing drive serving the properties within Hall Grounds. The development will not attract significantly more vehicular movements than the existing dwelling. The development provides

adequate car parking within the curtilage of the dwelling and as such it is not considered that there will be any implications for highway safety as a result of the development.

- 14.5 During the construction phases, there will inherently be additional vehicular movements, in some cases requiring large vehicles to access the site. This will be over a relatively short period of time and all contractors will be required to adhere to highway safety guidelines and conduct.

15. Historic Environment

- 15.1 Paragraph 126 of the NPPF states that Local Planning Authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

- 15.2 In determining planning applications with respect to any building or other land in a conservation area, local planning authorities are under a statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Case law has established that this means that considerable importance and weight has to be given to that statutory duty when balancing the proposal against other material considerations. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

- 15.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Again, as for the Section 72 duty referred to above, case law has established that this means that considerable importance and weight has to be given to that statutory duty when balancing the proposal against other material considerations.

- 15.4 Strategic Policy 25 states that Development proposals should protect, conserve and enhance heritage assets and their settings, taking into account their significance, as well as the distinctive character of the Borough's townscapes and landscapes.

- 15.5 Detailed policy 5 goes into more detail regarding Historic Assets, Listed Buildings, Conservation Areas and Archaeology. Detailed policy 6 aims to protect other heritage assets which are not necessarily covered by listed building or conservation area status, such as shopfronts and the setting of important historic landscapes.

- 15.6 The site is located within the Rolleston on Dove Conservation Area and as such special regard must be given to preserving or enhancing the character or appearance of the area. The development site is well screened by existing vegetation and trees within the site. The trees are protected either by a tree preservation order or by way of their location within the conservation area

therefore they cannot be removed without first gaining consent from the Local Planning Authority. Given the limited views of the property as a result of the mature tree screening, the impact upon the character and appearance of the conservation area is minimal.

- 15.7 The choice of materials and finishes is considered to be paramount to the success of the development and as such it is essential that high quality and appropriate materials are sourced. Specific details and samples of the materials and finishes to be used within the construction of the dwelling will be secured by a suitably-worded condition. Provided that the materials used are of a suitably high quality and finish and the natural screening is preserved, the impact of the development on the character and appearance of the conservation should be minimal.
- 15.8 The building which is due to be demolished is not a Listed Building. The nearest listed building is approximately 200m to the south east known as 9 Church Road. The property stands adjacent to the main entrance to the Hall Grounds. The proposed development will not be visible from the listed property, however, vehicles accessing the dwelling will use the entrance to the Hall Grounds, however, this is a similar situation to the existing dwelling. It is not therefore considered that the development will affect a listed building or its setting.
- 15.9 Given these separation distances and the form of existing built development, it is not considered that the proposal would have an impact on views into, or those out of the conservation area. The character or appearance of the Conservation Area would be preserved and therefore the statutory duty under Section 72, referred to above, is complied with.
- 15.10 No Listed Building or its setting will be affected and therefore the statutory duty under Section 66 is complied with..
- 15.11 There are records of archaeological interest in the area (the site is within the Rolleston Hall Park Landscape Area) and as such the impact that the development may have on the setting of the area has been considered by the Principal Archaeologist at the County Council. The County Council has raised no objections to the development given the scale of the proposal and the demonstrable low archaeological potential for the site; therefore it is recommended that no archaeological mitigation would be warranted in this instance. In response to the Parish Council who set out in their objection that the original house comprises material from another historic buildings and that the building to be demolished is a valuable heritage asset, in planning terms and from a statutory heritage perspective the building is not considered to be a heritage asset and as such does not warrant special protection.

16. Flood Risk and Drainage

- 16.1 Section 10 of the National Planning Policy Framework seeks to ensure that new development is not at risk from flooding, or does not increase flood risk elsewhere. It advocates the use of a sequential test with the aim of steering new developments to areas with the lowest probability of flooding. The Environment Agency produces flood risk maps which classifies land according to probability of flooding. The areas of highest risk are classified as Flood Zone 3, with a 1 in 100 or greater annual probability of flooding, and the areas of

lowest risk are classified as Flood Zone 1, with a less than 1 in 1000 annual probability of flooding.

- 16.2 Strategic Policy 27 expects all new development to incorporate Sustainable Drainage Systems (SUDS). Systems will discharge clean roof water to ground via infiltration techniques, limit surface water discharge to the greenfield run-off rate and protect and enhance wildlife habitats, heritage assets, existing open space, amenity areas and landscape value.
- 16.3 The application documents state that the foul and surface water created as a result of the development will be disposed of using the existing sewer network, similar to the existing dwelling.
- 16.4 The site lies entirely within Flood Zone 1 and as such is at a low risk from fluvial flooding. The application has been considered by all relevant consultees in relation to flood risk and drainage and no objections have been received.

17. Biodiversity

- 17.1 Paragraph 118 within Section 11 of the National Planning Policy Framework states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, planning permission should be refused.
- 17.2 The Natural Environment and Rural Communities Act 2006 states that public authorities in England have a duty to have regard to conserving biodiversity as part of policy or decision making.
- 17.3 Strategic Policy 29 lists criteria including development retain features of biological interest produces a net gain in biodiversity in line with Staffordshire biodiversity action plan species and supporting developments with multi-functional benefits.
- 17.4 The application is supported by the submission of a preliminary ecological appraisal, a bat activity survey and detailed arboricultural assessments including a method statement which covers tree protection measures, no dig construction methods for the driveway and the siting of construction vehicles and associated infrastructure.
- 17.5 The ecological assessments identify the presence of bats within part of the roof of the existing dwelling. The reports however, conclude that suitable mitigation can be achieved to ensure that there is no adverse impact upon local bat populations by way of prescribing working times during the year and the installation of bat roosting facilities incorporated within the new dwelling and the site.
- 17.6 Trees within the site are, in the most part, to be retained and as such the local habitat will remain fairly constant, however, precise details of the landscaping scheme will be secured by a suitably worded condition to ensure any trees removed as part of the scheme are replaced as necessary with further stipulation on the type of trees to ensure heavy standards are planted to provide more immediate habitat and coverage on the site.

17.7 In light of the above, it is considered that the impact upon protected species can be controlled and suitably mitigated against by way of the inclusion of suitable mitigation measures.

18. Conclusions

18.1 Considering all of the above, it is concluded that subject to various conditions the proposal suitably complies with the overall aims of the relevant Local Plan Policies, the East Staffordshire Design Guide and the NPPF including the aims of the relevant sustainability criteria of Policy SP1. The Neighbourhood Plan remains a plan which is in draft and therefore carries limited weight.

18.2 The site is located within a conservation area, however given the location of the site, within an area of properties with an eclectic style and given the dense natural screening by the mature trees on and adjacent to the site, it is considered that the proposal with its high quality design credentials would preserve the character or appearance of the Conservation Area and therefore the statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is complied with.

18.3 The nearest Listed Building to the site is 200m away. Given the separation distances and the form of existing built development, it is not considered that the proposal would have an impact on any Listed Building or its setting and therefore the statutory duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is not engaged.

18.4 The amenities of neighbouring dwellings will not be materially harmed given the separation distances involved and the design and scale of dwelling and highway safety is not compromised. Issues relating to drainage, biodiversity, tree protection and planting, sustainable construction and contamination can all be resolved by conditions.

18.5 Having weighed in the balance and having taken account of the schemes overall environmental, social and economic impacts it is considered that the scheme does represent sustainable development and fits the overall aims of the Development Plan, SPDs and the NPPF. The proposal also complies with the Made Stretton Neighbourhood Plan.

18.6 RECOMMENDATION

18.7 **PERMIT** subject to the following conditions –

- Standard time limit for the commencement of the development (0000001A).
- Compliance with the approved plans (subject to other conditions) (00002).
- Submission and approval of a construction management plan including parking facilities for vehicles of site personnel, operatives and visitors, loading and unloading arrangements for plant and materials and the storage areas for plant and materials used during the construction of the development (00016g).
- Submission and approval of slab levels and compliance with the approved details (00016b).
- Notwithstanding the stated details, approval of all external materials (including colours) and compliance with the approved details (00002F).

- Submission and approval of details of external joinery and compliance with the approved details (00006a).
- Notwithstanding the stated details, approval of all heating and ventilation outlets (including colour and finish) and compliance with the approved details (00006I).
- Submission and approval of a surface water and foul water drainage scheme and implementation of such (00005A).
- Notwithstanding the submitted details, submission of full landscaping and boundary treatment including details of tree protection measures for retained trees, the planting of native trees (00003A).
- Submission and approval of full biodiversity enhancement measures and the implementation and maintenance of such (00016I)
- Submission and approval of a scheme regarding sustainable construction and energy efficiency and compliance with such (Bespoke Condition).
- Implementation of the approved landscaping scheme (00003b).
- Completion of the access, parking and turning areas in a bound and porous material/s (with exact material/s to be first approved by LPA) and such remaining available for their dedicated purposes for the life of the development (00004a).
- All windows and external doors to be set back from outer face of wall by 100mm unless first agreed in writing by the LPA (00006b).
- Full compliance with all mitigation measures detailed in the ecology reports. Including enhancement measures for biodiversity protection and enhancement reasons (Bespoke Condition).
- Details of the measures to be implemented to protect trees during the development and implementation as such (00003c).
- Removal of PD rights for future extensions, outbuildings, external alterations including any new windows and rooflights, boundary treatment and solar panels for amenity and visual reasons (00012a).

Informatives:

- Pre-commencement conditions standard informative (002a)
- Details of when materials are available for inspection (001a)
- Hall Grounds is a private road and consequently the above comment relates purely to the effects of the development on roads for which Staffordshire County Council is the Highway Authority (Bespoke Informative).
- Standard engagement informative (003a)

19. Background papers

19.1 The following papers were used in the preparation of this report:

- The Local and National Planning policies outlined above in section 7
- Papers on the Planning Application file reference P/2016/01207

20. Human Rights Act 1998

20.1 There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of

the application under the policies of the development plan and other relevant policy guidance.

21. Crime and Disorder Implications

21.1 It is considered that the proposal does not raise any crime and disorder implications.

22. Equalities Act 2010

22.1 Due regard, where relevant, has been had to the East Staffordshire Borough Council's equality duty as contained within the Equalities Act 2010.

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