

**20/00451/FUL**

**Mr And Mrs Patrick Nicholls**

**WOMBOURNE**

**NON MAJOR**

**Cllr Robert Reade  
Cllr Barry Bond  
Cllr Dan Kinsey**

**The Shielings Trysull Road Trysull WOLVERHAMPTON WV5 8DQ**

**Demolition of a derelict farm shop and 2 storey house, erection of a single bungalow and a two storey house with associated garage. Replacement of an existing dilapidated Nissen Store with a new Nissen store of the same size. New site access.**

## **1. SITE DESCRIPTION AND PLANNING HISTORY**

### **1.1 Site Description**

1.1.1 The application site measures approximately 2.15 acres and consists of a derelict farm shop, a pair of semi-detached dwellings and a disused agricultural building. The site is located north of Trysull Road, on the north-western outskirts of the Village of Wombourne.

1.1.2 The building previously used as a farm shop has been vacant for several years and has fallen into disrepair. It consists of a single storey building with corrugated pitched roof and timber/render elevations. There is a hardstanding layby to the frontage as well as a grassed area which is at a slightly higher level than the highway.

1.1.3 North-west of the former farm shop is 'The Shielings', a pair of 1950's/1960s semi-detached dwellings with pitched roof and forward gables. The dwellings are understood to have been converted to one house at some point and have been extended with a flat roofed lean-to type structure to the frontage.

1.1.4 The north-eastern section of the site (to the rear of the farm shop and The Shielings) consists of a mixture of lawn and overgrown vegetation and is accessed via a grassed vehicular track coming off Trysull Lane at the north-western corner of the site. An existing agricultural building (a Nissen store) is constructed of steel with brick ends and base. There is also a small brick boiler house as well as dwarf walls remaining from greenhouses which previously occupied the site.

1.1.5 Adjacent to the site to the south-east is No. 122 Trysull Road, a detached two storey dwelling beyond which are further residential uses. To the north-west and opposite the site are open fields.

### **1.2 Planning History**

2019, Demolition of farm shop and erection of 2 No. detached bungalows, approved [19/00526/FUL]

1990, Extension, approved [90/01030]

## **2. APPLICATION DETAILS**

### **2.1 The Proposal**

2.1.1. The following works are proposed:

- o Demolition of the existing farm store and the erection of a bungalow.
- o Demolition of 'The Shielings' and the erection of a new two storey dwelling with detached garage.
- o Replacement of the half-cylindrical Nissen store with a new Nissen store.

2.1.2 The bungalow, which would be positioned in the southern corner of the site, would have two bedrooms, two parking spaces on the frontage and a private rear garden. It would be constructed of red brick with pitched roof [maximum ridge height 5.5m], forward gable and timber clad sections.

2.1.3. The two-storey dwelling would be positioned roughly centrally in the site with a detached garage adjacent to the east. The dwelling is of contemporary design with two gables [maximum ridge height 8.6m] linked by a lower glass section and is proposed to be constructed of soft red brick with timber cladding, zinc roof and curtain glazing. The proposal incorporates a formal garden, nature pond and kitchen garden/orchard to the rear. The Nissen store to the rear would be constructed like for like in the same position as the existing.

2.1.4 The proposal includes the creation of a new vehicular access into the site (in the position of the existing layby) which would serve both of the dwellings in addition to the existing access.

## **2.2 Agents Submission**

The applicant has submitted a Design and Access Statement, Bat Activity Report, Bat Roost Assessment, Badger Report, Ecological Appraisal and an Arboricultural Impact Assessment for consideration.

## **3. POLICY CONTEXT**

3.1 The site is within the Green Belt

3.2 Core Strategy

Core Policy 1: The Spatial Strategy for South Staffs

Policy GB1: Development in the Green Belt

Policy EQ1: Protecting, Enhancing and Expanding Natural Assets

Policy EQ4: Protecting and Enhancing the Character and Appearance of the Landscape

Policy EQ7: Water Quality

Policy EQ9: Protecting Residential Amenity

Policy EQ11: Wider Design Considerations

Policy EQ12: Landscaping

Policy H1: Achieving a Balanced Housing Market

Policy EV12: Parking Provision

Appendix 5: Parking Standards

Appendix 6: Space About Dwellings Standards

3.3 National Planning Policy Framework [NPPF]

Chapter 12: Achieving well-designed places

Chapter 13: Protecting Green Belt Land

3.4 Supplementary Planning Documents

Green Belt and Open Countryside SPD

#### 4. CONSULTATION RESPONSES

**Councillors** [expired 17/07/20] No comments received

**Parish Council** [expired 17/07/20] No comments received

**Arboricultural Officer** [comments received 05/08/20] *No objections subject to conditions.*

**County Highways** [comments received 17/07/20] *No objections on highways grounds subject to conditions to include the submission of a visibility splay plan.*

**County Highways** [further comments received 06/08/20] *No objections on highways grounds subject to conditions.*

**County Ecologist** [comments received 18/07/20] *The ecology reports submitted refer to the need for a badger licence and for precautionary working to avoid harm to badgers and other species; these can be supported by condition if minded to approve. Bat surveys did not identify any concerns with bats; I have recommended an informative note because bats are highly mobile species. Currently the site comprises mature garden and trees. These habitats have an ecological function and they provide a degree of ecological connectivity. The current proposals would increase built development and hardstanding. This clearly represents a small net loss to biodiversity, contrary to NPPF 170 and 175, which could be mitigated onsite by landscape design that maximises opportunities for wildlife; advice is given in R2 of the Preliminary Ecological Appraisal. I have suggested a condition for this.*

*Boundary fences and walls will present solid barriers to wildlife, particularly hedgehogs. This is important because a third of hedgehogs have been lost in the last 20 years, and one major cause is barriers to foraging behaviour that force them onto roads or other unsuitable places. A viable population needs access to about 90 hectares of connected land. Hedgehogs are listed as a species of Principal Importance under the NERC Act (2006). A 13 x13 cm gap should be provided at the base of barriers between gardens so that all garden space is accessible.*

**County Ecologist** [further comments received 04/08/20] *The ecology reports submitted previously referred to the need for a badger licence and for precautionary working to avoid harm to badgers and other species; a badger method statement has now been submitted. Condition #3 of my previous response (17July2020) is now not required.*

*July 2020 bat surveys did not identify any concerns with bats; as long as demolition work is not delayed beyond the Spring 2022 these should remain valid. The informative note recommended in my previous response is now not required.*

*Landscape design that maximises opportunities for wildlife has now been submitted, retaining orchard areas and adding ponds and meadow areas, plus tree planting etc. I have recommended an informative note regarding wildlife becoming trapped in ponds, particularly steep-sided formal ones. Condition #1 of my previous response is now not required.*

**Badger Conservation Group** [expired 17/07/20] No comments received

**Severn Trent Water** [comments received 12/08/20] *With Reference to the above planning application the company's observations regarding sewerage are as follows.*

*I can confirm that we have no objections to the proposals subject to the inclusion of the following condition:*

- o The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and*
- o The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.*

**Neighbours** [expired 17/07/20] No comments received

**Site Notice** [expired 26/07/20] No comments received

## **5. APPRAISAL**

5.1 The application is brought before the Planning Committee as part of the proposal is contrary to policy GB1 of the Core Strategy, 2012 and the provisions of the NPPF.

### **5.2 Key Issues:**

- Principle of development
  - Green Belt
  - Case for Very Special Circumstances
  - Spatial Strategy
- Housing mix
- Impact on the visual amenity of the Green Belt and character of the area
- Impact on neighbouring amenity/space about dwelling standards
- Trees/Landscaping/Ecology
- Drainage
- Parking/Highways

### **5.3 Principle of Development**

#### **5.3.1. Green Belt**

5.3.2. The application site is located within the Green Belt. As set out within paragraph 145 of the NPPF, Local Planning Authorities should regard the construction of new buildings as inappropriate development in the Green Belt, subject to a number of exceptions. One of those exceptions (which is followed through within Policy GB1 of the Core Strategy) is “proportionate extensions, alterations or replacements of an existing building which are in the same use and not materially larger than the original”.

5.3.3. There are three elements to this proposal:

- o Replacement of existing dwelling/s (The Shielings) with a two-storey dwelling
- o Replacement of former shop with a bungalow
- o Replacement of Nissen Store (like for like)

They will be addressed in turn, as follows:

o **Replacement two storey dwelling**

5.3.4. As mentioned above, Paragraph 145 of the NPPF and Policy GB1(d) indicates that the replacement of an existing building may be acceptable providing it is in the same use and not materially larger than the building it replaces. As a guide, the Council's Green Belt and Open Countryside SPD clarifies that a building is not materially larger than the one it replaces providing the floor area does not increase by more than 10-20%. The application proposes to demolish 'The Shielings' (a pair of semi-detached dwellings which have been converted internally to a single residence) and replace them with a single two storey dwelling.

5.3.5. The approximate floor area of the existing dwelling(s) is 246 sq.m. whilst the combined floor area of the proposed dwelling and detached garage would amount to approximately 449 sq.m, an overall increase in floor area of around 82%. The replacement dwelling is clearly materially larger and above the 10-20% guidance contained within the SPD. The proposal would therefore constitute inappropriate development. Paragraphs 143-144 of the NPPF state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm to the Green Belt, and very special circumstances will not exist unless the potential harm to the Green Belt (by virtue of the development's inappropriateness) together with any other harm, is clearly outweighed by other considerations.

o **Replacement of former shop with a single storey dwelling**

5.3.6. In terms of replacement buildings, as mentioned above Paragraph 145 of the NPPF and Policy GB1(d) indicate that the replacement of an existing building may be acceptable providing it is in the same use and not materially larger than the building being replaced.

5.3.7 The replacement of a farm shop with a dwelling would not be in the same use and could not therefore be considered to constitute a 'replacement' building in the context of paragraph 145 of the NPPF and Policy GB1(d). The proposal would therefore constitute inappropriate development, which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

o **Replacement of Nissen Store**

5.3.8 Within the northern corner of the site is a semi-circular structure referred to as a Nissen store which has a floor area of 203 sq.m. The proposed replacement Nissen store would be of the same height and floor area as the existing. It is understood that the site was previously used for the production of fruit and vegetables. The applicant (who also owns the field adjacent to the site to the north) has confirmed that the building would be used for the storage of equipment including a tractor, hay etc in relation to the maintenance of the land therefore the use of the building would be the same as the existing.

5.3.9 As specified within paragraph 145 of the NPPF and Policy GB1 of the Core Strategy, the replacement of a building which is not materially larger and is in the same use as the existing is an appropriate form of development within the Green Belt. This part of the proposal is therefore acceptable in principle.

## 5.4 Case for Very Special Circumstances

5.4.1. As discussed within the previous section of this report, the proposed replacement of the existing two storey dwelling(s) with a single two storey dwelling that is materially larger than the original would constitute inappropriate development within the Green Belt, contrary to Paragraph 145 of the NPPF and Policy GB1 of the Core Strategy. In addition, the replacement of a farm shop with a bungalow would be in a different use, thereby also constituting an inappropriate form of development within the Green Belt.

5.4.2 The case for very special circumstances relates to the following:

- The extant approval for re-development of the farm shop (19/00526/FUL) and the overall impact of the development on the Green Belt.
- The quality of the development proposal.

They are discussed in turn as follows:

- **Extant approval and overall impact on the Green Belt.**

5.4.3. There is an existing extant approval for the replacement of the farm shop with two bungalows (planning application reference 19/00526/FUL). If that approval were to be implemented, the farm shop (which has a floor area of 206 sq.m) would be replaced with two bungalows (each with a floor area of 103 sq.m.) equating to the same overall floor area of 206 sq.m.

5.4.4. The current application proposes a single bungalow providing 101 sq.m of floor space which is around half that of the existing building. The proposal would involve an increase in roof height of 1.6m, however the proposed bungalow is much narrower than the existing building, offsetting any harm from the increased overall roof height. In addition, the forward and rear building lines of the proposed bungalow would line through with the forward/rear building lines of the adjacent dwelling (No. 122) and their roof height would be around 2.25m lower. The replacement as currently proposed would result in a reduction in floor area of 105 sq.m over the existing development and a reduction of 105 sq.m. from the previously approved scheme.

5.4.5. Offsetting this floor area against the combined proposed floor area of the new two storey dwelling and detached garage would reduce the floor area increase across the site to just under 22% which is marginally over the 10-20% increase in floor area recommended within the Green Belt and Open Countryside SPD.

5.4.6. As set out within the SPD, the opportunity to offset floor area from ancillary buildings in lieu of a larger replacement building will be dealt with on a case by case basis. Following discussion with the Planning Team, the proposed two storey building has been re-positioned within the site, closer towards the existing built form in order to eliminate any concerns regarding encroachment into the Green Belt. The proposed development of a large dwelling set back, with a detached garage to its east and single bungalow in the south would keep the expanse of built form still fairly compact within the site whilst allowing views through to the Green Belt beyond. Whilst the two storey dwelling incorporates more floor area at first floor level than the existing buildings on site, it is considered that there would be no harm to the openness of the Green Belt as a result of the proposal in light of the position of the dwelling set back within the site away from the highway with land surrounding and views beyond the dwelling towards open fields. In addition, the roof structure of the

dwelling has been designed with two pitches separated by a flat roofed glazed section, breaking up the bulk of the second floor element and further reducing its visual impact. The submitted Street Elevation Plans which show the height and massing of the proposed in comparison to the existing demonstrate that the roof structure of the proposed two storey dwelling would arguably less bulky and impactful on openness than that of the existing dwelling.

5.4.7. It is therefore considered that, taking into consideration both elements of the proposal (the bungalow and the two storey dwelling) in the context of the existing development and the extant approval, the development would result in a very similar amount of floor area and would not have a materially greater impact on the openness of the Green Belt. These factors, coupled with the potential to remove PD rights for any further development, would carry significant weight in the balance of considerations. Other factors are discussed as follows:

- The quality of the development proposal

5.4.8. As outlined within paragraph 124 of the NPPF, the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 131 states that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area.

5.4.9. The character of the locality is mixed, characterised by a range of dwellings of differing periods and designs. The appearance of the farm shop is fairly unobtrusive from wider view given that it is set back slightly from the highway however it does have an unkept appearance owing to its lack of use and maintenance for many years. The Shielings, whilst not unattractive, has a fairly unremarkable appearance and does little to mark the entrance into Wombourne from the north-west.

5.5.0 As discussed within the Council's Design Guide SPD, (paragraph 37.9d) new development adjacent to the open countryside should create a more diverse and active edge, noting local village precedents with a variety of scales and varied building lines with open spaces and tree/hedgerow planting.

5.5.1. The current proposal is of a bespoke contemporary design, which is visually attractive as a result of good architecture and layout, incorporating high quality materials. In addition to the quality of the dwelling itself, the proposal includes a formal garden, nature pond, orchard, kitchen garden and natural wood surrounding the building. Owing to its distinctive and innovative contemporary design and position within the application site it is considered that the proposed dwelling would create a distinctive threshold at this entrance into the Village, enhancing the setting of its north-western edge.

5.5.2. Moreover, the proposed bungalow would reflect some of the design features and materials of the two storey dwelling, unifying the scene in design terms and representing an improvement on the extant approval (reference 19/00526/FUL) which is of a more standardised design.

5.5.3. On the basis of the above it is considered that the high quality and innovative nature of the proposal would provide further weight to the case for Very Special Circumstances weighing in favour of the proposal.

5.5.4 In conclusion, it is considered that the previous extant approval and the limited impact on the Green Belt, coupled with the innovative design would together carry significant weight in justifying the current proposal. It is considered that the benefits of the proposal would carry sufficient weight in the planning balance, clearly outweighing the potential harm to the Green Belt by reason of inappropriateness.

## **5.6. Spatial Strategy**

5.6.1. The Council's Spatial Strategy (Core Policy 1) identifies that throughout the District, growth will be located at the most accessible and sustainable locations in accordance with the settlement hierarchy, to ensure that the necessary infrastructure, facilities and services are available to support growth.

5.6.2 The site is located on the edge of Wombourne a Main Service Village which is identified as a main focus for housing growth within the District. The policy states that the focus will be to make efficient use of land with priority being given to the use of previously developed sites in sustainable locations which are not of high environmental value. The site is located on a main road into Wombourne from the north-west and is well placed to gain access to the range of services and facilities offered by the village centre.

## **5.7. Housing Mix**

5.7.1. Policy H1 states that proposals for new housing development should be informed by the Housing Market Assessment and the Sub-Regional Housing Market Assessment. Policy H1 specifies that more 2 bed units are needed in the District to support the Council's aim of delivering a better-balanced housing market. The provision of a 2-bed bungalow would also potentially support the ageing population which is encouraged by Policy H1.

## **6. Impact on the visual amenity of the Green Belt and character of the area**

6.1.1 Policy EQ11 of the Core Strategy requires that in terms of scale, volume, massing and materials, developments should contribute positively to the street scene and surrounding buildings, whilst respecting the scale of spaces and buildings in the local area. Policy EQ4 states that the design and location of new development should take account of the characteristics and sensitivities of the landscape.

6.1.2. The site is located in a rural area on the edge of the village. The dwellings in the immediate locality are largely detached and of varying scale and design. The farm shop proposed to be removed is of rural appearance and is set back from the road with an attractive green frontage and stone dwarf wall. However, the building has been vacant for some time and has an unkempt appearance.

6.1.3. The proposed dwellings would be of similar height to the existing and given the varied character of the locality would not appear out of character with other dwellings in the vicinity. The proposed site plan incorporates tree planting along both sides of the access track on the north-western boundary of the site, which once matured would serve to screen the side of the new two storey dwelling from long distance views, and the large areas of glazing proposed would break up and soften its appearance. As discussed within previous sections of the report, the proposal is considered to be of a high-quality contemporary design, with detailing such as burnt timber cladding to add interest. It is therefore considered that the proposal complies with Core Strategy Policy EQ11.



## **6.2 Impact on neighbouring amenity/space about dwelling standards**

6.2.1 New development should avoid harming the amenity of neighbouring properties and should not have any adverse impacts in respect of loss of privacy, loss of light or overlooking to neighbouring properties, as set out in Policy EQ9 of the Core Strategy. Policy EQ11 sets out the Council's Space about Dwellings standards in Appendix 6. For privacy and outlook, the guidance states that single storey dwellings should be a minimum distance of 21m between facing habitable room windows and 10.5m between front or rear habitable room windows to a flank side wall over private space.

6.2.2. There are no dwellings to the rear or front of the site which could be affected by the proposed development. Adjacent to the site to the east is The Stables however it is positioned over 60m away from either of the proposed dwellings. There is an existing dwelling adjacent to the proposed bungalow (No. 122 Bratch Lane) however the only opening proposed is a small bathroom window, which would be screened by the boundary treatment. The development would raise no concerns in respect of overlooking or loss of privacy for existing occupiers. In addition, as the proposed bungalow is single storey only there would be no concerns in respect of overbearing or loss of light.

6.2.3. In terms of the proposed two storey dwelling, the south-east facing elevation would look towards the rear gardens of existing dwellings along Bratch Lane, however there are only two narrow windows proposed at first floor level and there would be a distance of 22m between these windows and the rear garden of the proposed bungalow (the closest of the existing and proposed dwellings). It is therefore considered that there would be no undue concerns arising in terms of overlooking.

6.2.4. Appendix 6 also specifies minimum standards for amenity space. Dwellings with 2 beds require a garden with minimum length of 10.5m and area of 42 sq.m (100 sq.m. for dwellings with 4 or more bedrooms). Both plots are provided with a private garden in excess of these standards. There are no infringements with the Council's Space about Dwellings standards for either of the proposed dwellings.

## **6.3 Trees, Landscaping & Ecology**

6.3.1 Policy EQ12 emphasises that the landscaping of new developments should be an integral part of the overall design. Policy EQ1 provides that developments should not cause significant harm to habitats of nature conservation, including woodlands and hedgerows, together with species that are protected or under threat. Support will be given to proposals which enhance and increase the number of sites and habitats of nature conservation value.

6.3.2. An Arboricultural Impact Assessment has been submitted which identifies that all of the trees on site are of low quality and/or limited life expectancy, with the exception of one Elder tree which is deceased and needs to be removed. However, a Tree Protection Plan has been submitted which identifies the trees which are to be retained on site and provided with protective fencing. The hedge at the front of the site would also be retained. The Council's Arboricultural Officer has been consulted and has raised no objections subject to conditions to include the provision of a landscaping scheme.

6.3.3. A Preliminary Ecological Appraisal including Badger Annexe and Method Statement, Bat Roost Assessment and Bat Activity Report have been submitted. The County Ecologist has reviewed the submitted information and has raised no objections subject to conditions to secure a landscaping scheme which maximises opportunity for wildlife, including

hedgehog gaps. Precautionary working methods should also be adopted. The proposal is therefore compliant with policies EQ12 and EQ1.

#### **6.4 Drainage**

Policy EQ7 of the Core Strategy advises that development will be permitted where proposals do not have a negative impact on water quality, either directly through pollution of surface or groundwater or indirectly through overloading of wastewater treatment works. Severn Trent Water have been consulted who have requested a pre-commencement condition to secure foul and surface water drainage plans.

#### **6.5 Parking/Highways**

6.5.1. Policy EV12 of the Core Strategy states that provision for off street parking must be made within all development proposals. Appendix 5 of the Core Strategy sets out the Council's minimum parking requirements. For dwellings with 2 bedrooms, 2 parking spaces are required, and 3 spaces are required for dwellings with 3 beds or more. The proposal for the bungalow incorporates a new site access and two parking spaces to the frontage.

6.5.2. The proposed two storey dwelling would utilise the new access as well as the existing access on the north-west edge of the site and a garage/car port is proposed which incorporates 3 parking spaces. The proposed development complies with the parking standards set out within Policy EV12 and County Highways Officer has raised no objections to the proposal subject to conditions.

#### **7.0 CONCLUSION**

7.1 The proposed replacement Nissen store would be an appropriate form of development within the Green Belt. The proposal for a replacement two-storey dwelling which is materially larger would constitute inappropriate development, as would the replacement of the farm shop with a bungalow. However, the case for very special circumstances is considered to demonstrate that there would be no undue harm to the Green Belt when taking into consideration the overall floor area increase across the site coupled with the innovative design of the proposed scheme. The proposal is appropriate in terms of design and scale and would not have a detrimental impact upon the Green Belt or the character of the area. In addition, there are no concerns arising in respect of neighbour amenity, highways or ecology.

#### **8. RECOMMENDATION - APPROVE Subject to Conditions**

Subject to the following condition(s):

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. The development shall be carried out in accordance with the approved drawings:  
TS-GNA-XX-ST-DR-A-1000 Location Plan;  
TS-GNA-XX-XX-DR-A-1101 Proposed Bungalow Layout;  
TS-GNA-XX-XX-DR-A-1102 Proposed Garage and Car Port Layout;  
TS-GNA-XX-XX-DR-A-1103 Proposed Nissen Store Layout;  
TS-GNA-XX-ST-DR-A-1004\_B Proposed Site Plan showing Roof Plan;  
TS-GNA-XX-ST-DR-A-1005\_B - Proposed Site Plan showing Roof Plan;

TS-GNA-XX-ST-DR-A-1006\_B - Proposed Site Plan showing Ground Floor Plan;  
TS-GNA-XX-ST-DR-A-1007\_B - Proposed Site Plan showing Ground Floor Plan;  
TS-GNA-XX-ST-DR-A-1009 - Visibility Splay Plan;  
TS-GNA-XX-XX-DR-A-2000\_A - Street Elevations;  
TS-GNA-XX-XX-DR-A-9000\_A - View from Trysull Road;  
TS-GNA-XX-XX-DR-A-9001 View of Main Entrance to House;  
TS-GNA-XX-XX-DR-A-9002 View from Formal Garden;  
TS-GNA-XX-XX-DR-A-9003 View from Drive.

3. No works above damp-proof level shall take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
4. Prior to the commencement of any works above damp proof course (DPC) level, a landscape scheme shall be submitted to the Local Planning Authority for approval. The approved scheme shall be implemented concurrently with the development and completed within 12 months of the completion of the development. The Local Planning Authority shall be notified when the scheme has been completed. Any failures shall be replaced within the next available planting season and the scheme shall be maintained to the satisfaction of the Local Planning Authority. The planting shall be retained and maintained for a minimum period of 10 years by the property owner from the notified completion date of the scheme. Any plant failures that occur during the first 5 years of the notified completion date of the scheme shall be replaced with the same species within the next available planting season (after failure).
5. Before the development commences the existing trees, shrubs and hedges on the site shall be protected by fencing constructed in accordance with BS 5837:2012 (trees in relation to design, demolition and construction - recommendations) in positions to be agreed with the Local Planning Authority which shall be retained throughout the development of the site in the approved positions.
6. Before development commences all construction work, drainage runs and other excavations within the protective fencing/root protection areas of the trees shown to be retained on the approved plan shall be agreed by the Local Planning Authority. All work shall be carried out in accordance with BS 5837:2012 (trees in relation to design, demolition and construction - recommendations).
7. The destruction by burning of any materials during the construction period shall not take place within 6 metres of the canopy spread of any trees or hedges shown to be retained on the approved plans.
8. There shall be no storage of construction materials or equipment or oil tanks within the protective fencing/root protection areas of the trees or hedges shown to be retained on the approved plans.
9. The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority. The agreed foul and surface water drainage

scheme shall be implemented in accordance with the approved details before the development is first brought into use.

10. The development hereby permitted shall not be brought into use until the access to the site within the limits of the public highway has been completed.
11. The development hereby permitted shall not be brought into use until the existing access to the site within the limits of the public highway has been reconstructed and completed.
12. The development hereby permitted shall not be brought into use until the access drive, parking and turning areas have been provided in accordance with the approved plans.
13. The development hereby permitted shall not be brought into use until the visibility splays shown on drawing No. TS-GNA-XX-ST-DR-A-1009 have been provided. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.
14. The garages indicated on the approved plan shall be retained for the parking of motor vehicles and cycles. They shall at no time be converted to living accommodation without the prior express permission of the Local Planning Authority.
15. Any gates shall be located a minimum of 6.0m rear of the carriageway boundary and shall open away from the highway.
16. All final developed landscaped site and internal boundary structures (fences, walls etc.,) to be designed and constructed so that they do not seal to the ground continuously and stop the movement and dispersal of wildlife, notably hedgehogs. Boundaries must have 130mm by 130mm holes at ground level at least every 10m running length or should not seal to the ground at all between posts with a 120mm gap from fence base to ground
17. Prior to the commencement of any works above DPC level, details of biodiversity enhancement measures including 2 number integrated bat tubes or bat boxes within the new building, located on south facing aspects shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme and be fully constructed prior to occupation of the buildings and retained as such thereafter.
18. Prior to the commencement of any works above DPC level, details of the type and location of biodiversity enhancement measures including 1 group of 3 number swift boxes and 2 number house sparrow terraces on or integrated into north- or east-facing brickwork of the new buildings shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme and be fully constructed prior to occupation of the buildings and retained as such thereafter.
19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any other subsequent equivalent order, no development within the following classes of development shall

be carried out to the dwelling, the subject of this approval, without the prior approval of the Local Planning Authority:

- a. Schedule 2, Part 1, Class A - enlargement, improvement or other alteration
  - b. Schedule 2, Part 1, Class B - addition or alteration to the roof
  - c. Schedule 2, Part 1, Class C - any other alteration to the roof
  - d. Schedule 2, Part 1, Class D - porches
  - e. Schedule 2, Part 1, Class E - garden buildings, enclosures, pool, oil or gas storage container
20. The development hereby approved and referred to as a 'Nissen Store' shall not be occupied at any time other than for agricultural purposes ancillary to the use of the application site and the field adjacent to the north.

#### Reasons

1. The reason for the imposition of these time limits is to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In order to define the permission and to avoid doubt.
3. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
4. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
5. To protect the existing trees on the site during construction work in accordance with policy EQ12 of the adopted Core Strategy
6. To protect the existing trees on the site during construction work in accordance with policy EQ12 of the adopted Core Strategy
7. To protect the existing trees on the site during construction work in accordance with policy EQ12 of the adopted Core Strategy
8. To protect the existing trees on the site during construction work in accordance with policy EQ12 of the adopted Core Strategy
9. to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution in accordance with Policy EQ7 of the Core Strategy.
10. In the interest of highway safety and to comply with Staffordshire County Council requirements for a vehicular access crossing.
11. In the interest of highway safety and to comply with the principles set out in the National Planning Policy Framework.

12. In the interest of highway safety and to comply with the principles set out in the National Planning Policy Framework.
13. In the interest of highway safety and to comply with the principles set out in the National Planning Policy Framework.
14. The site is within the Green Belt within which, in accordance with the planning policies in the adopted Core Strategy, there is a presumption against inappropriate development
15. In the interest of highway safety and to comply with the principles set out in the National Planning Policy Framework.
16. In order to protect any protected species on the site in accordance with EQ1 of the adopted Core Strategy.
17. In order to protect any protected species on the site in accordance with EQ1 of the adopted Core Strategy.
18. In order to protect any protected species on the site in accordance with EQ1 of the adopted Core Strategy.
19. The site is within the Green Belt within which, in accordance with the planning policies in the adopted Core Strategy, there is a presumption against inappropriate development
20. The site is within the Green Belt within which, in accordance with the planning policies in the adopted Core Strategy, there is a presumption against inappropriate development

Proactive Statement - In dealing with the planning application the Local Planning Authority has worked in a positive and proactive manner by agreeing amendments to the application and in accordance with paragraph 38 of the National Planning Policy Framework 2019.

#### ECOLOGY INFORMATIVE

Wildlife, such as small mammals, and even amphibious species such as toads and newts can become trapped in ponds which have steep sides. New ponds should have a permanent method of escape built in, such as a ramp or sloped edge.

#### HIGHWAYS INFORMATIVE

The new dropped crossing to the site shall be constructed in accordance with the submitted drawing. Please note that prior to the access being constructed you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application Form for a dropped crossing. Please complete and send to the address indicated on the application form, which is Staffordshire County Council, Network Management Unit, Staffordshire Place 1, Tipping Street, Stafford. ST16 2DH.  
(or email to [nmu@staffordshire.gov.uk](mailto:nmu@staffordshire.gov.uk))  
<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>



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