

Agenda Item:	5.2
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Site:	Wheatsheaf Inn, 54 Bridge Street, Uttoxeter, Staffordshire, ST14 8AP
Proposal:	<p>Application 1 (Detailed Planning Application) Change of use of vacant public house into a flexible commercial, business or service use (Class E) including works to repair and make good the fabric and internals of the building, along with the demolition of two existing dwellings (Nos. 46 and 48 Bridge Street) to form new access for the erection of 10 dwellings, parking, landscaping and associated works</p> <p>Application 2 (Listed Building Consent) Listed Building Consent for the internal and external alterations to repair and make good the fabric and internals of the building to facilitate the change of use of vacant public house into a flexible commercial, business or service use (Class E)</p>

Report of Head of Service (Section 151 Officer)

This report has been checked on behalf of Legal Services by Sherrie Grant

Hyperlink to Application Details

Application Number:	(1) P/2022/00370 and (2) P/2022/00381	
Planning Officer:	James Mattley	
Type of Application:	(1) Detailed Planning Application (P/2022/00370) (2) Listed Building Consent (P/2022/00381)	
Impact on Heritage Assets under S66(1) and S72	The proposal would preserve the special architectural and historic significance of the property as a listed building and the special character and appearance of the conservation area within which it sits, achieving the 'desirable' objectives described in sections 16, 66(1) and 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990.	
Applicant:	Amos Group Ltd	
Ward:	Town	
Ward Members:	Councillor S J McGarry Councillor G Allen	
Date Registered:	21 April 2022	
Date Expires:	An extension of time has been agreed until 01/03/2023	
Reason for being on Agenda	The application has been called in by Councillor G Allen for the following reasons:	

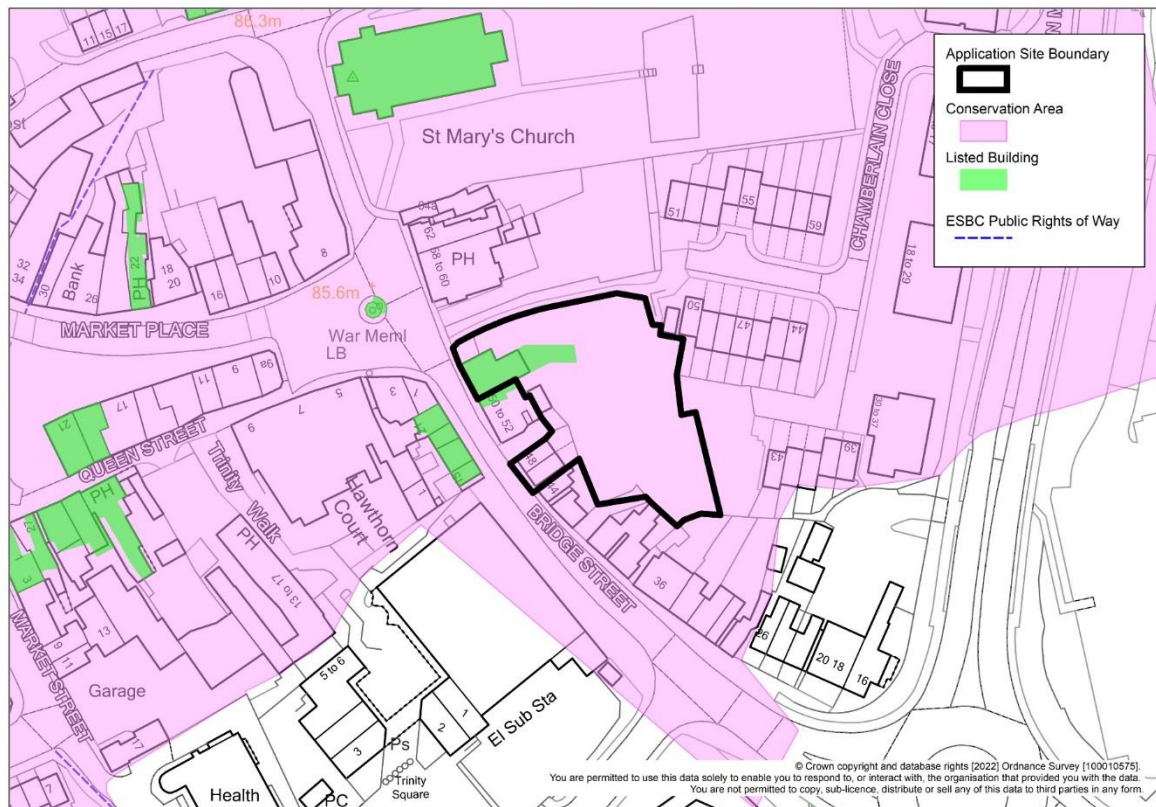
	The site is of strategic importance to ESBC's Master Plan for Uttoxeter and has caused a great deal of concern for local residents.
Officer Recommendation	Approve , both the detailed planning application and listed building consent application subject to conditions

1. Executive Summary

- 1.1 Members are advised that the schemes the subject of this report comprise two separate applications; one being a detailed planning application (ref: P/2022/00370) and other one being a listed building consent application (ref: P/2022/00381). The applications are therefore reported here together as they relate to both the change of use itself and the works required to change the use of the building.
- 1.2 The application site covers an area of circa 0.21 ha and is located within the town centre of Uttoxeter. Part of the site comprises the former Wheatsheaf public house, a Grade II former coaching inn. The rest of the site has historically been used as car dealership and garage, along with a brewery. Both the pub and surrounding land are now vacant with all buildings, other than the Listed Building cleared.
- 1.3 The site is within the settlement boundary of Uttoxeter and is also located in the Conservation Area, with a number of listed buildings nearby, including the Grade II* listed St Mary's Church.
- 1.4 Directly to the north of the application site is path that links the Chamberlain Close development with the town centre. Beyond this is The Steeplechase sports bar. St Mary's Church is clearly visible in views to the north.
- 1.5 To the east of the site is the recent residential development located on Chamberlain Close, off Town Meadows Way and comprise of a mix of apartments and townhouses, including retirement accommodation. To the west and south of the site are properties found along Bridge Street. These are typically late Victorian and are of a mix of residential and commercial uses.
- 1.6 The application submissions are respectively a detailed planning application for the change of use of the application building into a flexible commercial business/service use (Class E) along with the demolition of two existing dwellings to form a new access and the erection of 10 dwellings and associated works and a listed building consent application for various works to repair and make good the fabric and internals of the building to facilitate the change of use.
- 1.7 A total of 7 objections from local residents have been received which have been summarised and addressed within this report, along with the comments of the Town Council.
- 1.8 The principle of the use of the site for residential purposes is considered acceptable given the location within the Settlement Boundary of Uttoxeter and is acceptable in sustainability terms.

- 1.9 In terms of impact upon heritage, the Council's Conservation Officer notes that there will be a resulting level of harm to the setting of the Grade II Listed Wheatsheaf Inn, and longer-range views to the Grade II* Listed Church will also be affected. However, the Council's Conservation Officer confirms that the final planning decision will need be made upon weighing up the public benefits of the development and balance this against any harm.
- 1.10 It is considered that the harm is outweighed by the public benefits, including securing the optimum viable use of the heritage asset in order to secure its refurbishment and long-term future. The County Archaeologist has raised no objections subject to a condition for historic building recording. The scheme is considered to preserve the special architectural and historical significance of the host listed building and conserve the setting of the surrounding listed buildings and the character and appearance of the conservation area.
- 1.11 The design and layout of the proposals are considered appropriate and the scheme is considered to have no adverse impacts with regards to flooding, biodiversity, or archaeology and there would be no significant adverse impact on occupiers of neighbouring dwellings in terms of overlooking or loss of privacy or in terms of noise and disturbance.
- 1.12 The County Highway Authority have raised no objections on the grounds of Highway Safety subject to planning conditions.
- 1.13 The application is supported by an Archaeological Report, Ecology Report, Ground Investigation, Heritage Statement, Planning and Design and Access Statement, Structural Appraisal and Transport Statement.
- 1.14 In light of the above conclusions on the planning merits of the cases, therefore, the applications are recommended for **approval** subject to the necessary planning conditions.

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 Part of the site comprises the former Wheatsheaf public house, a Grade II listed former coaching inn. The rest of the site has historically been used as car dealership and garage, along with a brewery. Both the public house and surrounding land are now vacant with all buildings being cleared, other than the Listed Building.

2.2 The listing description for the application property is as follows:

Early C19 (nineteenth century) and modern alterations to earlier timber frame; 2 storeys and 2 storeys and attic; 3 casement windows with plain lintels and hood moulds; quoins to sides; band; later parapet, upswept to centre; moulded stucco doorcase with panelled pilasters, 6-panel door and a slight cornice hood on enriched consoles. The ground floor windows have modern fenestration. Interior has some exposed ceiling beams.

2.3 The application site covers an area of circa 0.21 ha. The site is within the town centre and settlement boundary of Uttoxeter and is also located in the Uttoxeter Conservation Area, with a number of listed buildings nearby, including the Grade II* Listed St Mary's Church, the Grade II Listed War Memorial and Grade II Listed terraces opposite the site (No's 15, 17, 19 and 21 Bridge Street) as identified in green in the map of the site, above.

2.4 Directly to the north of the application site is a path that links the Chamberlain Close development to the east of the site, with the town centre. Beyond this is The Steeplechase sports bar. St Mary's Church is clearly visible in views to the north.

2.5 To the east of the site is the recent residential development located off Town Meadows Way and comprising of a mix of apartments and townhouses, including retirement accommodation. To the west and south of the site are properties found along Bridge Street. These are typically late Victorian and are of a mix of residential and commercial uses.

2.6 The site is situated within Flood Zone 1 which is at the lowest risk of flooding.

3. Planning History

3.1 **P/2013/00801** - Conversion of former public house to form 4 apartments including the erection of an entrance porch to the north elevation, installation of 3 new rooflights to south elevation and installation of 2 new rooflights to north elevation and associated extension, alterations and landscaping – permitted - 25/09/2013

3.2 **P/2013/00802** - Listed Building Consent to include internal and external alterations to facilitate the conversion of former public house to form 4 apartments including the erection of an entrance porch to the north elevation, installation of 3 rooflights to south elevation, installation of 2 new rooflights to north elevation, removal of existing staircase and installation of replacement staircase, installation of replacement windows and formation of new window and door openings, installation of new partition wall, removal of parapet to front elevation and removal of existing external fire escape staircase – permitted 25/09/2013

3.3 **PA/24048/011/PO** - Erection of three blocks of 30 apartments in total, 15 dwellings, conversion of existing mill to 9 apartments, erection of 5 commercial units and alterations to public house including creation of living accommodation above plus associated access and work – permitted 08/12/2005

3.4 **LB/09318/006** - Internal and external alterations to include demolition of part two storey, part single storey rear and side elements, creation of living accommodation above and creation of new staircase – permitted 22/08/2005

3.5 **CN/24048/016** - Demolition of outbuildings to rear of The Wheatsheaf, detached garage building, stable block/garage and ruins adjacent to Church Street and retaining walls to be removed – permitted 31/03/2005.

4. The proposal(s)

Detailed Planning Application

4.1 Full planning permission is sought for the following:

- Conversion of derelict Grade II Listed former public house to provide a flexible commercial, business or service space (Class E).
- Demolition of a pair of semi-detached dwellings (no.46 and no.48 Bridge Street) built in the early 2000s to create a new vehicular access on to Bridge Street.
- The erection of 5 no. three-bedroom townhouses (Plots A-E inclusive) with integrated garages, with frontage parking;

- The erection of 1 no. two bed (Plot J) with side of plot parking and 2 no. four bed town houses (Plots I and H) with frontage parking;
- The erection of a pair of (2 no). two-bedroom semi-detached houses (Plots G and F) with two tandem parking spaces each and
- Hard and soft landscaping, including changes to levels where necessary.

Listed Building Consent

- 4.2 The application for Listed Building Consent for the internal and external alterations to repair and make good the fabric and internals of the building is required to facilitate the change of use of the vacant public house into a flexible commercial, business or service use (Class E) as set out in the detailed planning application.
- 4.3 The proposed works are intended to restore the fabric of the building to ensure the building, including roof are made good. Internally works will involve replacing floors and stairs that have become damaged and ensure that the property is insulated and capable of reuse. Any other alterations required to the building to meet future operator demands will be subject of separate approval at a later date.

Supporting Documentation

- 4.4 The documents listed below were provided as part of the final application submissions; with those originally submitted having been revised/updated and supplemented - and others superseded - during the application process reflecting the amendments to the scheme and the need to respond to the requirements of statutory consultees and officers of the Local Planning Authority.

List of supporting documentation

Detailed Application (Final Document List)

- Detailed Planning Application Form
- Location and Block Plans
- Topographical Survey
- Existing Floor Plans
- Existing Elevations
- Proposed Elevations
- Proposed Site Plan
- Proposed Sections
- Proposed Ground Floor Plans
- Proposed First and Second Floor Plans
- Proposed Roof Plan
- Proposed Street Scene
- Highways Improvement Plan
- Archaeological Report
- Ecology Report
- Ground Investigation and Test Report
- Heritage Statement
- Planning and Design and Access Statement
- Structural Appraisal and

- Transport Statement

Listed Building Consent (Final Document List)

- Listed Building Consent Application Form
- Location and Block Plans
- Topographical Survey
- Existing Floor Plans
- Existing Elevations
- Proposed Elevations
- Proposed Ground Floor Plans
- Proposed First and Second Floor Plans
- Proposed Roof Plan
- Archaeological Report
- Heritage Statement and
- Structural Appraisal

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

5. Consultation responses and representations

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

Statutory and none statutory consultee		Response
5.2	Uttoxeter Town Council	<p>The Town Council requests that the Planning Authority:</p> <p>Review Plot E as included within the application with a view to reducing the size of the house from a 3-storey to a 2-storey (similar to Plot J) to prevent overlooking properties in Chamberlain Close which would also increase the garden size;</p> <p>Ensure that the Borough Council's Planning Committee consider this application and attend site for a visit prior to any permission being granted;</p> <p>Request that hard standing is semi permeable material and that this condition is used to cover the details across the site including private gardens;</p> <p>Ask the developers to consider the planting of native plant and tree species for screening and along the footpath;</p> <p>Ask the developers to incorporate swift boxes within the development and to take into account biodiversity within the development including installation of bat boxes and providing hedgehog access;</p> <p>Reconsider the number of residential parking spaces allowed in view of the proximity to the town centre;</p>

		<p>Reconsider the number of allocated parking spaces for future commercial use of the Wheatsheaf, given only 2 allocated;</p> <p>Request that the developer incorporate additional street lightings and S106 monies towards the incorporation of a zebra crossing in Bridge Street from the development and Chamberlain Close.</p>
5.3	Staffordshire County Council Highway Authority	No objection subject to conditions in relation to off-site highway works, surfacing and parking. An informative has also been requested in relation to a highway works agreement.
5.4	Staffordshire County Council Historic Environment Team	No objections subject to a condition for a programme of internal historic building recording.
5.5	Staffordshire Flood Risk Management Team	No objection, subject to a condition requiring the development to be carried out in accordance with the drainage scheme submitted.
5.6	Staffordshire Newt Officer	No objection, subject to a note to applicant.
5.7	Severn Trent	No objection, subject to a note to applicant.
5.8	Historic England	Not offering advice and suggest that the Council seek the views of their own specialist conservation and archaeological advisers.
5.9	Staffordshire County Council - Education	No education contribution is requested
5.10	Staffordshire Police - Police Architectural Liaison Officer	General design advice provided.

Internal Consultees		Response
5.11	Environmental Health	No objection subject to conditions in relation to land contamination, soil analysis and noise mitigation
5.12	ESBC Waste	No objection, subject to condition for the provision and retention of the communal waste collection area.
5.13	Conservation Officer	Comment that there will be a resulting level of harm to the setting of the Wheatsheaf Listed Building, and longer range views to the Grade II* Listed Church will also be affected.

		However, the Council's Conservation Officer confirms that the final planning decision will need be made upon weighing up the public benefits of the development and balance this against any harm.
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6. Neighbour responses

Detailed Application

- 6.1 Seven representations (from five addresses) have been received objecting to the proposal which have been summarised below:

Neighbour Responses	
Design/ Character and Appearance	<ul style="list-style-type: none"> • The height of the houses alongside the footpath will be half a floor above No. 50 Chamberlain Close. • The choice of three storey town houses is inappropriate • Bungalows would have been more appropriate.
Impacts on Residential Amenity	<ul style="list-style-type: none"> • The choice of three storey town houses will dominate surrounding properties • The height of the houses alongside the footpath will be half a floor above No. 50 Chamberlain Close • Loss of privacy and overlooking of gardens • Bungalows would have been desirable
Highways Impacts	<ul style="list-style-type: none"> • As there is no direct pedestrian access to Chamberlain Close, put a footpath adjacent to house E to encourage people to walk to the Town Meadows shops.
Other comments	<ul style="list-style-type: none"> • The demolition of 2 relatively modern dwellings is wrong and should be retained adding to the town centre housing stock • No plans in relation to No. 50 Bridge Street • The boundary line is incorrect between Nos. 44 Bridge Street and 46 Bridge Street, the gap between the properties belongs to No. 44 under the Land Registry and the plans should be updated to reflect this. • The northern site boundary does not go right up to the footpath, this strip of land to be conveyed to Chamberlain Place (Uttoxeter) Management Company Limited. • The gardens will be lower than the footpath - how will the adjacent land be retained? • What street lights are planned? • Suggest improved lighting especially near the disabled ramp • Suggest Section 106 contributions to improve the dangerous crossing point outside the Wheatsheaf and improve lighting on the existing ramp • Request that Council Members undertake a site visit

Listed Building Consent

- 6.2 One letter of representation have been received supporting the proposal which has been summarised below:

Neighbour Responses	
Design/ Character and Appearance	<ul style="list-style-type: none"> The application can only greatly improve the Conservation Area of Bridge Street, however there are no plans for No. 50 Bridge Street
Highways Impacts	<ul style="list-style-type: none"> Will the “Traffic calming” humps that were installed without any notice of consultation be removed – it is hoped they will as they are a nuisance.

7. Policy Framework

National Policy

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)

Local Plan

- Principle 1: Presumption in Favour of Sustainable Development
- SP1: East Staffordshire Approach to Sustainable Development
- SP2: Settlement Hierarchy
- SP4: Distribution of Housing Growth 2012-2031
- SP16: Meeting Housing Needs
- SP23: Green Infrastructure
- SP24: High Quality Design
- SP25: Historic Environment
- SP26: National Forest
- SP27: Climate Change, Water Body Management and Flooding
- SP29: Biodiversity and Geodiversity
- SP34: Health and Wellbeing
- SP35: Accessibility and Sustainable Transport
- DP1: Design of New Development
- 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

Uttoxeter Neighbourhood Plan

- TC3 – Other Sites (Town Centre)
- TC4 – Outdoor Space
- D1 – Residential Design
- D2 – Non-Residential Development
- D4 – Heritage Assets
- T1 – Sustainable Transport

- T3 – Parking Standards
- H2 – Housing Mix and Standards

Supplementary Planning Documents

- East Staffordshire Design guide
- Car Parking Standards Supplementary Planning Document (SPD)
- Separation Distances and Amenity Supplementary Planning Document (SPD)
- Housing Choices Supplementary Planning Document (SPD)
- Waste Storage and Collection Guidance

8. Assessment

8.1 It is considered that the key issues relevant to the determination of these applications are as follows:-

- Principle of the Development
- Heritage Assets
- Visual Amenities
- Residential Amenities
- Highway Safety
- Flood Risk and Drainage
- Affordable Housing and Housing Mix
- Green Infrastructure and National Forest
- Biodiversity
- Other Matters
- Conclusion (including The *Planning Balance*)

9. Principle of Development

Relevant Policies

9.1 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 11 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.

Paragraph 219 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'.

Local Plan

9.2 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.

9.3 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.

- 9.4 The Local Plan sets out in Strategic Policies 2 and 4 a development strategy directing growth to the most sustainable places. Burton upon Trent and Uttoxeter are identified as the main settlements to take housing development mostly in the form of sustainable urban extensions with some limited growth in the rural area, principally within settlement boundaries. The following elements guide the development strategy:

- Focus the majority of development at Burton Upon Trent
- Allocate a significant level of development at Uttoxeter
- Identify and support those villages that have a range of essential services and good transport links, including public transport links, to larger towns and their employment areas; and
- Control new development in all other villages and hamlets

Neighbourhood Plan

- 9.5 Policy TC3 of the Uttoxeter Neighbourhood Plan supports applications on previously developed land or buildings within the town centre for retail, leisure, commercial and tourism uses.

5 Year Land Supply

- 9.6 The most recent calculation uses figures as of 30th September and concludes there is 8.64 years of supply. Therefore the policies in the plan can be considered up to date.

Assessment

Listed Building Consent Application

- 9.7 The principle issues in the determination of the listed building consent application are the impacts on the historic environment, which are discussed in Section 10 immediately below.

Detailed Planning Application

- 9.8 There is planning history on the site, relating to the conversion of the Wheatsheaf building, demolition of former car sales buildings and re-development of land to the rear. Of particular note was the granting of planning permission for a large-scale mixed-use development to the rear of the Wheatsheaf, including three storey office blocks (PA24048/011) which is referenced in the report below.
- 9.9 Policies SP2 and SP4 seek to direct housing development in sustainable locations, such as Uttoxeter and as such the principle of residential development would meet with the objectives of the sustainability policies of the adopted Local Plan.
- 9.10 The site is within the Settlement Boundary of Uttoxeter and as such it is considered that the principle of the development is considered acceptable and in line with the development plan policies and the Uttoxeter Neighbourhood Plan.

- 9.11 Accordingly, in principle, residential development of the site is therefore considered acceptable and in compliance with Policies SP1, SP2 and SP4 of the Local Plan and the NPPF.

Heritage Assets

Relevant Policies

- 9.12 Section 16 of the National Planning Policy Framework states that proposals should not pose significant harm to any heritage asset and should aim to preserve or enhance the asset by way of sensitive and appropriate design.
- 9.13 Paragraph 189 of the National Planning Policy Framework states that Local Planning Authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.
- 9.14 Section 66(1) 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 of the Planning (Listed Buildings and Conservation Areas) Act 1990 this requires that special regard shall be had to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 9.15 Policy SP25 of the Local Plan indicates amongst other things that development proposals should protect, conserve and enhance heritage assets and their settings, taking account of their significance, as well as the distinctive character of the Borough's townscapes and landscapes. Such heritage assets may consist of undesignated and designated assets including conservation areas, listed buildings, scheduled monuments, archaeological sites, registered parks and gardens and historic landscapes which contribute to the Borough's historic environment and local distinctiveness.
- 9.16 Detailed Policy 5 of the Local Plan goes into more detail regarding Historic Assets, Listed Buildings, Conservation Areas and Archaeology and states that development which protects the character of listed buildings and conservation areas will be permitted.
- 9.17 Policy D4 of the Uttoxeter Neighbourhood Plan states that all new development must take account of its impact on heritage assets across the neighbourhood plan area – both designated and non-designated – seeking to protect and enhance them. Further, Policy D4 of the Neighbourhood Plan states that schemes which ensure that heritage assets and buildings remain in active and viable use and are maintained, will be supported.
- 9.18 Policy D4 of the Uttoxeter Neighbourhood Plan states that all new development must take account of known surface and sub-surface archaeology and ensure unknown and potentially significant deposits are identified and appropriately considered during development.

Assessment

- 9.19 Part of the site comprises the former Wheatsheaf public house, a Grade II listed former coaching inn. Works to repair and make good the fabric and internals of the building will be assessed as part of the Listed Building Consent application, below.

Listed Building Consent Application

- 9.20 The proposed works are intended to restore the fabric of the building to ensure the building, including the roof are made good. Internally works will involve replacing floors and stairs that have become damaged and ensure that the property is insulated and capable of reuse.
- 9.21 The Council's Conservation Officer confirms that the Listed Building is in a precarious state of repair, the structure is unsound, and this must be a priority for any scheme. In this situation, the structure is the priority and must be made safe. The plan form and surviving historic fabric is the significant element and that can be restored.
- 9.22 The Council's Conservation Officer also states that the repair and reinstatement project for the Listed Building will be incredibly complex and require a high level of attention to detail (to be secured by condition to the listed building consent) including:-
- Full detailing profile drawings of windows and doors will be required for discharge of conditions;
 - Breathable membranes and insulation to be used;
 - Where possible, historic timbers to remain and be strengthened alongside (although it is accepted in this case there will be some loss of timber);
 - Samples of new materials to be provided; and
 - Samples of mortar mix and finish to be provided on site for inspection.
- 9.23 The County Archaeologist has been consulted in respect of the proposals and advised that a programme of historic building recording was previously required under Condition 7 of the consented application P/2013/00801. This required an augmented Level 2 historic building record of the building (exterior and interior) to be produced in advance of any stripping out or conversion works. This was also put in place to identify possible timbers suitable for dendrochronological dating and, if appropriate, this should have been carried out as part of the works.
- 9.24 The County Archaeologist confirms that an interim historic report was submitted as part of a subsequent discharge of condition request, which focussed solely on the exterior of the building and as such the condition was only partially discharged. Accordingly, the historic building recording work, which was also to include archaeological monitoring (i.e. watching brief) during any stripping out/demolition works within the building were not carried out.
- 9.25 On the basis of the above, it is recommended that a programme of historic building recording be undertaken on the interior of the Wheatsheaf and that a watching brief be maintained during stripping out works. The County Archaeologist confirms that the building recording survey should record evidence of the phasing, function and the survival fabric, particularly of any surviving timber framing along with any fixtures and fittings which would equate to an augmented

Level 2 historic building record (in line with what was previously requested as part of application ref: P/2012/00801).

- 9.26 In respect of archaeology on the wider development site, the County Archaeologist has been consulted and have reviewed the Staffordshire Historic Environment Record (HER) and associated datasets such as the Uttoxeter Extensive Urban Survey (EUS) to confirm that there is a clear potential for groundworks within the application site to impact upon below ground archaeology associated with domestic and possibly small-scale industrial activity of a medieval and later date. However, an archaeological evaluation, comprising of trial trenching (report submitted in support of the current application), of the application site, as part of a pre-commencement condition 12 of consented application P/2013/00686, found little of archaeological significance other than an undated, possibly medieval, property boundary, and found that much of the site had been impacted by modern levelling and development activity. Discharge of the condition was recommended in January 2017 and it was agreed that no further archaeological works on the wider would be required.
- 9.27 Subject to the imposition of an internal historic building recording condition the proposal is therefore considered to have no adverse impact on heritage assets including archaeology, in compliance with Policies SP25, DP5 and DP6 of the Local Plan and Policy D4 of the Uttoxeter Neighbourhood Plan.

Detailed Planning Application

- 9.28 The site is also located within the Conservation Area and is in close proximity to the Grade II* Listed St Mary's Church to the north of the site, the Grade II Listed War Memorial to the west of the site and Grade II Listed terraces opposite the site (No's 15, 17, 19 and 21 Bridge Street).
- 9.29 To facilitate a new access off Bridge Street, No's 46 and 48 Bridge Street are proposed to be demolished. These are a pair of modern semi-detached dwellings built in the early 2000's and whilst located within the Uttoxeter Conservation Area no objection is raised by the Council's Conservation to their demolition. As set out above in Section 8 of this report, the density, scale and appearance of the proposals is considered to be acceptable. Overall, the demolition and re-development of the site is considered to preserve the character and appearance of the Conservation Area to accord with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 9.30 In respect of impact upon the setting of Listed Buildings the Council's Conservation Officer believes that there will be resulting level of harm to the setting of the Wheatsheaf Listed Building, and longer-range views to the Grade II* Listed Church will also be affected. However, the Council's Conservation Officer confirms that the final planning decision will need be made upon weighing up the public benefits of the development and balance this against any harm.
- 9.31 In response the agent has confirmed that buildings have always existed to the rear of the public house and these were only removed to make way for the redevelopment of the site in the 2000's. As such, the fact that the site is more open now is not reflective of its historic setting and disagrees that it would be correct to attach weight to the significance of this. Officers agree with this

assessment and on the basis that planning permissions of greater scale have previously been granted to the rear of the site.

- 9.32 In the opinion of officers, having regard for the level of harm identified by the Council's Conservation Officer the benefits of the proposal are required to outweigh the harm, in order to be acceptable having regard for Paragraph 202 of the NPPF.
- 9.33 It is acknowledged that parts of the Wheatsheaf building are in a poor state of repair and fragile condition and the proposal will provide a viable opportunity to repair the internal structure, restore and therefore preserve the heritage significance of these elements of the building in the longer term ensuring the historic evolution of the building overall can be recognised.
- 9.34 The Council's Conservation Officer states that the public benefit is the protection of the Listed Building and prevention of further loss of a designated heritage asset and that the Listed Building is to be addressed first to avoid years of further deterioration whilst the rest of the site is developed.
- 9.35 Subject to the historic recording condition, and conditions in relation to the repair works, materials and schedule of works of the building, which are to be required prior to the occupation of the dwellings hereby approved, would ensure the preservation of the remains of the historic interest of the Listed Building are undertaken in a more timely manner. Furthermore, the economic and social benefits of the proposal, through the contribution of additional dwellings to the boroughs housing supply and the economic benefits arising from additional expenditure on local facilities and services would provide modest benefits which also weigh in favour of the proposal.
- 9.36 Overall, the scheme will retain the building's principal surviving historic architectural features and its overall significance and will also promote a more beneficial and viable use of this underused Listed Building in order to safeguard its long-term future. Accordingly, the public heritage benefits together with the economic and social benefits of the proposal are therefore considered to outweigh the identified harm and therefore accords with paragraph 202 of the NPPF. Furthermore, the proposal would serve to preserve the Listed Building and its setting in accordance with Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and preserve the character and appearance of the Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10. Visual Impacts

Relevant Policies

- 10.1 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.
- 10.2 Strategic Policies 1 and 24 of the Local Plan 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.

- 10.3 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.
- 10.4 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 complement its surroundings.
- 10.5 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.
- 10.6 Policy D1 of the Uttoxeter Neighbourhood Plan provides criteria to apply to all new residential development to assist in delivering the very highest design quality for the new dwellings.
- 10.7 Policy D2 of the Uttoxeter Neighbourhood Plan requires that parking provision within new proposals should be proportionate to the scale and function of development and be well designed so as to not dominate the development or the streetscene.
- 10.8 Policy TC2 of the Uttoxeter Neighbourhood Plan seeks that schemes create a sense of place, reflect local built character and patterns of development as well as responding positively to the historic environment and proposals that fail to deliver high quality design will not be supported.
- 10.9 Policy TC3 of the Uttoxeter Neighbourhood Plan states that proposals for up to 10 dwellings should contribute to the public realm by ensuring that they relate well to the street and provide an active frontage.

Assessment

- 10.10 The immediate area, falling within the town centre boundary is characterised by frontage development, being dwellings fronting the highway and having an active relationship with the streetscene. Infill development has already been undertaken and established immediately to the east of the site, by the construction of dwellings on Chamberlain Close. The site is effectively enclosed by existing residential development (with some examples of retail development at ground floor along Bridge Street) to the east, south and west. Immediately to the north is a sports bar and its car park. Accordingly, no objection is raised in principle to additional infill development, in this location.
- 10.11 To the eastern side of Bridge Street, which falls within the town centre boundary is characterised by two storey development comprising of terraces and semi-detached dwellings, which are typically later Victorian with relatively minor gaps between built development. To the east of the site, modern development on Chamberlain Close falling outside of the town boundary is of 2, 2.5 and 3 storey development, comprising of a mix of apartments, townhouses and retirement accommodation.
- 10.12 This scheme proposes a row of 5 townhouses of three storey proportions, with a row of 3 townhouses of two storey (with one of 1.5 storey with accommodation in the roofspace) with a pair of semi-detached dwellings of two storey proportions. Further given the examples of terraces and semi-detached dwellings in the vicinity it is considered that the proposal would be acceptable.
- 10.13 Objections have been raised regarding the heights of the development. It should be noted that planning permission was previously granted for three storey office blocks (PA24048/011). Whilst concerns have been raised regarding the scale of the row of 5 terraces, given the scale of development to the east of the site on Chamberlain Close and given that the scheme proposes to dig down and lower the land levels to the north of the site, reducing the overall scale of the terraces, it is not considered that the scale would be out of keeping in this case.
- 10.14 The parking would be well-related to each of the units they serve, with some integral, frontage and side of plot parking.
- 10.15 The dwellings incorporate features such as chimneys, dormer windows and header and cill detailing which is characteristic of the area. The exact materials and finishes can be secured by way of planning condition.
- 10.16 Given the above it is considered that the design of the proposed dwellings is considered to be acceptable and would not result in any significant adverse impact to the visual amenities of the area. The proposal is therefore considered to comply with Policies SP1, SP24 and DP1 of the Local Plan and the objectives of the East Staffordshire Design Guide.

11. Residential Amenities

Relevant Policies

- 11.1 The National Planning Policy Framework and Policies SP24, DP1 and 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 impact.

- 11.2 Policy SP34 of the Local Plan relates to health and wellbeing and states that development proposals shall enhance health, safety and a sense of wellbeing.
- 11.3 Policy DP3 of the Local Plan requires new residential development to have no materially adverse effects on neighbouring properties through issues including overlooking, loss of light to principal windows or private amenity space or create an overbearing impact and allow outdoor domestic activities to be undertaken in reasonable privacy.
- 11.4 Policy DP7 of the Local Plan relates to pollution and contamination and states that development proposals will only be granted permission where they will not give rise to, or be likely to suffer from, land instability and/or unacceptable levels of pollution in respect of noise or light, or contamination of ground, air or water.
- 11.5 The Local Plan policies are supplemented by the East Staffordshire Design Guide and the Separation Distances and Amenity SPD, which provide standards for separation distances between dwellings, internal room sizes and amenity space standards.
- 11.6 The Waste Storage guidance states that developers are required to provide adequate amounts of space for external storage of refuse. The guidance also states that where private roads are included within a development the council would not enter a private road for collection and the occupiers would need to bring their bins to a dedicated collection point adjacent to a public highway.

Assessment

Listed Building Consent Application

- 11.7 The Listed Building Consent application primarily deals with the impacts of the proposal on the listed building itself. Therefore it is not necessary to discuss the impact on residential amenity in respect of this application.

Detailed Planning Application

- 11.8 Plots A-E inclusive face south, towards the internal access drive, with rear amenity spaces to the north. There are no immediate neighbouring dwellings to the north, and the Wheatsheaf building is located immediately to the west. Plot A is considered to be at a sufficient distance away from Nos 50 and 52 Bridge Street to the south-west (approximately 5 metres). Plot A would contain one first floor window, however given the angle, there is not considered to be result in any direct overlooking. A second floor window, serving a bathroom would be obscurely glazed (to be secured by condition)
- 11.9 There would be a side-to-side relationship between Plot E and No. 51 Chamberlain Close to the east of some 7 metres which is considered a sufficient separation distance to not result in any significant loss of light, overshadowing or overbearing impacts and Plot E has one first floor and one second floor window both of which are to be obscure glazing (to be secured by condition) ensuring no direct overlooking

- 11.10 Plots F-J inclusive front north inwards towards the internal access drive with rear amenity spaces to the south. There is a distance of some 14.8 metres from the side wall of Plot F and No. 43 Chamberlain Close to the east which is considered a sufficient separation distance to not result in any significant loss of light, overshadowing or overbearing impacts. There is one first floor side window which faces east, however this is non-habitable, serving a stairway.
- 11.11 The dwellings most immediately impacted upon on Bridge Street would be No's 34, 36, 38 and 40 Bridge Street. There is a side to rear relationship, between Plot J and the neighbouring dwellings on Bridge Street, with a separation distance of approximately 5.6 metres. The closest plot to the neighbouring dwelling is Plot J which is of single storey proportions and has a ground floor window in the side elevation, ensuring no overlooking. The rear amenity spaces of plots H, I and J are a minimum of 5 metres, spanning to 8.3 metres, which is considered sufficient to ensure no significant loss of light, overshadowing or overbearing impacts,
- 11.12 Overall given the layout of the site, orientation and separation distances between the existing dwellings and the proposed, the layout complies with the separation distances required by the Separation Distance and Amenity SPD and it is not considered that there would not be any direct overlooking or loss of privacy to the occupiers of neighbouring dwellings.
- 11.13 The Separation Distances and Amenity SPD provides guidance in relation to minimum requirements for internal room sizes and private amenity space. The scheme meets the internal spaces standards set out within the SPD. Whilst the rear amenity spaces are not in conformity with the Council's Separation Distances and Amenity SPD, the rear amenity spaces are reflective of those in the adjacent development (Chamberlain Close) and Plots A-E also have additional first floor terraces areas. It is considered that any increase in the amount of garden land would be to the detriment of car parking provision and further, any reduction in the number of units would render the scheme unviable and as such the required structural repairs and works to the Listed Building would not be undertaken. As such, on the basis that each plot does provide its own rear amenity space, of comparable size to the adjacent development it is not considered a reason for refusal on a deficit in amenity space could be substantiated in this case.
- 11.14 The scheme proposes boundary treatments and new planting which can be secured by way of planning conditions.
- 11.15 Environmental Health have confirmed that they have reviewed the ground and investigation report accompanying the application, and the report indicates that there are buried obstructions on site, so localised areas of contamination cannot be ruled out and there is a reasonable chance of encountering unknown contamination. Further, Environmental Health state that no soils are to be imported onto the site until information on their source, the results of any soil analysis and an assessment of their suitability has been assessed. On this basis, Environmental Health have recommends conditions should any unforeseen contamination be found and in relation to soil analysis. Given the findings of the report, this is considered reasonable.
- 11.16 Environmental Health have also commented in relation to noise from the nearby leisure and retail facilities and have recommend that a condition in relation to a

scheme for noise mitigation is attached to any grant of consent. Given the number of leisure and retail facilities that could affect the amenity of future occupiers of the dwellings if left un-mitigated, the imposition of the condition is considered to be reasonable.

- 11.17 Given that the site is within a mixed commercial use and residential area, given the proposed use and number of dwellings it is not considered that there would be a significant impact on the amenities of the occupiers of the neighbouring dwellings through noise and disturbance from the additional activity generated from vehicle movements and activity associated with residential use.
- 11.18 The layout plan indicates the refuse collection area where the bins would be stored within the site which is adjacent to the access drive/entrance way and bin receptacles are shown for each dwelling. The provision and retention of these can be secured by an appropriate condition.
- 11.19 It is therefore considered that, subject to the imposition of conditions the proposal would result in no significant overlooking, loss of privacy or overbearing impact on the occupiers of the neighbouring dwellings or the proposed dwellings, noise or contamination issues and is therefore in compliance with Policies SP24, SP34, DP1, DP3 and DP7 of the Local Plan and the aims of the Separation Distances and Amenity SPD.

12 Highway Safety

Relevant Policies

- 12.1 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 consider 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.
- 12.2 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.
- 12.3 The Parking Standards SPD sets out standards of car parking for different uses including space size, accessibility and the quantity of car parking spaces required for different uses. The Standards in relation to three bedroomed dwellings requires two off road parking spaces per dwelling.
- 12.4 Policy T1 of the Uttoxeter Neighbourhood Plan requires all applications, regardless of scale to consider their wider impact on traffic and road safety. All

new developments, excluding householder applications, should seek to encourage a modal shift.

12.5 Policy T3 of the Uttoxeter Neighbourhood Plan provides parking standards in relation to residential development.

12.6 Policy D2 of the Uttoxeter Neighbourhood Plan states that parking provision within new proposals should be proportionate to the scale and function of development and well designed so as to not dominate the development or the streetscene.

Assessment

Listed Building Consent Application

12.7 The listed building consent application primarily deals with the impacts of the proposal on the listed building itself. Therefore it is not necessary to discuss the impact on highway safety in respect of this application.

Detailed Planning Application

12.8 A request has been made by the Town Council in relation to securing Section 106 commuted sum monies towards the incorporation of a zebra crossing in Bridge Street.

12.9 To facilitate a new access off Bridge Street, No's 46 and 48 Bridge Street are proposed to be demolished. The access can provide 2.0 x 19 metre visibility splays in both directions. Internally an un-adopted road is proposed.

12.10 The Highway Authority originally raised concerns over the restricted visibility available from the proposed access however the applicant has proposed the provision of a new zebra crossing and speed cushions on Bridge Street.

12.11 The parking allocation on the site is as follows:-

- Three parking spaces for 3 bedroomed dwellings (Plots A-E inclusive);
- Two parking spaces for 2 bedroomed dwellings (Plots F and G);
- Two parking spaces for 4 bedroomed dwellings (Plots H and I);
- Two parking spaces for 2 bedroomed dwelling (Plot J); and
- Two parking spaces/delivery spaces for the Wheatsheaf Unit.

12.12 Following the submission of amended plans to show the off-site highway works comprising the zebra crossing and speed cushions, the Highway Authority have confirmed that the scheme is acceptable, subject to technical approval prior to any works commencing on site. The County Highway Authority state that the access road is not to adoptable standards, however the concerns around highway safety and capacity have been addressed and therefore they raise no objection, subject to the imposition of conditions.

12.13 In respect of parking provision, all 2 and 3 bedroomed dwellings have sufficient parking as set out in the Parking Standards SPD. The scheme proposes two, four-bedroomed dwellings (Plots H and I) with two parking spaces, which is a deficit of one car parking space, per dwelling, however given that the site is located in close proximity to and in a sustainable part of Uttoxeter and given

that the County Highway Authority have not objected, the level of parking provision is considered to be acceptable, in this case.

- 12.14 The location of parking is provided to front and side of plots ensuring the parking provision is well related and does not dominate the streetscene, to accord with Policy D2 of the Uttoxeter Neighbourhood Plan.
- 12.15 Subject to the conditions advised by the County Highway Authority it is considered that the proposal is acceptable in relation to highway safety and is therefore in compliance with Policies SP1 and SP35 of the Local Plan, Policies T1, T3 and D2 of the Uttoxeter Neighbourhood Plan and the Parking Standards SPD.

13 Flood Risk and Drainage

Relevant Policies

- 13.1 Section 14 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.
- 13.2 Strategic Policy 27 of the Local Plan 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.
- 13.3 Policy D1 of the Uttoxeter Neighbourhood Plan states that schemes should seek to use sustainable drainage systems and water management, through water catchments and green spaces to avoid increasing surface water run-off into watercourses to alleviate flooding and improve water quality.

Assessment

Listed Building Consent Application

- 13.4 The listed building consent application primarily deals with the impacts of the proposal on the listed building itself. Therefore it is not necessary to discuss flood risk in respect of this application.

Detailed Planning Application

- 13.5 The application site is located within Flood Zone 1 which is at the lowest risk of flooding, a Flood Risk Assessment was therefore not required to support the application.
- 13.6 Local Plan Policy SP27 and Policy D1 of the Neighbourhood Plan both require developments to incorporate SUDS.

- 13.7 The plans confirm that there would be a new surface water attenuation tank under the internal access drive to be constructed to a SUDS design.
- 13.8 Severn Trent Water confirm that the foul sewage is proposed to discharge to the public foul sewer and all surface water to discharge to the public surface water sewer, and as soakaways are not a viable option for the site, Severn Trent Water will allow the connections as proposed.
- 13.9 Staffordshire County Council Flood Risk Management Team initially raised a holding objection, pending the submission of detailed surface water drainage scheme. Following the submission of additional plans, the Flood Risk Management Team are satisfied with the submitted proposals and have no objection to the application, subject to the imposition of a drainage condition.
- 13.10 The proposal is therefore considered to comply with Policy SP27 of the Local Plan and Policy D1 of the Uttoxeter Neighbourhood Plan.

14 Affordable Housing and Housing Mix

Relevant Policies

- 14.1 The NPPF states that Local planning authorities should have a clear understanding of housing needs in their area. Local Authorities should address the need for all types of housing, including affordable housing and the needs of different groups in the community. Strategic Policies 16 and 17 along with the guidance set out in the Housing Choice SPD responds to this requirement.
- 14.2 Strategic Policy 16 of the Local Plan states that residential development in the main towns and Strategic Villages shall provide an appropriate dwelling or mix of dwellings given the mix required in that part of the Borough according to the Council's evidence base or other evidence.
- 14.3 Policy H2 of the Uttoxeter Neighbourhood plan states that within the town centre, higher density residential schemes such as apartment blocks and smaller dwellings would be supported if the scale and mass of the buildings fit with their surroundings.

Assessment

Listed Building Consent Application

- 14.4 The listed building consent application primarily deals with the impacts of the proposal on the listed building itself.

Detailed Planning Application

- 14.5 Whilst the scheme is to provide 10 dwellings, there are 2 existing residential units (to be demolished), therefore resulting in a net increase of 8 dwellings. As such, including accounting for any demolitions, no affordable units or other financial contributions, including education contribution can be sought.
- 14.6 The application proposes a mixture of two and three bedroomed town houses and semi-detached dwellings which is considered acceptable given the surrounding types and sizes of residential accommodation.

15 Green Infrastructure

Relevant Policies

- 15.1 Strategic Policy 23 of the Local Plan states that development should contribute towards the creation, enhancement or ongoing management of a series of local green infrastructure corridors. The policy lists 10 standards green infrastructure is expected to meet.
- 15.2 Policy DP8 of the Local Plan relates to tree protection and states that within development sites proposals must ensure that new developments are designed to:
- Retain as many existing trees and other natural features as possible;
 - Minimise harm to existing trees and other natural features either in the short or long term;
 - Minimise conflict between trees and buildings in the future through the design, layout and construction of the development.
- 15.3 The National Planning Practice Guidance is clear that green infrastructure is important to the delivery of high quality sustainable development, alongside other forms of infrastructure such as transport, energy, waste and water. Green infrastructure provides multiple benefits, notably ecosystem services, at a range of scales, derived from natural systems and processes, for the individual, for society, the economy and the environment. To ensure that these benefits are delivered, green infrastructure must be well-planned, designed and maintained. Green infrastructure should, therefore, be a key consideration planning decisions where relevant.

Assessment

Listed Building Consent Application

- 15.4 The listed building consent application primarily deals with the impacts of the proposal on the listed building itself.

Detailed Planning Application

- 15.5 There are no trees on, or adjacent to the site that would be impacted upon a result of the proposal. The scheme has provided indicative landscaping, however a condition is recommended to secure comprehensive details.

16 Biodiversity

Relevant Policies

- 16.1 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.

- 16.2 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.
- 16.3 Strategic Policy 29 of the Local Plan 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.

Assessment

Listed Building Consent Application

- 16.4 The listed building consent application primarily deals with the impacts of the proposal on the listed building itself.

Detailed Planning Application

- 16.5 A Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment has been submitted to support the application.
- 16.6 The Appraisal and Assessment Ecology Survey concludes the Wheatsheaf building was considered to offer moderate bat roosting potential and as such will be subject to a minimum of two bat activity surveys, and if the building is found to contain a bat roost, an additional survey will be required.
- 16.7 In respect of birds, feral pigeons are known to be roosting and potentially nest within the building, and the recommendations include that any demolitions or clearance works are undertaken outside of the main bird breeding season and that a pre-commencement check is undertaken by an ecologist prior to any works in the building. Accordingly, a condition is recommended ensuring that the development is undertaken in accordance with the submitted report.
- 16.8 Staffordshire's Newt Officer confirms that the proposal is unlikely to cause any impact on Great Crested Newts and/or their habitat, however given that the application site lies within the amber impact zone, indicating that there is a suitable habitat for GCN within the area, the Newt Officer recommends an informative/note to applicant is added to any permission granted.
- 16.9 Uttoxeter Town Council recommend the use of swift boxes, bat boxes and provide hedgehog access. A condition is recommended to secure bird and bat boxes in the interests of biodiversity. An informative is proposed in relation to the provision of hedgehog holes in solid boundary treatments.
- 16.10 Subject to the aforementioned conditions, it is therefore considered that the proposal complies with the requirements of Policy SP29 subject to conditions relating to the ecological recommendations.

17 Other Matters

- 17.1 Request have been made by the Town Council and residents in relation to additional street lighting, however, it is not considered that such a request would meet the necessary tests and therefore cannot be requested in this case.

- 17.2 A neighbouring property raised an issue over land ownership. Whilst land ownership is not a material planning consideration, the 'red edge' identifying the application site has been amended during the course of the application and re-consultation undertaken with the specific neighbour.

18 Conclusions (including 'The Planning Balance')

- 18.1 The proposal is considered to be in a sustainable location, within a Main Town as identified by Policy SP2 of the Local Plan. The creation of residential dwellings within this location is therefore considered to be acceptable in principle.
- 18.2 In terms of impact upon heritage, the Council's Conservation Officer notes that there will be a resulting level of harm to the setting of the Grade II Listed Wheatsheaf Building, and longer-range views to the Grade II* Listed Church will also be affected. However, the Council's Conservation Officer confirms that the final planning decision will need be made upon weighing up the public benefits of the development and balance this against any harm,
- 18.3 It is considered that the identified harm is outweighed by the public benefits, including securing the optimum viable use of the heritage asset in order to secure its refurbishment and long-term future. The County Archaeologist has raised no objections subject to a condition for historic recording. Subject to appropriate conditions, the scheme is considered to preserve the special architectural and historical significance of the host listed building the setting of the surrounding listed buildings and the special significance of the conservation area.
- 18.4 The design and layout of the proposals are considered appropriate and the scheme is considered to have no adverse impacts with regards to flooding, biodiversity, or archaeology and there would be no significant adverse impact on occupiers of neighbouring dwellings in terms of overlooking or loss of privacy or in terms of noise and disturbance.
- 18.5 The impact of the proposal has been assessed by the Highway Authority and no objections have been raised, subject to conditions and a note to applicant.
- 18.6 The impact on trees and biodiversity has been assessed and there is considered to be no significant adverse impact, subject to conditions in respect of landscaping and ecology.
- 18.7 Having regard to the Planning Balance, therefore, the proposed scheme is therefore considered to be in line with the overall aims of the policies in the East Staffordshire Local Plan, Uttoxeter Neighbourhood Plan, the associated supplementary planning documents and the National Planning Policy Framework.

19 RECOMMEDATION(S)

Application 1 (Detailed Planning Application)

Grant planning permission subject to the following conditions

Condition 1 – Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 2 – Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans and documents subject to compliance with other conditions of this permission:

Topographical Survey 3030a dated as received on 20.04.22;
Existing Floor Plans 2013-03-11 dated as received on 24.03.22;
Existing Elevations 2013-03-12 Rev A dated as received on 24.03.22;
Proposed Ground Floor Plan 2017-50-20 Rev C dated as received on 24.03.22;
Proposed First and Second Floor Plans 2017-50-21 Rec C dated as received on 24.03.22;
Proposed Roof Plan 2017-50-22 Rev B dated as received on 24.03.22;
Proposed Elevations 1 of 2 2017-50-23 Rev C dated as received on 24.03.22;
Proposed Elevations 2 of 2 2017-50-24 Rev A dated as received on 24.03.22;
Proposed Plans & Elevations Plots F and G 2017-50-30 Rev G dated as received on 24.03.22;
Site Section A-A 2017-50-101 dated as received on 12.04.22;
Site Section B-B 2017-50-102 Rev A dated as received on 27.07.22
Site Sections B-B and C-C 2017-50-102 dated as received on 12.04.22;
Site Section C-C 2017-50-104 dated as received on 28.07.22;
Site Section D-D 2017-50-103 Rev A dated as received on 28.07.22;
Proposed Plans -Plots H, I and J 2017-50-40 Rev J dated as received on 28.07.22;
Highways Improvement General Arrangement 0130 – PA dated as received on 03.01.23;
Proposed Site Plan 2017-50-10 Rev Q dated as received on 19.01.23;
Block and Location Plans 2017-50-11 Rec D dated as received on 18.01.23
Proposed Plans – Plots A to E 2017-50-60 Rev E dated as received on 26.05.22;
Proposed Streetscene dated as received on 24.03.22;
Archaeological Report Report No 119/2015 dated as received on 24.03.22;
Ecology Report Issue 1 dated 25/10/21 dated as received on 24.03.22;
Ground Investigation and Test Report Ref: DAP/23033 dated 30/10/15 dated as received on 24.03.22;
Heritage Statement Report Ref: HS/thewheatsheaf/AH556/11/03/22V2 dated as received on 24.03.22;
Planning and Design and Access Statement dated as received on 12.04.22;
Structural Appraisal Job No. 200231 dated 07.05.20 dated as received on 24.03.22 and
Transport Statement Version V3.0 dated as received on 24.03.22

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, heritage assets, the amenities of neighbouring properties, the safe and efficient use of the adjoining highway, ecology and flood risk in accordance with East Staffordshire Local Plan Policies Principle 1, SP1, SP2, SP4, SP16, SP23, SP24, SP25, SP26, SP27, SP29, SP34, SP35, DP1, DP3, DP5, DP6, DP7 and DP8, the Uttoxeter Neighbourhood

Plan Policies TC3, TC4, D1, D2, D4, T1, T3 and H2, East Staffordshire Design Guide, Separation Distances and Amenity Supplementary Planning Document, Housing Choices Supplementary Planning Document, Waste Storage and Collection Guidance, the Car Parking Standards Supplementary Planning Document and the National Planning Policy Framework.

Condition 3 – Materials

No development (except for any approved demolition works) shall take place until details and/or samples of all the materials to be used externally on the Wheatsheaf Inn and the new dwellings hereby approved, ensuring the product name and manufacturer have been submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the buildings/heritage assets and their surroundings in accordance with East Staffordshire Local Plan Policies SP1, SP24, SP25, DP1, DP3 and DP5, Policies D1, TC2 and D4 of the Uttoxeter Neighbourhood Plan, the East Staffordshire Design Guide and the National Planning Policy Framework.

Condition 4 – Details of landscaping

Notwithstanding the submitted details no development (except for approved demolition works) shall take place until a scheme of landscaping and boundary treatments (i.e. hedgerows, fencing and walling), has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with East Staffordshire Local Plan Policy SP24, the East Staffordshire Design Guide and the National Planning Policy Framework.

Condition 5 – Implementation of Landscaping

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome in the interests of the visual amenities of the locality and occupiers of adjacent buildings, and in accordance with East Staffordshire Local Plan Policies SP24 and SP29, the East Staffordshire Design Guide and the National Planning Policy Framework.

Condition 6 – Implementation of Walling and Fencing

Any scheme of walling and fencing approved as part of the landscaping scheme required by Condition 4 above shall be completed prior to the development first being brought into use.

Reason: To safeguard the visual amenities of the area and the amenities of occupiers of adjoining properties in accordance with East Staffordshire Local Plan Policies SP24 and DP3 and the National Planning Policy Framework.

Condition 7 – Off-site Highway Works

No development (except approved demolition works) shall take place until the offsite highway works shown on Highways Improvement General Arrangement 0130 – PA dated as received on 03.01.23 have been fully completed in accordance with any plans given technical approval by the Local Highway Authority.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35 and the National Planning Policy Framework.

Condition 8 - Access

No development (except approved demolition works) shall take place until the access to the site has been laid out, constructed and hard surfaced to at least base course level, drained to ensure no surface water runs onto the highway and shall be provided with a suitable wheel washing facility during the development phase to mitigate mud being carried from the site onto the highway.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35 and the National Planning Policy Framework.

Condition 9 - Parking

Prior to the occupation of any dwelling hereby approved, the relevant dwelling shall be provided with car parking as shown on the Proposed Site Plan 2017-50-10 Rev Q dated as received on 19/01/2023 which shall be laid out, hard surfaced and drained. Once provided the parking spaces shall be retained and maintained available for parking at all times for the life of the development.

Prior to the first/use occupation of the Wheatsheaf Inn the 2 no. spaces to serve the Wheatsheaf Inn as shown on Proposed Site Plan 2017-50-10 Rev Q dated as received on 19/01/2023 shall be laid out, hard surfaced and drained. Once provided the parking spaces shall be retained and maintained available for parking at all times for the life of the development.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35, the Parking Standards Supplementary Planning Document and the National Planning Policy Framework.

Condition 10 – Access for each plot

Prior to the occupation of any dwelling hereby approved, each dwelling shall be provided with a clean, hard surfaced access to at least base course level that connects to the adopted highway.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35 and the National Planning Policy Framework.

Condition 11 – Land Contamination

In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken by a competent person in accordance with 'Land Contamination Risk Assessment ('LCRM') which was published in 2020'. Where remediation is necessary a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risk to human health, buildings and other property and the natural and historic environment, which is subject to the approval in writing of the Local Planning Authority. The scheme must ensure that the site will not qualify as Contaminated Land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to bringing the development into first use

Reason: In order to safeguard human health and the water environment and identify potential contamination on-site and the potential for off-site migration in accordance with East Staffordshire Local Plan Policy DP7 and the National Planning Policy Framework.

Condition 12 – Soils

No soils are to be imported to the site until information on their source, the results of any soil analysis, and an assessment of their suitability for use has been submitted to and agreed in writing by the Local Planning Authority.

Prior to their import onto site, a suitable methodology for testing soils following their import and placement on the site should be submitted to and agreed in writing by the Local Planning Authority. The methodology should include:

- a). The sampling frequency
- b). Testing schedules
- c). Criteria against which the analytical results will be assessed (as determined by the risk assessment)

The agreed methodology shall then be carried out and validity evidence submitted to and approved in writing to by the Local Planning Authority.

Reason: In order to safeguard human health and the water environment and identify potential contamination on-site and the potential for off-site migration in accordance with East Staffordshire Local Plan Policy DP7 and the National Planning Policy Framework.

Condition 13 – Archaeology

No development (except for site clearance works) shall take place until a written scheme of investigation ('the Scheme') has been submitted for the written approval of the Local Planning Authority.

The Scheme shall provide details of the programme of historic building recording works to be carried out within the site, including post-fieldwork reporting and appropriate publication. The Scheme shall thereafter be implemented prior to the occupation of any part of the development hereby approved, in full in accordance with the approved plans

Reason: To ensure that no development takes place which may adversely affect any items of archaeological interest without adequate prior investigation in accordance with East Staffordshire Local Plan Policies SP1, SP25 and DP5, Uttoxeter Neighbourhood Plan Policy D4 and the National Planning Policy Framework.

Condition 14 – Noise Mitigation

Prior to the first occupation of the proposed dwellings hereby approved a scheme of noise mitigation measures shall be submitted to and agreed by the Local Planning Authority.

The mitigation measures shall be installed prior to the first occupation of the apartments and shall ensure compliance with BS 8233:2014 Guidance on sound insulation and noise reduction for buildings. A noise assessment will be required to demonstrate that the required mitigation is provided.

Reason: In the interests of the amenity of the future occupiers of the dwellings in accordance with East Staffordshire Local Plan Policies DP3 and DP7 and the National Planning Policy Framework.

Condition 15 – Compliance with Preliminary Ecological Appraisal

The development hereby approved shall be carried out in accordance with the recommendations contained in the Ecology Report Issue 1 dated 25/10/21 dated as received on 24.03.22. Should any protected species be found during construction work must stop and the advice of a qualified Ecologist must be sought.

Reason: To safeguard protected species and their habitats in accordance with East Staffordshire Local Plan Policy SP29 and the National Planning Policy Framework.

Condition 16 – Swift Boxes etc

No development shall commence on site until such time as details of bird boxes and swift boxes/bricks, along with timescales for implementation, have been submitted to and agreed in writing with the Local Planning Authority. The scheme shall be carried out in accordance with the agreed details and thereafter retained for the life of the development.

Reason: To safeguard protected species and their habitats in accordance with East Staffordshire Local Plan Policy SP29 and the National Planning Policy Framework.

Condition 17 – Bin Receptacles

Prior to the first occupation of the dwellings hereby approved the waste bin and waste collection area shall be provided in accordance with the Proposed Site Plan 2017-50-10 Rev Q dated as received on 19/01/2023 and shall thereafter be retained for the life of the development.

Reason: To ensure the provision of appropriate waste storage facilities in accordance with East Staffordshire Local Plan Policy SP34, the East Staffordshire Waste Storage and Collection Guidance for New Developments and the National Planning Policy Framework.

Condition 18 – Drainage

Prior to the first occupation of the development hereby approved, the development shall be implemented in accordance with the following documents:-

- a) BSU-LE-DPR-XX-TN-CE-TN01 - Proposed Drainage Strategy (Technical Note); and
- b) 2. BSU-LE-DPR-XX-DR-CE-500-P1 - Drainage Strategy (Drainage Plan showing design details)

Thereafter the drainage scheme shall be retained and maintained in accordance with the SuDS Management and Maintenance Plan contained within Section 2.7 of the above Technical Note.

Reason: To ensure adequate drainage facilities are provided to serve the development to reduce the risk of creating or exacerbating a flooding problem in accordance with East Staffordshire Local Plan Policy SP27, Uttoxeter Neighbourhood Plan Policy D1 and the National Planning Policy Framework.

Condition 19 – Removal of PD Rights (Gates, walls)

Notwithstanding the provisions of Part 2 (Class A) of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order no gates, walls, fences or other means of enclosure (except for those approved by this permission) shall be erected within the curtilage of the dwellings unless planning permission has first been granted by the Local Planning Authority.

Reason: To safeguard the character and appearance of the buildings and their surroundings and the amenities of occupiers of the adjoining dwellings in accordance with East Staffordshire Local Plan Policies SP24 and DP3, the East Staffordshire Design Guidance and the National Planning Policy Framework.

Condition 20 – Removal of PD Rights (Extensions, alterations etc)

Notwithstanding the provisions of Part 1 (Classes A-H) of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) the dwellings hereby permitted shall not be enlarged, improved or altered, nor shall any building, enclosure, swimming or other pool, hard surface, plant or structure required for a purpose incidental to the enjoyment of the dwellinghouse be erected or installed unless planning permission has first been granted by the Local Planning Authority.

Reason: To safeguard the character and appearance of the buildings and their surroundings and the amenities of occupiers of the adjoining dwellings in accordance with East Staffordshire Local Plan Policies SP24 and DP3, the East Staffordshire Design Guidance and the National Planning Policy Framework.

Condition 21 – Lighting

No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted lighting contours, have been first submitted to, and approved in writing by, the Local Planning Authority prior to first occupation/use of the site. Any external lighting that is installed shall accord with the details so approved.

Reason: To safeguard protected species and their habitats in accordance with East Staffordshire Local Plan Policy SP29 and the National Planning Policy Framework.

Condition 22 - Obscure Glazing

The windows in the side elevations of Plots A and E serving bathroom(s)/en-suite(s) shall be—

- a) obscure-glazed, to Pilkington Standard 3 or its equivalent, and
- b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

which shall thereafter be retained as such unless planning permission has first been granted by the Local Planning Authority.

Reason: To safeguard amenities of occupiers of the adjoining dwellings in accordance with East Staffordshire Local Plan Policies SP24 and DP3, the East Staffordshire Design Guidance and the National Planning Policy Framework.

Condition 23 – Link to LBC

No dwelling hereby approved shall be occupied until the works and Schemes have been implemented in full in conditions 3, 4, 5 and 6 attached to Listed Building Consent application ref: P/2022/00381.

Reason: To determine the scope of the application and to ensure the works to ensure the preservation of the heritage asset are undertaken in a timely manner in accordance with East Staffordshire Local Plan Policies SP25 and DP5 and the National Planning Policy Framework.

Condition 24 - Balcony Screen

Prior to first use of the balcony to Plot E, a scheme of screening along the eastern boundary (including a timeframe for implementation) shall first be submitted to and agreed in writing with the Local Planning Authority. The scheme shall be carried out in accordance with the agreed details and timeframes and thereafter retained for the lifetime of the development.

Reason: To safeguard the privacy of occupiers of the adjoining property in accordance with East Staffordshire Local Plan Policies SP1 and DP3, the East Staffordshire Design Guidance and the National Planning Policy Framework.

Condition 25 – No dwellings to be first occupied until listed building works undertaken.

Unless otherwise agreed in writing by the Local Planning Authority all approved internal and external works in relation to the Grade II Listed Wheatsheaf Inn shall be completed in accordance with listed building consent ref: P/2022/00381 prior to the first occupation of any new dwelling as approved as part of this application ref: P/2022/00370.

Reason: To ensure that the repair works to the listed building are undertaken in a timely manner in accordance with East Staffordshire Local Plan Policies SP25 and DP5 and the National Planning Policy Framework.

Informatives**Informative 1: Engagement (Proactive)**

During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

Informative 2: Pre-commencement Conditions

The conditions identified below require details to be approved before commencement of the development.

Condition No's. 3,4,6,7,8 and 13

This means that a lawful commencement of the approved development cannot be made until the particular requirements of these conditions have been met.

The fee chargeable by the authority is £116 per request. The fee must be paid when the request is made. Any number of conditions can be included for each request. Payment can be made by cheque or card only. Please telephone 01283 508606.

Although we will endeavour to discharge all conditions within 21 days of receipt of your written request, legislation allows the Local Planning Authority a period of 8 weeks, and therefore this timescale should be borne in mind when programming development.

Informative 3: During development conditions

The condition identified below require details to be approved during the development/works.

Condition No. 5,9,10,11,12,14,15,16,17,18,21

This means that a development may not be lawful unless the particular requirements of these conditions have been met.

Confirmation of compliance with planning conditions requires a payment of a fee to the Local Planning Authority. The fee chargeable by the authority is £116 per request. The fee must be paid when the request is made. Any number of conditions can be included for each request.

Payment can be made by cheque or card only. Please telephone 01283 508606.

Although we will endeavour to discharge all conditions within 21 days of receipt of your written request, legislation allows the Local Planning Authority a period of 8 weeks, and therefore this timescale should be borne in mind when programming development.

Informative 4: Details of Proposed Materials

The applicant is advised that in complying with Condition 3 above regarding the submission of samples and details of all external materials, ensuring the product name and manufacturer is provided and must be submitted in writing to the Local Planning Authority as part of the relevant Discharge of Condition application along with correspondence confirming that date on which samples will be made available on-site and where they will be located.

Informative 5: Landscaping and Trees

The applicant is advised that in complying with Condition 4 above regarding the submission of a landscaping scheme, the scheme should include plant species of known wildlife value, and additional tree within the site to compensate for the loss of trees.

Informative 6: Bin Storage

The applicant is advised in relation to Condition 17 that:-

The communal waste collection area must be of adequate size to accommodate 2 wheelie bins per dwelling and constructed in a bound material.

Bin storage for each individual property must be at the side or rear of the dwelling. It is not clear how this is to be achieved for Plots A to E. Storage to the front of a dwelling is not acceptable.

Further details may be found in the Council's waste guidance document:

<http://www.eaststaffsbc.gov.uk/sites/default/files/docs/bins/WasteStorageandCollectionGuidance.pdf>

Informative 7: Soils

The applicant is advised the following in relation to Condition 12:-

For material certified under BS3882:2015, a copy of the analysis certificate (comprising of the specified requirements, plus an appropriate list of contaminants, including hydrocarbons) should be submitted to the Local Authority for approval before material is imported. After approval and placement of material, the chemical quality should be analysed, with the frequency of analysis being one sample per 100m³. The depth of placement shall also be recorded in order to ensure remedial targets are met. The post-placement details shall be submitted as part of the validation report.

For material that has not been certified under BS3882:2015, full details of the location of material source(s), accompanied by representative chemical analysis (including a comprehensive set of parameters, for example: pH, particle composition, and contaminants – including hydrocarbons), at a frequency not less than one sample per 5000m³ (with a minimum of at least one sample per source site) should be submitted to the Local Authority for approval before material is imported. After approval and placement of material, the chemical quality should be analysed, with the frequency of analysis being one sample per 50m³. The depth of placement shall also be recorded in order to ensure remedial targets are met. The post-placement details shall be submitted as part of the validation report.

Informative 8: Ecological Enhancement Measures

The applicant is advised that in complying with Condition 16 above the bat and bird boxes should be incorporated into the fabric of the dwellings.

Informative 9: Ecological Responsibilities

The applicant is advised that this permission does not absolve them from their responsibilities in relation to protected species. If evidence of protected species are found during the development all work should cease and the services of a licensed ecologist procured to ensure an offence is not committed.

The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended) it is an offence to (amongst other things): deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstruct access to a resting or sheltering place. Planning approval for a development does not provide a defence against prosecution under these acts. Should great crested newts be found at any stages of the development works, then all works should cease, and Natural England should be contacted for advice.

Informative 10: Highway Works Agreement

The applicant is advised that the proposed site access works shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an application form. Please complete and send to the address indicated on the application form or email to road.adoptions@staffordshire.gov.uk. The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales.

<https://www.staffordshire.gov.uk/Highways/highwayscontrol/HighwaysWorkAgreements.aspx>

Informative 11: Party Wall Act and Ownership

The applicant's attention is drawn to the provisions of The Party Wall etc. Act 1996, which may have implications for this development.

You are advised that any grant of planning permission does not override private legal matters such as rights of access onto lands outside the applicant's ownership for the purposes of construction or maintenance.

Informative 12: Severn Trent Water

Severn Trent Water advise *“please note for the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website (www.stwater.co.uk) or by contact our Development Services Team (Tel: 0800 707 6600).”*

Informative 13: Associated Application

You are reminded to also comply with the conditions of Listed Building Consent application ref: P/2022/00381.

Informative 14: Hedgehog Highways

The applicant/developer is advised that it is recommended that all close boarded fencing and solid walling should have provision for hedgehog holes comprising gaps of no less than 130mm per 10m or maintain 120mm clearance from ground level.

Application 2 – Listed Building Consent**Grant listed building consent subject to the following conditions****Condition 1 - Time Limit - Std for Listed Building Consent/Conservation Area**

The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

Reason: To conform with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 2 – Approved Plans/Documents Listed Buildings

The works hereby granted consent shall be carried out in accordance with the following approved plans/documents subject to compliance with other conditions of this consent:

Block and Location Plans 2017-50-11 Rec D dated as received on 18.01.23
Topographical Survey 3030a dated as received on 20.04.22;
Existing Floor Plans 2013-03-11 dated as received on 24.03.22;
Existing Elevations 2013-03-12 Rev A dated as received on 24.03.22;
Proposed Ground Floor Plan 2017-50-20 Rev C dated as received on 24.03.22;
Proposed First and Second Floor Plans 2017-50-21 Rec C dated as received on 24.03.22;
Proposed Roof Plan 2017-50-22 Rev B dated as received on 24.03.22;
Proposed Elevations 1 of 2 2017-50-23 Rev C dated as received on 24.03.22;
Proposed Elevations 2 of 2 2017-50-24 Rev A dated as received on 24.03.22
Archaeological Report - Report No 119/2015 dated as received on 24.03.22;
Heritage Statement Report Ref: HS/thewheatsheaf/AH556/11/03/22V2 dated as received on 24.03.22; and
Structural Appraisal Job No. 200231 dated 07.05.20 dated as received on 24.03.22

Reason: For the avoidance of doubt to ensure the works will not adversely affect the appearance and character of this listed building in accordance with East Staffordshire Local Plan Policies SP25 and DP5, Uttoxeter Neighbourhood Plan Policy D4 and the National Planning Policy Framework.

Condition 3 – Method Statement

No works shall commence until a detailed method statement detailing for all internal works has first been submitted to and approved in writing by the Local Planning Authority. The works shall include details of breathable membranes

and insulation to be used and details of which timbers are to be removed and which are to be retained and strengthened. The works shall be implemented in accordance with the approved details.

Reason: For the avoidance of doubt to ensure the works will not adversely affect the appearance and character of this listed building in accordance with East Staffordshire Local Plan Policies SP25 and DP5, Uttoxeter Neighbourhood Plan Policy D4 and the National Planning Policy Framework.

Condition 4 - Materials

No works shall commence until samples of the types and colours of materials to be used on the internal and external elevations including a sample of mortar mix and finish are provided on site for inspection and approval in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details.

Reason: For the avoidance of doubt to ensure the works will not adversely affect the appearance and character of this listed building in accordance with East Staffordshire Local Plan Policies SP25 and DP5, Uttoxeter Neighbourhood Plan Policy D4 and the National Planning Policy Framework.

Condition 5 - Window and Door Opening Details

No works shall commence until detailed drawings (including cross-sections) of all openings to a scale of 1:10 (or other appropriate scale first agreed with the Local Planning Authority) have first been submitted to and agreed in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details.

Reason: For the avoidance of doubt to ensure the works will not adversely affect the appearance and character of this listed building in accordance with East Staffordshire Local Plan Policies SP25 and DP5, Uttoxeter Neighbourhood Plan Policy D4 and the National Planning Policy Framework.

Condition 6 – Archaeology

No works to the listed building shall take place until a written scheme of investigation ('the Scheme') has been submitted to and agreed in writing with the Local Planning Authority.

The Scheme shall provide details of the programme of historic building recording works to be carried out within the site, including post-fieldwork reporting and appropriate publication. The Scheme shall be implemented in accordance with the approved details/timetable.

Reason: To ensure that no development takes place which may adversely affect any items of archaeological interest without adequate prior investigation in accordance with East Staffordshire Local Plan Policies SP1, SP25 and DP5, Uttoxeter Neighbourhood Plan Policy D4 and the National Planning Policy Framework.

Condition 7 – Making Good

All works of alteration and making good of the existing fabric of the building shall be carried out in materials to match the existing building/in accordance with the details approved until condition 4 above.

Reason: For the avoidance of doubt to ensure the works will not adversely affect the appearance and character of this listed building in accordance with East Staffordshire Local Plan Policies SP25 and DP5, Uttoxeter Neighbourhood Plan Policy D4 and the National Planning Policy Framework.

Informatives:**Informative 1: Engagement**

During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

Informative 2: Pre-commencement Conditions

The conditions identified below require details to be approved before commencement of the development.

Condition No's. 3, 4, 5 and 6.

This means that a development may not be lawful until the particular requirements of these conditions have been met.

The requests for confirmation of compliance with planning conditions requires a payment of a fee to the Local Planning Authority. The fee chargeable by the authority is £116 per request. The fee must be paid when the request is made. Any number of conditions can be included for each request. Payment can be made by cheque or card only. Please telephone 01283 508606.

Although the Local Planning Authority will endeavour to discharge all conditions within 21 days of receipt of your written request, legislation allows the Local Planning Authority a period of 8 weeks, and therefore this timescale should be borne in mind when programming development.

Informative 3: Associated Application

You are reminded to also comply with the conditions of Detailed Planning Permission ref: P/2022/00370.

20 Background papers

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

- Papers on Application file ref: P/2022/00370
- Papers on Application file ref: P/2022/00381
- Papers on Application file ref: P/2013/00802
- Papers on Application file ref: P/2013/00802
- The Local and National Planning Policies and Supplementary Planning Documents outlined in the report above

21 Human Rights Act 1998

21.1 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.

22 Crime and Disorder Implications

22.1 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.

For further information contact: James Mattley
Telephone Number: 01283 508695
Email: dcsupport@eaststaffsbc.gov.uk