

## **CHAPTER 2: ENVIRONMENT AND DEVELOPMENT**

### **2.1 The General Development Strategy: Aims and Objectives**

2.1.1 The Borough Council wishes to ensure that best use is made of the finite supply of land and resources. This approach will aim to protect the best of the natural and built environments, and balance the need for conservation and development. This local plan provides a development framework which allows and encourages development in certain places, but protects or seeks to minimise the effects of development in more sensitive locations.

2.1.2 Protecting the open countryside and the green belt from inappropriate development are fundamental objectives of planning policy. In order to help achieve this, development boundaries have been defined around both settlements and industrial estates, in such a way as to accommodate further development in varying degrees. This approach is seen as making the best use of the existing services, facilities and infrastructure.

2.1.3 Development is generally encouraged, that re-uses or adapts existing buildings, or brings redundant, previously developed land, back into constructive use. This approach of recycling land and buildings is seen as making best use of limited resources and can help to reduce the need for greenfield development. Development of this type occurs mainly, but not exclusively, in existing settlements and is particularly appropriate in areas of development restraint.

2.1.4 A number of designations and related policies have been established to protect and enhance the best features of the built and natural environment. These are of special importance, either at a national or local level, and are usually defined as a geographical area in which particular provisions and policies apply. Much of the enabling legislation for these designations is contained within national legislation and so are not determined through the local plan process, merely reflected. These include designations such as conservation areas; listed buildings; areas of outstanding natural beauty; sites of special scientific interest; national and local nature reserves, sites of biological or geological interest and tree preservation orders.

### **2.2 General Principles for New Development**

#### **Design and Landscaping**

2.2.1 The Borough Council wishes to ensure that all new development is of a high quality. All new development will be required to be of a high standard of design and layout, and assimilate carefully into existing townscapes and landscapes. This will be achieved by sensitively designing new development to respect and preferably enhance the established character of the area in which it occurs.

- 2.2.2 It is recognised however, that good design relies primarily on the developer and the design skills employed. The Borough Council would therefore recommend professional advice be sought in preparing proposals prior to submission as a planning application.
- 2.2.3 Hard and soft landscaping contributes significantly to the provision of an attractive setting for buildings and other developments. Careful consideration should be given to the functional and aesthetic aspects of landscaping at an early stage. Proposals will be expected to respect and incorporate any existing features or open spaces where appropriate, to integrate new development sympathetically with its' surroundings. For example large parking or servicing areas uninterrupted by landscaping or design features are not likely to be acceptable.
- 2.2.4 The Borough Council wishes to ensure that no one is prevented from playing a full role in the life of the community due to the design of the environment.

**POLICY E & D1 - GENERAL REQUIREMENTS**

***Proposals for the development of buildings should ensure that they are designed, sited and grouped, so as to:***

- (i) be of a high quality, providing an interesting and attractive environment;***
- (ii) respect, and integrate with the character and appearance of the locality in terms of scale, materials, layout and siting, both in itself and in relation to adjoining buildings;***
- (iii) be in sympathy with, and enhance the character and appearance of the locality;***
- (iv) incorporate effective amenity safeguards including where appropriate landscaping and screening;***
- (v) help prevent crime;***
- (vi) be in accordance with standards and policies expressed in this plan.***
- (vii) provide access throughout the Borough for all individuals, including wheelchair users and people with physical or sensory disabilities, elderly people, and those with toddlers or infants in pushchairs.***

- 2.2.5 Policies generally direct new development toward existing settlements and areas of existing development. The landscape setting of built up areas may be harmed by new development, particularly where it may have an intrusive effect on views, or require the removal of prominent vegetation features. Proposals will be required to have due regard to retaining and enhancing townscape quality.

## **POLICY E & D2 CONSIDERATION OF LANDSCAPE OR TOWNSCAPE SETTING**

***Proposals for new development will subject to other policies be acceptable where the proposal pays due regard to the existing landscape and/or townscape framework and the individual elements of the landscape. These would include:-***

- (i) trees and hedgerows;***
- (ii) skylines and views:***
- (iii) open areas, especially those important to the landscape or which form a setting;***
- (iv) historic features.***

### **Access for Disabled People**

- 2.2.7 Under Section 76 of the Town and Country Planning Act 1990, the Borough Council, when granting planning permission, draws the attention of the applicant to sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970. That Act requires developers of specified types of buildings to provide suitable means of access, parking and toilet facilities to meet the needs of people with disabilities, where practicable and reasonable. The types of building to which the Act applies are buildings open to the public (for example shops, restaurants, hotels, places of entertainment, leisure and community buildings), places of employment, education buildings, and most types of buildings other than residential ones.
- 2.2.8 The "Code of Practice for Access for the Disabled to Buildings", British Standard Institution Code of Practice BS 5810 : 1979 sets out the minimum standards with which access provision should comply. However, the BSI are currently reviewing these standards in the light of developments in access design in the last 15 years. Developers will therefore be encouraged to design to higher standards than presently stated in BS 5810. The Council will adopt the revised standards of BS 5810, when they are available, as planning guidance.
- 2.2.9 In the case of new building development the requirements of part M of the Building Regulations 1992 will apply. Building Regulations are legal requirements aimed at achieving adequate standards of work in the construction of buildings. They are standards by which public health and safety in or around buildings can be secured. Part M imposes requirements on how non-domestic buildings should be designed and constructed to secure specific objectives for people with access disabilities. There will be very few instances where it is neither practicable nor reasonable to design to at least the standards of Part M and complementary local standards for development to which Part M is not applicable.
- 2.2.10 The Council can also secure disabled access facilities through the use of planning controls. Planning Policy Guidance Note 1 - General Policy and Principles states in paragraphs 33 and 34 (Access) that local planning

authorities should take access issues into account in the Development Plan and in determining individual planning applications.

- 2.2.11 Planning controls can be used to secure disabled access provision to existing buildings where alterations or changes of use are proposed. They can also seek the provision of these facilities within proposals for new residential development. This makes planning controls distinct from Buildings Regulations as the latter are concerned only with provision for new non-domestic buildings. In this respect, Building Regulations and planning controls have distinctive roles which serve to complement each other in securing disabled access facilities.
- 2.2.12 If deficiencies are identified in a submitted scheme the onus will be placed on the applicant to demonstrate effectively that access provision is neither practicable nor reasonable. In all buildings there is scope for providing induction loops, clear signage and carefully placed sockets, handles, equipment and control panels to benefit users with various disabilities.
- 2.2.13 Careful design of the pedestrian environment is particularly important for people with disabilities. Badly laid out and poorly maintained pavements are hazardous. Street furniture can be hazardous for blind people if it is not consistently positioned and detectable with a cane, and can impede the free movement of others. Road crossings with dropped kerbs and tactile surfaces will be safer for blind people, people with pushchairs and people in wheelchairs.
- 2.2.14 The Borough Council is determined to ensure that people with access difficulties are not prevented from playing a full role in the life of the community due to the design of the environment and are able to participate in and contribute to all community activities, whether as residents, employees or visitors in the area. The authority is therefore committed to ensuring improved accessibility of the land and buildings, including those within its own control, by means of the following policy.

***Policy E&D3 Disabled Access Requirements of New Developments***

***Applications for the development of land and buildings for non-residential uses (and where practicable and reasonable changes of use or alterations) should provide access and facilities for people with disabilities and employees, customers or visitors.***

**Waste Water Disposal**

- 2.2.15 In co-operation with the water companies and the Environment Agency, policies aim to ensure that the most environmentally effective means of disposal of foul sewage, contaminated surface water and trade effluents is used for any development. The Environment Agency have stated that in order to meet this aim, they will require that sewage, contaminated surface water and trade effluents are disposed of via a recognised water reclamation facility if capacity exists wherever possible. Alternatively encouragement is given to the shared provision of necessary infrastructure where there would otherwise be multiple use of small treatment plants.

- 2.2.16 Where development is to be permitted that is liable to overload the local sewerage system or treatment works, with consequent pollution of local watercourses, conditions will be attached to require the phasing of development to coincide with the improvement works required. Equally there are circumstances where development cannot be achieved without detriment to water quality or ecology and the Environment Agency will seek refusal of planning consent on principle in such cases.

***POLICY E & D4 SEWAGE, EFFLUENT AND SURFACE WATER***

***Development will be required to make adequate arrangements for the disposal of foul sewage, trade effluent and surface water, that prevent the risk of pollution with regard to statutory water quality objectives.***

***This will be achieved by ensuring that:-***

- (i) foul sewage, trade effluent and surface water are normally disposed of via a recognised water reclamation works, where capacity exists;***
- (ii) development to independent sewage treatment facilities will not normally be acceptable where connection to existing main sewerage is feasible and reasonable;***
- (iii) where development is proposed and the sewerage and/or sewage treatment capacity is inadequate, the development will not be allowed to be occupied in advance of the completion of the improved facilities;***
- (iv) development involving the storage of oils and chemicals takes adequate measures to prevent discharge to watercourses in the event of spillages and/or leaks.***

## **Noise**

- 2.2.17 There are a number of factors which influence the generation, distribution and dispersal of sound. Land form, vegetation, buildings and structures all absorb, shield and reflect sound.
- 2.2.18 Noise is defined as a loud or unpleasant sound and is a particularly important issue in terms of its effect on residential amenity. There are two basic situations in which noise may be an issue: (i) new development that is likely to be affected by an existing source of noise; and (ii) new development that is likely to be a noise source.
- 2.2.19 In both situations the development proposed will be expected to counteract the potential effects of the noise by appropriate methods. These may be a combination of design, layout, orientation and materials of buildings and the use of physical or natural barriers and landscaping.
- 2.2.20 The techniques and standards that will be employed in assessing noise implication of development proposals are laid down in BS 5228 1984 "Noise Control on Construction and Open Sites". Planning Policy Guidance Note 24 "Planning and Noise" gives guidance to local authorities on the use of planning powers to minimise the adverse impact of noise.

### ***POLICY E & D5 NOISE ATTENUATION REQUIREMENTS***

***New development likely to generate or be subject to an unacceptable level of noise will be required to provide adequate noise attenuation measures. Where attenuation measures cannot satisfactorily minimise the potential for noise nuisance, the proposed development will be refused.***

## **Energy Efficiency**

- 2.2.21 It is possible to design and site buildings so that energy requirements are minimised, yet human comfort is retained. Both internal and external factors influence the thermal heat balance of a building. These include:-
- (i) orientation influences the degree of solar heat gain;
  - (ii) building shape that minimises the amount of exposed surface area;
  - (iii) shading, both internal and external affects solar heat gain;
  - (iv) insulation;
  - (iv) ventilation heat loss is a major factor in winter. Wind speed can be reduced by the use of filtering barriers e.g. landscaping work, between the house and the prevailing wind;
  - (vi) window design.

### **Crime Prevention**

- 2.2.22 There are a number of ways in which development can be designed to reduce or prevent crime. These include:-
- (i) good surveillance of public areas from private areas and vice versa;
  - (ii) reduce opportunity for casual crime by good public lighting, avoiding places of concealment and limiting access points;
  - (iii) parking spaces to be provided within curtilage of homes, within view, or within a secure parking area;
  - (iv) pedestrian routes to be subject to surveillance, take account of existing desire lines and incorporate alternative exit routes;
  - (v) clear definition of public and private areas by planting, low walls, fences or other means of enclosure.

### **Environmental Assessment**

- 2.2.23 Assessing the environmental effect of any proposed development is always a major factor of consideration. Some development schemes however, which may have significant environmental effects will need to be subject to specific environmental assessment, also known as 'Environmental Impact Assessment' (EIA) prior to planning consent being given.
- 2.2.24 EIA requires developers to assemble and publish information about the likely environmental effects of a proposal. Organisations with relevant environmental responsibilities, as well as the public, are invited to comment, and the information is taken into account by the decision making authority.
- 2.2.25 In determining those developments that require an EIA, reference will be made to the indicative criteria and thresholds laid out in Schedule 2 of DoE Circular 15/88. The schedule includes schemes relating to agriculture, extractive industry, manufacturing industry, industrial estate development projects, urban development projects, local roads, airports, other infrastructure projects and waste disposal.

### **~~POLICY E & D6 ASSESSING ENVIRONMENTAL IMPACT – INFORMATION REQUIREMENTS~~**

**~~All submitted planning applications should include sufficient information to allow their environmental impact to be accurately judged.~~**

## 2.3 **Open Countryside and the Green Belt**

2.3.1 Agriculture is the dominant land use within the Borough and a major economic activity in the countryside. It is also the major determinant of the physical appearance and character of the countryside.

2.3.2 Most of the agricultural and forestry activities that have such a significant effect on the countryside are outside the scope of planning control.

2.3.3 The six principles for the future development of the countryside as stated in the White Paper “Rural England: A Nation Committed to a Living Countryside” and summarised in Planning Policy Guidance Note 7 (1997) are:-

- (i) the pursuit of sustainable development;
- (ii) shared responsibility for the countryside as a national asset, which serves people who live and work there as well as visitors;
- (iii) dialogue to help reconcile competing priorities;
- (iv) distinctiveness, approaching rural policies in a way which is flexible and responds to the character of the countryside;
- (v) economic and social diversity; and
- (vi) sound information as the basis for effective policies.

### **Accommodating Development in the Countryside**

2.3.4 Within the countryside there are continued pressures for different types of development together with associated infrastructure needs. This is related to, and combined with a demand for public access and informal recreation.

2.3.5 Policies generally aim to restrict the level of Greenfield development in the open countryside. Structural changes in the agricultural industry have increased pressures for land use change, whilst the decline in traditional methods of agricultural management has led to landscape change and the loss of natural and semi-natural habitats.

2.3.6 The countryside is affected by a number of designations and related policies that are concerned with its protection, management and development. Much of the Borough's countryside has been recognised of special value, or is subject to restraint policies. Where the open countryside is not subject to special protection there is still however a need to protect it for its own sake.

2.3.7 The re-use and adaptation of existing rural buildings will be the principal means of accommodating the demands for new development in the countryside. This will also help to reduce the need for the construction of new buildings.

## **POLICY E & D7 DEVELOPMENT IN THE COUNTRYSIDE**

***The need to protect the countryside for its own sake from unnecessary and incongruous development will be an important consideration in the assessment of proposals for development in the countryside.***

***Any development proposed in the countryside will only be permitted where it is well designed and if appropriate screened to reduce its impact on the landscape.***

***Development will be permitted unless the proposal would demonstrably harm:***

- (i) an area of special control such as the Green Belt, AONB, SLA or other designation of special value;***
- (ii) the rural economy;***
- (iii) the landscape, wildlife habitats and historic features;***
- (iv) the quality of land for use in agriculture, forestry and other rural enterprises;***
- (v) the need to protect other non renewable resources such as minerals;***
- (vi) other considerations such as traffic, water, sewerage and sewage disposal, noise and pollution.***

### **Agricultural Land Quality**

- 2.3.8 Even though major changes in the E.C. and U.K. Government agricultural support policies have shifted the emphasis from expanding food production to greater rural economic diversification, there is still a need to protect the best and most versatile agricultural land as a national resource of the future.

## **POLICY E&D8 LOSS OF HIGH QUALITY AGRICULTURAL LAND**

***Development that involves the permanent loss to agricultural use of land Agricultural Grade 1, 2 or 3a will not normally be granted planning permission.***

### **Locating New Buildings in the Open Countryside**

- 2.3.9 Proposals to develop rural buildings in prominent or isolated positions will normally be re-sited. New development, both conversion and new build, will be more favourably considered when they relate to or are part of an existing group of buildings. The fact that a single building on a particular site is unobtrusive is not by itself a good argument. Isolated new development in the countryside requires special justification because if repeated the cumulative

effect could damage the character of the rural area which the Plan seeks to protect.

## **POLICY E&D9 NEW BUILDINGS IN THE OPEN COUNTRYSIDE**

***The construction of prominent or isolated buildings in the open countryside will not normally be granted planning permission.***

- 2.3.10 The general policy constraint that operates in the Borough's open countryside on development, is intensified in those areas defined as Green Belt. The following section deals with this policy area.

### **Greenbelt**

- 2.3.11 The Green Belt is an important nationally recognised designation that imposes a major policy constraint on development. Green Belts aim to prevent urban sprawl by keeping land permanently open, to help to protect the Countryside, and they can assist in moving towards sustainable patterns of urban development.
- 2.3.12 National policy advice is principally set out in the revised Planning Policy Guidance 2 : Green Belts (January 1995). The new PPG2 replaces the original PPG2 published in 1988 and consolidates and supersedes other PPG and Circular advice on Green Belts.

### **Green Belt Objectives**

- 2.3.13 Green Belts have a number of purposes: to check the unrestricted sprawl of built up areas; to prevent neighbouring towns from merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration by encouraging the recycling of derelict and other urban land.
- 2.3.14 Green Belts also have a positive role in fulfilling the following objectives: to provide opportunities for access to the open countryside for the urban population; to provide opportunities for sport and outdoor recreation near urban areas; to retain attractive landscapes, and enhance landscapes, near to where people live; to improve damaged and derelict land around towns; to secure nature conservation interest; and to retain land in agricultural, forestry and related uses. The most important attribute to Green Belts is their openness, however, and the main purposes of including land in Green Belts are of paramount importance to their continued protection and should take precedence over the land use objectives.
- 2.3.15 Landscape quality, for example, is not relevant to the inclusion of land within the Green Belt or to its continued protection. Much of the Borough's Green Belt has however been recognised as a higher landscape quality and designated as Area of Outstanding Natural Beauty or Special Landscape Area. Landscape quality issues will therefore be enhanced factors in the consideration of the majority of proposals located within, adjacent or conspicuous from the Green Belt. Mineral extraction is regarded as

compatible with Green Belt objectives provided that high environmental standards are maintained and the site is well restored.

2.3.16 Green Belt has been designated around the North Staffordshire and West Midlands conurbations and continues into both the northern and south eastern parts of the Borough.

2.3.17 Local subject plans originally defined local Green Belt boundaries (North Staffordshire Green Belt Local Plan 1983 and Green Belt for the West Midlands 1975). These were incorporated and amended by subsequent Local Plans and will be superseded by the boundaries defined by this plan.

2.3.18 Within the plan area, the most extensive area of Green Belt, and the one most subject to development pressure is the North Staffordshire Green Belt, which covers the area between Stone and the southern edge of the Potteries conurbation. In relation to the Borough it has a number of specific aims:

- (i) to limit the expansion of the urban areas of the Potteries conurbation into adjoining open country;
- (ii) to prevent Blythe Bridge, Meir Heath and Barlaston and the adjoining open areas from merging with the Potteries conurbation and with other settlements;
- (iii) to prevent the coalescence of Fulford with Meir Heath; Stone with Oulton; Stone with Yarnfield; Tittensor with Barlaston and Barlaston with Stone;
- (iv) to maintain the present open character of the land within the Green Belt and to prevent the coalescence of smaller settlements not mentioned above.

#### **Green Belt Definition**

2.3.19 Local Authorities must demonstrate exceptional circumstances to justify the alteration of Green Belt boundaries defined in adopted local plans or earlier development plans, whilst having regard to longer term development needs. Residential development boundaries have been defined around selected settlements and where the settlements form "insets" within the Green Belt, the RDB's also serve to define the Green Belt boundary. Freestanding selected settlements in the Green Belt which have had the Green Belt/Residential Development Boundary defined wholly around them include Swynnerton, Tittensor, Barlaston, Fulford and Yarnfield.

2.3.20 Settlements which are "washed over" by Green Belt but within which it is considered appropriate to allow minor infill development, are subject to the definition of a Residential Development Boundary but will carry the Green Belt notation across them. These settlements are Barlaston Park, Oulton and Trentham. It is considered that the continued application of Green Belt Policy to allow no new development would be unduly restrictive in the context of the character of the settlements.

- 2.3.21 There are a number of suburban fingers of development on the edge of the Potteries conurbation that extend into the Plan area. These include parts of Clayton, Meir Heath, Rough Close and Blythe Bridge. The Green Belt is generally defined around their southern edge.  
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- 2.3.22 Settlements on the Green Belts' southern fringe include Stone, Hilderstone and Cotes Heath and generally have their northern boundary defined by Green Belt.
- 2.3.23 Within the plan area the West Midlands Green Belt covers most of the area between Stafford and Rugeley. There are only two settlements of significance located within this part of the Green Belt, these being Brocton and Milford. Brocton A34 is located on the fringe. The Cannock Chase AONB covers the majority of this part of the Green Belt, with a substantial proportion also designated as SSSI.

### **Development Restrictions in the Green Belt**

- 2.3.24 In the Green Belt there is a general presumption against any new development. National policy identifies certain types of development that are considered appropriate and acceptable if a clear need is demonstrated. The main aim of Green Belt designation is to retain an open, undeveloped character and where appropriate ensure landscape enhancement.

"Inappropriate" development is, by definition, harmful to the Green Belt and in view of the presumption against inappropriate development in the Green Belt, any proposals which do not accord with the Green Belt policies set out in the plan will be treated as departures from the plan, to be referred to the Secretary of State under the Town and Country Planning (Development Plans and Consultation) Directions 1992.

### ***POLICY E&D10 INAPPROPRIATE DEVELOPMENT IN THE GREEN BELT***

***There is a general presumption against inappropriate development in the Green Belt.***

***Planning permission will be given for development proposals in the Green Belt, only for the purposes of:***

- (a) Agriculture or forestry;***
- (b) Cemeteries;***
- (c) Essential facilities for outdoor sports and outdoor recreation;***
- (d) Limited extension, alteration or replacement of existing dwellings;***
- (e) Limited infill development within existing villages which have a defined Residential Development Boundary;***
- (f) Other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it***

***Very special circumstances will be needed to justify why other forms of development should be given planning permission.***

***In considering development which is acceptable in principle in the Green Belt, there is a clear preference for proposals that involve the re-use of existing buildings rather than the construction of new buildings.***

#### **Re-use and Adaptation of Existing Buildings in the Green Belt**

- 2.3.25 PPG2 states that with suitable safeguards, the re-use of buildings should not prejudice the openness of Green Belts, since the buildings are already there. The revised PPG2 of January 1995 removes the requirement to demonstrate that the building in question is redundant for its agricultural or other purposes when submitting conversion proposals in the Green Belt.

#### ***POLICY E&D11 RE-USE OF BUILDINGS IN THE GREEN BELT***

***Proposals for the re-use of buildings situated in the Green Belt will be acceptable provided that:***

- (a) The use does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it;***
- (b) The buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction;***
- (c) The proposal does not involve any extension of the buildings or any associated uses of land surrounding the building which conflict with the openness of the Green Belt and the purposes of including land in it (for example extensive external storage, or extensive hard standing, car parking, boundary walling or fencing);***
- (d) The form, bulk and general design of the buildings are in keeping with their surroundings.***

***Within the Green Belt proposals which encourage the rural economy such as commercial or recreation and storage uses will receive preference.***

***Proposals for residential uses will need to demonstrate why commercial, recreation and tourist uses are inappropriate.***

- 2.3.26 More detailed guidance on the re-use and adaptation of buildings in the countryside is given in a later section of this plan.

#### **Major Developed Sites in the Green Belt**

- 2.3.27 Advice in Annex C of PPG2 states that it may be appropriate to identify some major developed sites within the Green Belt (such as factories, power stations, water and sewage treatment works, hospitals and research and education establishments) which may be suitable within certain criteria either for limited infilling or complete or partial redevelopment.

2.3.27 These sites should remain subject to development control policies for Green Belt and the Green Belt notation carried across them, but Local Plans may identify such sites, define the boundary of the present extent of development and set out policies to apply within the defined boundaries.

2.3.28 In accordance with this advice the Plan identifies the following major development sites within the North Staffordshire Green Belt within which it is considered that appropriate limited infilling would be acceptable: Moorfields Industrial Estate (RIE4), the Creda factory site at Blythe Bridge and the British Telecommunications Training School at Yarnfield.

**POLICY E&D12 INFILL DEVELOPMENT OF MAJOR DEVELOPED SITES**

***Within the defined boundaries of the identified major development sites in the Green Belt, limited infill development related to the continuing use of the site will be acceptable provided that the development:-***

- (a) has no greater impact on the purposes of including land in the Green Belt than the existing development;***
- (b) does not exceed the height of the existing buildings; and***
- (c) does not lead to a major increase in the developed proportion of the site.***

2.3.29 There are two major developed sites within the north Staffordshire Green Belt which the Borough Council consider suitable for redevelopment. These are the former Meaford Power Station and Stallington Hospital.

2.3.30 In assessing re-development proposals the following general policy will also apply.

**POLICY E&D13 REDEVELOPMENT OF MAJOR DEVELOPED SITES IN THE GREEN BELT**

***Complete or partial re-development of the identified major development sites in the Green Belt will be acceptable provided that the new development:-***

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

### **Infilling of "Washed Over" Settlements**

- 2.3.31 The settlements of Barlaston Park, Outline and Dairyfields Trentham are “washed over” by Green Belt i.e. lie wholly within it. However in the context of the character of these settlements it is considered appropriate to allow minor infill development within them. The area within which minor infill may be acceptable is defined by the Residential Development Boundary (RDB) for the settlement.
- 2.3.32 Proposals for residential development or redevelopment within the defined RDB’s will be subject to the following policy.

#### ***POLICY E&D 14 MINOR INFILL DEVELOPMENT WITHIN SETTLEMENTS***

***Within the Residential Development Boundaries of Barlaston Park, Oulton and Dairyfields Trentham, proposals for residential development or redevelopment will be acceptable provided that they have no adverse effect on the character of the settlement and that they meet the requirements of Policy HOU2.***

### **Agricultural and Forestry Buildings**

- 2.3.33 It is recognised that continued agricultural change will occur as a result of technological advances and in response to changing markets for produce, and that there will be a need for new development in order to sustain the viability of such operations. New developments will be expected to be sympathetic to their location both in terms of built material and landscape treatments proposed. Particular regard will be paid to proposals situated in areas of special control.
- 2.3.34 In exercising control over the design and external appearance of proposed developments, it is recognised that alternatives will be constrained by operational needs, the standardisation of modern agricultural buildings and economic considerations. Nevertheless, the aim will be to reject obviously poor designs and pay particular attention to proposals within sensitive locations. Sites on skylines should be avoided. Proposals should be adequately landscaped and may benefit from screening.
- 2.3.35 Where planning permission is required for agricultural development, a proposal will be considered in the light of its agricultural, environmental and economic implications.

### **POLICY E & D15 AGRICULTURAL AND FORESTRY BUILDINGS**

***Proposals for the erection of agricultural buildings will be permitted provided that:***

- (a) they are requisite for the use of the associated land for agriculture;***
- (b) their scale, siting, design, materials, colour and landscape treatment are sympathetic to the character of the area and ensure that the impact of the development is reduced to a minimum; and***
- (c) they are appropriately designed for agricultural purposes.***

### **Agricultural Diversification**

- 2.3.36 Farm diversification aims to increase the rate of economic activities in the countryside. Proposals to diversify the rural economy must also aim to protect the countryside and all those features of importance within it. There are two main types of diversification subject to planning control. The first involves the development of alternative forms of "reversible" or "soft" uses for agricultural land such as forestry and horse related activities, which do not involve the construction of new buildings. The second involves the re-use or adaptation of agricultural and other rural buildings for new uses. Only very exceptionally would new buildings be accepted as part of a diversification scheme.

- 2.3.37 Both types of diversification scheme can have significant environmental impacts. However, as planning policies aim to restrict new development in the open countryside, "reversible" farm diversifications are favoured, particularly if the need for any associated buildings is met by the re-use and adaptation of existing buildings.

***POLICY E & D16 AGRICULTURAL DIVERSIFICATION***

***Proposals for farm diversification will be acceptable provided that they:***

- (i) are an appropriate use for the locality;***
- (ii) do not detrimentally affect the landscape, nature conservation or historic features;***
- (iii) safeguard the best agricultural land; and***
- (iv) do not have a detrimental impact in terms of traffic, water quality, sewerage and sewage disposal, noise and pollution.***

Other sections of this plan more specifically detail issues and policies that address the different types of development likely to arise from farm diversification proposals.

**Re-Use and Adaptation of Rural Buildings**

- 2.3.38 The re-use of existing buildings is the most appropriate means of satisfying the need for development in the rural areas. The use to which a building is put however, can have a significant effect on its appearance. For example, whilst a rural building in agricultural use may form an integral element in the rural scene, the same building converted for residential use with attendant vehicular access, drive, garage etc. may detrimentally affect the character and appearance of the countryside.
- 2.3.39 Proposals should demonstrate that the essential character and design of the original building has been retained, and lead to the maintenance or improvement of the setting of the building and surrounding area. A number of factors will be taken into account in this assessment. The Borough Council will wish to ensure that proposals demonstrate that:
- (i) the original fabric of the building can be used without substantial reconstruction or rebuilding. This may involve the submission of a structural report;
  - (ii) repairs are appropriate and will be undertaken in appropriate materials in keeping with the original
  - (iii) the simple utilitarian nature of the building is retained;
  - (iv) where alterations to the building are proposed these should restore original features of the building, or be subordinate to the original features of the building;

- (v) existing structural elements such as internal walls, roof trusses and floors are retained;
- (vi) the internal character and special relationships within the building are retained;
- (vii) the quality of the existing building is retained. This may mean that some windows may be considered smaller than 'ideal', that the roof line may not be straight, that reclaimed bricks and tiles may be needed, and that windows, doors etc. may need to be specially made. The need for, and type of repointing should also be carefully examined;
- (viii) the features of detail such as woodwork and ironmongery, which provide the building with its individual character are maintained or replaced where necessary in the scheme;
- (ix) the use and layout have been adapted to suite the building and its site, and that the proposal can be adequately accommodated within the existing building and its curtilage (not adapting the building to a standard layout);
- (x) the site and its surrounds have been considered as a whole. Clutter can spoil the character of the original building. Matters such as boundary treatments, enclosure, landscaping, hard surfacing, provision for storage, drying, vehicles, fuel tanks, aerials and adequate and suitable private areas are all important in the overall effect a proposal may have. Alien styles and materials should be avoided;
- (xi) the demands of other legislation, such as Building Regulations, Fire Regulations, Public Health legislation and Highway matters have been taken into account.

- 2.3.40 Proposals will be favoured if they respect local building styles and materials, however, not all proposals will be acceptable since in some cases there may be legitimate objections e.g. traffic or environmental grounds.
- 2.3.41 Where there are areas of potential conflict e.g. affect on amenities of nearby residents or operational difficulties for farming activities, and such matters as access, servicing and pollution issues, there will be considered in detail.
- 2.3.42 In areas of recognised landscape value there will greater control over the conversion of farm buildings. Conditions may be attached to the grant of planning permission withdrawing permitted development rights for new farm buildings in respect of that particular agricultural unit or holding.

- 2.3.43 Proposals for the re-use of a building which has a significant adverse effect on the landscape in terms of visual amenity will have conditions attached securing an improvement in the external appearance of the building.
- 2.3.44 Sewage disposal is likely to be an important consideration in the determination of re-use proposals for agricultural buildings, as they are liable to occur in unsewered areas. Conversions, particularly to multi-dwellings may lead to problems of pollution, odour and nuisance. If the development cannot be connected to the public foul sewer, developers are advised to consult with the Environment Agency at an early stage to consider alternative means of disposal, as consent to discharge sewage effluent to ground or surface waters may not be possible in certain areas.
- 2.3.45 Policies give priority to proposals that re-use rural buildings for employment generating purposes such as light or high technology industry, craft workshops or tourism, rather than residential use. Such conversion will contribute to the diversification of the rural economy, will be achievable without major change to the character of the building and is liable to have less visual impact on the appearance and character of the countryside.
- 2.3.46 Nevertheless it is accepted that there will be some rural buildings which can be converted to residential use without a detrimental effect on the rural landscape. Modern outbuildings, including garages and utility rooms within the curtilages or private residences, will not normally be considered appropriate for conversion.
- 2.3.47 Applicants will need to demonstrate that the building has been used for the agricultural purposes for which it is claimed to have been built. This is necessary because it would be possible otherwise to use permitted development rights to construct a new farm building with the intention of its early conversion to another use. Similarly those buildings proposed for conversion, but erected after 1974, will need to demonstrate that they have been previously in an authorised use.

**POLICY E&D17 ADAPTATION OR RE-USE OF EXISTING RURAL BUILDINGS**

***Proposals to re-use or adapt existing rural buildings for new commercial, industrial and recreational uses will be acceptable provided that:-***

- (i) the building will be converted in such a way that its form, bulk and general design are sympathetic and enhances the essential character of the building and its surroundings;***
- (ii) the use is appropriate to and capable of integration into the structure of the building without the need for rebuilding, alteration to scale or character, extension, further buildings elsewhere or on the same site, inclusion of adjacent land of prejudicial to adjacent uses. Where proposals involve substantial rebuilding, proposals will be treated as if for the erection of a new building;***

- (iii) the building is structurally sound and both capable and suitable for conversion to the proposed use;**
- (iv) any alterations, both internal or external take the retention of the character of the building fully into account and demonstrate a respect for it and the character of the curtilage;**
- (v) proposals take into account the whole building complex in which they are located;**
- (vi) the use can take place without visual or other intrusion into the area in which it stands and includes positive proposals for environmental enhancement;**
- (vii) where a proposals affects a building erected after 1974, it has been demonstrated that the building has been used for the purposes for which it was erected;**
- (viii) suitable provision is made for the accommodation of any protected species which use the building as a breeding or roosting site;**
- (ix) services are available and the building is capable of being services in an unobtrusive manner;**
- (x) parking facilities commensurate with the proposed use are provided within the curtilage of the building."**

## **2.4 Protecting the Best of the Built and Natural Environment**

### **Conservation Areas**

2.4.1 The Planning (Listed Buildings and Conservation Areas) Act 1990, makes provision for the designation of conservation areas by Local Planning Authorities. Conservation areas are "areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance".

2.4.2 The character and appearance of an area may depend on the interaction of a number of individual elements - buildings, trees, open spaces and view points.

### ***POLICY E&D 18 DEVELOPMENT LIKELY TO AFFECT CONSERVATION AREAS***

***All new development proposals within, or likely to affect a Conservation Area will only be granted consent where the proposal preserves or enhances the character or appearance of the Conservation Area.***

***Those existing buildings, and features such as open spaces, trees, gardens and gaps between buildings, which are considered to contribute***

***to the character and appearance of the Conservation Area will be retained.***

- 2.4.3 There are currently 27 designated conservation areas in the Borough for which designation documents have been produced. These state in varying detail the history, character and features of interest within each individual area. When considering proposals that affect a designated conservation area, particular regard will be paid to the appropriate designation document. The list of Conservation Areas and accompanying maps are included in the Technical Appendix.

#### **Accommodating New Development**

- 2.4.4 Conservation Area designation indicates an intention to preserve and enhance its special character and appearance. Preservation is implemented mainly through the control of development, and enhance as a product of the development process, but also by the implementation of enhance schemes.
- 2.4.5 In the consideration of new development, particular regard will be focused on details such as materials, colour, height, proportion and design, to ensure that it is appropriate to and integrates into, the conservation area.
- 2.4.6 Standards normally imposed on new development may be relaxed in the interests of harmonising the new with the old. New uses for buildings will be sympathetically considered if they do not detract from the areas character and ensure continued economic use of the building(s).

#### **POLICY E&D19 ACCOMMODATING NEW DEVELOPMENT WITHIN CONSERVATION AREAS**

##### ***Within a Conservation Area:***

- (a) the location, scale and detailed design of any new building and/or extension to an existing building should relate harmoniously to adjoining buildings and the character of the area;***
- (b) a high standard of design and the use of appropriate materials will be required. Special regard will be paid to the bulk, height, materials, colour, vertical or horizontal emphasis and design, in the context of the proposals setting. Elevational drawings and plan showing this relationship may be required before an application can be considered;***
- (c) paving, kerbing, boundary walling, fencing and railings will be subject to careful scrutiny, as will all types of street furniture, to ensure that proposals are sympathetic to the historic character;***
- (d) all new utility services should normally be laid underground and/or ducted within buildings.***

## **POLICY E&D20 DEMOLITION OF BUILDINGS IN CONSERVATION AREAS**

***Demolition of an existing building or part of a building within a conservation area, will not normally be granted consent.***

***Where demolition is considered acceptable, the Borough Council will need to be satisfied that:-***

- (i) detailed plans for the redevelopment of the site have been approved, and there is a contract guaranteeing the implementation of those plans in the near future;***
- (ii) there will be adequate measures to ensure the structural stability and safeguarding of the remaining building(s) or part of building(s).***

## **Commercial Uses and Advertisements in Conservation Areas**

2.4.7 A number of areas designated as conservation areas also serve as important commercial and retail centres. Conflict between commercial and conservation objectives can occur. Two main issues are dealt with below, advertisements and security.

2.4.8 The number and location of advertisements can have a significant impact on the character and appearance of the building or area in which they are displayed. Within conservation areas and on listed buildings this impact is more acutely felt because of their recognised importance. Therefore advertisements in these areas should not detract and indeed should make a positive contribution to the character and appearance of the area.

## **POLICY E&D21 ADVERTISEMENTS IN CONSERVATION AREAS**

***Within a Conservation Area and on listed Buildings proposals for signs and adverts will be acceptable provided that they are appropriate and complementary to the historic character of the area/building. These will include proposals that are:-***

- (a) sign written fascia boards or individually applied letters on fascia signs;***
- (b) sympathetically designed, scaled and positioned projecting and hanging signs that respect and complement the proportions and detailing of the whole building facade. They should not obscure the details on the building, or a projecting sign on adjoining premises.***
- (c) illuminated advertisements of a restrained and traditional form i.e. using indirect illumination or backlighting of individual solid letters.***

**POLICY E&D22 PROPOSALS FOR BLINDS, CANOPIES AND SHUTTERS**

***Within Conservation Areas and on Listed Buildings, consent will not be given to:-***

- (a) proposals for the erection of shop blinds and canopies, unless they are historically authentic;***
- (b) proposals for the erection of solid external shutters.***

**Listed Buildings**

- 2.4.9 The List of Buildings of Architectural and Historic Interest is prepared by the Secretary of State for the Environment. "Listing" affords legislative protection for over 650 buildings in the Borough and is the responsibility of the Secretary of State for the Environment although anyone may request that a particular structure be listed. A re-listing survey is currently being carried out by the DoE of some parts of the Borough.

**Accommodating New Development**

- 2.4.10 Listing provides protection by requiring the granting of formal consent by either the Borough Council, and in some cases the Secretary of State, for works of demolition or alteration inside and outside the building, to buildings within the curtilage or to the historic curtilage.

**POLICY E&D23 DEVELOPMENT PROPOSALS AFFECTING LISTED BUILDINGS**

***Development proposals within or likely to affect a Listed Building will only be granted planning permission where the proposals will protect and enhance the character, architectural features and historic features of the listed building. Proposals will be expected to:-***

- (a) respect and not adversely affect the building's character in terms of the setting, design, scale, detail, material and fittings. Wherever possible existing detailing and features which contribute to the character of the building should be preserved, repaired or if missing replaced;***
- (b) avoid physical damage;***
- (c) avoid detriment to their setting and structural stability;***
- (d) retain them in their original use or a use which safeguards their character; and***
- (e) make full and efficient use of all available accommodation.***

**POLICY E & D24 DEMOLITION/PARTIAL DEMOLITION OF LISTED BUILDINGS**

**Listed building consent for the demolition or partial demolition of a listed building will not be acceptable unless it can be demonstrated that:-**

- a. all reasonable efforts have been made to sustain existing uses or find viable new uses and these efforts have failed;**
- b. preservation in some form of charitable or community ownership is not possible or suitable;**
- c. redevelopment would produce substantial benefits for the community which would decisively outweigh the loss resulting from demolition;"**

**Conversion and Extension**

2.4.11 There is a clear preference for listed buildings to be retained in their original use. Where this cannot be achieved, alternative uses for listed buildings and buildings within conservation areas will only be acceptable where they protect the character and appearance of the building, its setting and the area in which it is located.

2.4.12 Conversion should not lead to the loss of historical or architectural features or the destruction of the original fabric of the building. Other considerations are set out in policy below.

**POLICY E&D25 PROPOSALS TO CONVERT OR EXTEND A LISTED BUILDING**

**Proposals to extend a listed building will only be permitted if they relate sensitively to and are in keeping with the original building, in all aspects of their design, location, mass and material. Extensions will normally be subservient in scale to the original building.**

### **Enhancement of Conservation Areas and Preservation of Listed Buildings**

- 2.4.13 It is desirable to enhance a Conservation Area by encouraging appropriate design and development, implementing schemes for landscaping and visual improvement and removing features that detract from the character and appearance of the Conservation Area. Town Schemes are arrangements for providing financial assistance to encourage the conservation and restoration of historic properties within conservation areas. A Town Scheme is currently in operation at Stone.
- 2.4.14 Encouraging the full use of all available accommodation including the use of upper floors and outbuildings of listed buildings and significant buildings in conservation areas in the large villages and urban centres, is resource efficient and reduces pressure for further development. It is also the best means of ensuring the retention and maintenance of such significant buildings.
- 2.4.15 The Borough Council will safeguard and promote the enhancement of town centres and village cores by encouraging the renovation, rehabilitation and continuing maintenance of listed and other significant buildings rather than redevelopment and by encouraging the refurbishment and use of neglected areas within the curtilages of buildings.
- 2.4.16 The Council provides a sum of money annually for limited grant aid for repairs to listed buildings. An annual award is also made to works for the conservation of listed buildings. Details of grants and awards are available on request from the development Department.

### **Protecting Undeveloped Areas within Settlements**

- 2.4.17 The Local Plan and general planning policy directs development toward existing settlements. It is not, however, the intention of policy to encourage or allow the development of every undeveloped open area within settlements. The value of undeveloped space as an amenity and recreational resource as well as the other functions that it may fulfil is significant.
- 2.4.18 The plan has a number of objectives with regard to open space protection and provision. These are:-
- (i) *to identify and create a network of open spaces which provide an amenity and recreational resources with the towns of Stafford and Stone;*
  - (ii) *to ensure that all sections of the community have access to adequate open space provision within a reasonable distance from home;*
  - (iii) *to improve the quantity, quality and distribution of existing and potential open spaces;*

(iv) *to make open space provision more appropriate to the needs of the communities they serve;*

(v) *to protect, encourage and provide for wildlife.*

2.4.19 Open space forms an integral part of the urban fabric, and gives settlements a distinctive character. It enhances environmental quality and amenity for residents, providing areas for relaxation, education, sport, recreation and children's play. It improves the image of the settlement, its attractiveness for inward business investment and tourism. It may act as a buffer between incompatible uses, be it of nature conservation or historic importance, act as an important link between open areas or provide a break within the built environment or fulfil some essential function such as river washland.

2.4.20 Policies detailed elsewhere in this plan cover a variety of situations in which the protection of undeveloped space is the primary consideration. These would include situations where the land is (i) important for formal recreation e.g. playing field, allotment etc.; (ii) important for informal recreation e.g. walking; (iii) important for conservation e.g. within a conservation area or listed building curtilage; (iv) important for wildlife; (v) of historic importance. The value attached to a particular undeveloped area is likely to relate to a variety of these factors.

### **Protected Open Space**

2.4.21 Once an open space is developed, its benefit to the community is lost forever. The cumulative effect of such losses can be the overall reduction in the quality and character of an urban area. A desktop survey of Stafford and Stone carried out by the Borough Council has identified a number of key open spaces, which the Borough Council consider to be worthy of retention for their recreational value, general amenity value, nature conservation value or because they provide links with other areas of the towns.

2.4.22 Areas which the Borough Council wishes to keep permanently open have been identified and are shown on the Proposals Map. These areas include public parks, public and private sports pitches, allotments and other sites of recreation, amenity or nature conservation value. These sites are designated as Protected Open Space. Development upon such sites or on sites not so designated or allocated for development will be considered against the criteria set out in the following general policy.

2.4.23 The Borough Council recognises that, in some cases, the areas identified as protected open space form part of a site used for other purposes (principally these involve school sites and industrial users). Where the user requires further expansion within the site to accommodate the operational requirements of the principal user, it is accepted that this is a significant factor to be taken into account in the consideration of any proposal which would require to be balanced against the impact of the loss of the open area.

## **POLICY E & D26 PROTECTED OPEN SPACE**

***Development proposals which would lead to the total or partial loss of those areas identified as Protected Open Space on the Proposals Map will not normally be granted planning permission unless it can be shown that the local need for development outweighs the value of the land as an open area.***

***Where protected open space forms part of the curtilage of another use, proposals involving the development of land for the operational purposes of the user will be considered in the light of the operational needs of the occupier of the site.***

- 2.4.24 In considering proposals for development on areas of open spaces within a settlement, the following factors will be taken into account;
- (i) whether the site is designated as Protected Open Space;
  - (ii) the character and appearance of the locality;
  - (iii) the recreational, conservation, wildlife, historical or amenity value of the site;
  - (iv) the merits of retaining the land in its existing open use, and, the contribution or potential contribution the site makes to the character and amenity of the area;
  - (v) the merits of protecting the site for alternative open space uses;
  - (vi) the location, size and environmental quality of the site;
  - (vii) the relationship of the site to other open space areas in the locality and similar uses in a wider area;
  - (viii) whether the site provides a link between other open areas or a buffer between incompatible land uses.
- 2.4.25 The design of open spaces, recreational or otherwise, should meet people's requirements, offer a "safe" environment, be varied in design, minimise the need for maintenance and provide ease of access for all including the elderly, parents with children and people with disabilities.

### **Green Network**

- 2.4.26 In both Stafford and Stone there are extensive areas of undeveloped land that link the open countryside with the town centre. These areas help to prevent the loss of local identity; increase the attractiveness of Stafford and Stone; afford public access to extensive local open spaces and the countryside beyond; and provide valuable wildlife habitats. It is proposed to designate these areas as 'Green Network' and these areas are defined on the Proposals Map.
- 2.4.27 In Stafford these major areas of undeveloped space are based on:
- (i) in the north, The Stafford Common lands form a link from beyond the A513 (Beaconside) to the dismantled railway, which itself forms a link in both a north eastern and south western direction;
  - (ii) in the west, the Doxey and Tillington marshes SSSI and Castlefields area, form links from beyond the M6 motorway to the edge of the town centre.
  - (iii) in the west and south west the washland areas of the Rivers Sow and Penk, together with the Staffordshire and Worcestershire Canal and other adjoining areas of open space form links from the countryside into the town.
- 2.4.28 In Stone, the washland area of the River Trent, together with adjoining open space effectively separates the town into two, in a north western-south eastern direction.
- 2.4.29 It is proposed to use this undeveloped land that is protected from development by other policies as the skeleton for a 'green network' in both Stafford and Stone.
- 2.4.30 It is proposed to use this undeveloped land that is protected from development by other policies as the skeleton for a 'green network' in both Stafford and Stone.
- 2.4.31 Adjoining areas of undeveloped land, that may for instance be used for formal recreation, are included in the network where uninterrupted pedestrian links or wildlife corridors are apparent. Features such as river valleys, canals, dismantled railways and railway verges form important links between the more extensive open areas.

### **POLICY E&D27 GREEN NETWORK**

***Development will not be permitted where it would adversely affect the character of the green network or sever important linkages between more extensive areas of undeveloped space.***

***Where development is to be permitted on sites within or adjacent to the green network it should:-***

- (i) locate the majority of open space required as part of the development adjacent to the network;***
- (ii) retain or create pedestrian access to the network;***
- (iii) maintain and enhance the green network to increase it's nature conservation value and provide informal recreation for residents;***
- (iv) utilise appropriate landscaping techniques using native species.***

### **Landscape Conservation - Assessing Landscape Quality**

2.4.32 Landscape quality is dependent on a large number of factors, some of which are objective and some subjective to the assessor. Part of the Countryside Commission's remit to conserve the natural beauty of the countryside. They consider that broad multi-dimensional characteristics can be significant in determining the landscape quality of an area. A check list of the factors they consider affect natural beauty were included in Section 3 of the Wildlife and Countryside Acts 1981 and 1985.

2.4.33 It is proposed to use the factors in the assessment of landscape issues in the determination of proposals.

### **POLICY E&D28 LANDSCAPE CONSERVATION**

***Planning permission will not be granted for development that will have detrimental effect on the landscape unless adequate mitigating measures are undertaken. The impact assessment of new development proposals on the landscape will be based on the following factors;***

- (a) physical factors e.g. relief/landform, land use, vegetation, ecological habitats, archaeology, buildings and structures;***
- (b) visual factors, but also including the other senses;***
- (c) the significance of the landscape with respect to the historical and cultural associations of the area;***

- (d) ***the area's value relative to other areas i.e. nationally rare, regionally rare or typical to an area;***
- (e) ***evaluation of the area's character.***
- (f) ***the degree of public accessibility to the site and surrounding the site, either directly i.e. by vehicle, bicycle, horse or foot, or indirectly i.e. visual.***

### **Countywide Landscape Evaluation**

2.4.34 A landscape evaluation undertaken by the Council in 1972 confirmed the value of Cannock Chase and formed a basis for the identification of local important landscapes. The assessment was narrower than that now advocated by the Countryside Commission in that it concentrated on an objective assessment of landscape elements, two of which were regarded as primary landscape elements - landform and land use. These were valued to determine whether they would contribute or detract from the landscape.

2.4.35 Contributory factors included areas:

- (i) where land form is most prominent e.g. Cannock Chase, the Hanchurch Hills-Bishops Wood area and an area east of Stone;
- (ii) of typical rolling lowland agricultural landscape with hedgerow trees, scattered woodlands, streams and farmsteads. This was considered to predominate particularly in the west of the County.
- (iii) of significant woodland e.g. Cannock Chase, the Swynnerton Old Park area, and the Bishops Wood area and to a lesser extent Aqualate Park.

2.4.36 Other contributing land uses were water, parkland and lowland heath e.g. Aqualate Park, Sandon Park and Cannock Chase.

2.4.37 The assessment concluded that there were certain areas of high and above average value, where land form, woodland and to a lesser extent parkland, lowland heathland and water combined as the most significant elements. In the plan area these are:-

- (i) concentrated in certain extensive areas:
  - Cannock Chase;
  - the Maer Hills - Bishop Wood area;
  - the Moddershall - Sandon area east of Stone;
- (ii) found in certain isolated locations:
  - Aqualate Park.

2.4.38 The results of this survey confirmed the importance of Cannock Chase and formed the basis for the identification of locally important Special Landscape Areas. In the identification of areas of landscape quality, the primary concern is with the preservation and enhancement of the special characteristics particular to each area.

2.4.39 The County Structure Plan key diagram shows the broad extent of the Special Landscape Areas in the County. A re-examination of land within the Borough, but focusing on those areas previously identified has been undertaken in the preparation of this Plan. Those areas considered to be of local landscape quality are identified as Special Landscape Areas.

#### **POLICY E & D29 AREAS OF DESIGNATED LANDSCAPE VALUE**

***Planning permission will only be granted for proposals within areas of designated landscape value, (Cannock Chase A.O.N.B., designated Special Landscape Areas, historic landscapes, historic parks and gardens), where the proposals impact on the landscape is minimal and the proposed landscaping treatment will conserve and enhance the character of the local landscape.***

#### **Landscape Enhancement**

2.4.40 In those areas of recognised landscape quality, the principal objective will be to not only conserve the many existing features of importance but to secure landscape enhancement. In landscapes not recognised for their existing quality, the emphasis will be on enhancement.

2.4.41 Landscape enhancement will be achieved by:-

- (i) the restoration of valuable local landscape features;
- (ii) the creation of new landscape features, wildlife habitats and areas for sport and recreation;
- (iii) the encouragement of natural regeneration and appropriate planting to increase tree cover;
- (iv) requiring the inclusion of appropriate landscape enhancement in any new developments that may be permitted;
- (v) the creation of access opportunities such as paths, meadows, pocket parks, picnic areas woodlands.

#### **Implementation of Enhancement**

2.4.42 Enhancement will be encouraged in those areas where valued character has been lost. For example in areas of agricultural intensification, areas of urban

fringe, river valleys, major transport and communication routes and areas of inappropriate development.

### **POLICY E & D30 MITIGATION OF IMPACT ON THE LANDSCAPE**

***Proposals for development on the edge of settlements or in rural areas, which have an adverse impact on landscape, will normally be required to carry out landscape enhancements incorporating tree and shrub planting, preferably using native species.***

- 2.4.43 Implementing the objectives of landscape conservation will be dependant on the joint efforts of a number of agencies. For example, the Countryside Stewardship" grant scheme, that offers incentives to landowners and managers to conserve and restore distinctive landscapes. Within the Borough, the scheme particularly focuses on river valleys and the waterside landscape, lowland heath and historic landscapes.

### **Cannock Chase Area of Outstanding Natural Beauty**

- 2.4.44 Cannock Chase is Staffordshire's only current Area of Outstanding Natural Beauty (AONB), and part of it is encompassed in the south eastern corner of the Borough.
- 2.4.45 AONB's are nationally important landscape and designated by the Countryside Commission, subject to the Secretary of State's confirmation, under the national Parks and Access to the Countryside Act 1949. As a consequence they are subject to an enhanced level of policy protection.
- 2.4.46 The primary objective of designation is to conserve and enhance the natural beauty of the landscape. Demands for other uses and development in the AONB will only be met where they are consistent with this objective.
- 2.4.47 There are several dominant land use and landscape types on the Chase, namely forestry, lowland heathland and historic parkland, as well as the agricultural landscapes of the AONB fringes.
- 2.4.48 Much of the AONB in the Borough is also subject to other area designations and policies in recognition of related facets of interest or policy aims. For example, significant area is covered by the South Staffordshire Green Belt, and other designations include Sites of Special Scientific Interests, and a registered historic park and garden, all of which will exert a major influence on the acceptability of new development.

### **Cannock Chase Study**

- 2.4.49 In an attempt to reconcile the competing demands of nature conservation, recreation, agriculture, mineral extraction and military training amongst others, Staffordshire County Council have recently updated "A Plan for Cannock Area of Outstanding Natural Beauty" (1992). This document will be treated as supplementary planning guidance.

- 2.4.50 That document notes that some of the pressures addressed by the original (1979) study have changed or intensified. In particular those of recreation versus wildlife conservation interests and the pressures for residential development around the Chase.

### **Accommodating New Development**

- 2.4.51 Brocton and Milford are located within the AONB and have been the subject to the definition of a Residential Development Boundary in this plan. In each case these have been drawn around the limits of existing development. Great Haywood and Little Haywood/Colwich are larger settlements that abut the north east edge of the Chase.
- 2.4.52 In the assessment of proposals for development affecting the AONB, the paramount consideration will be the conservation and enhancement of the natural beauty of the landscape. Large scale development or incremental development which would detract from this aim will be resisted.

### **POLICY E&D31 CANNOCK CHASE AONB**

***Proposals within, or likely to affect the Cannock Chase AONB or its setting, will only be allowed where the proposal will enhance the visual, nature conservation and/or historical qualities of the landscape.***

***Development which will have an adverse impact on the character or setting of the Chase, or which would add to urban fringe pressures will not be granted planning permission.***

***Proposals within or likely to affect the Cannock Chase AONB will be restricted to uses compatible with the conservation of the natural beauty of the area. proposals for development will be subject to special scrutiny.***

### **Special Landscape Areas**

- ~~2.4.53 Special Landscape Areas (SLAs) are areas of landscape quality within the Staffordshire context, and have been defined in the north, north-east and north-west of the Borough. They are areas of open countryside which have a high intrinsic landscape quality arising from a variety of distinctive natural features and tend to relate to, and include areas of varied relief, areas of nature conservation value, woodland areas and historic parks.~~
- ~~2.4.54 The SLA includes areas such as Hanchurch Hills, Trentham Park, Chartley Moss and the Moddershall Valley. As a consequence many of these areas are also covered by other area designations and associated policy such as; Green Belt, Conservation Area, SSSI and other designations of special value.~~
- ~~2.4.55 The principle of the SLA's has been established through the approved County Structure Plan. The key diagram of that Plan shows the broad extent of the SLA's in the County. As part of the preparation of this Plan, the key diagram of the Structure Plan, together with a Plan produced in 1989 by Staffordshire~~

~~County Council as part of the survey work for the Structure Plan, was used to define the outer boundaries of the SLA's in Stafford Borough. This exercise tested their suitability and consistency both within the Borough and between the Borough and adjoining areas.~~

- ~~2.4.56 The precise boundaries of the SLAs have followed wherever possible, strong natural features or those which are readily recognisable on the ground e.g. woodlands, railways, roads etc.; and to try and denote clear changes in landscape quality. There are however, occasions where a site forms the foreground to a landscape view.~~

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#### ~~**POLICY E&D32 DEVELOPMENT PROPOSALS IN SPECIAL LANDSCAPE AREAS**~~

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~~***Proposals for development within the Special Landscape Areas will need to ensure that:***~~

- 
- ~~(i) ***the scale, siting, design, use of materials and colour and landscaping treatment are sympathetic to the character of the area;***~~
- 
- ~~(ii) ***they conserve and enhance the quality of the landscape.***~~

#### **Historic Landscapes**

- 2.4.57 Archaeological remains are a finite, and non-renewable part of the national and local heritage, in many cases highly fragile and vulnerable to damage.
- 2.4.58 Policies aim to safeguard the Borough's varied archaeological resource and its setting from development that would adversely affect it, and where appropriate fulfil its educational, recreational and tourism potential.
- 2.4.59 There are over 700 areas of archaeological interest currently known, of these 31 are Scheduled as Ancient Monuments by the Secretary of State in consultation with English Heritage. The location of these known areas is indicated on the proposals map.

#### **Scheduled Ancient Monuments**

- 2.4.60 Scheduled Ancient Monuments are of national importance, and consequently are subject to an enhanced level of protection. They require the consent of the Secretary of State before any works which would demolish, destroy, damage, remove, repair, alter, add to, floor or cover up the monument are carried out.
- 2.4.61 Not all nationally important remains that merit preservation are necessarily scheduled and this is reflected in the policy below.

## **POLICY E & D33 PRESERVATION OF ARCHAEOLOGICAL REMAINS**

***In considering proposals requiring planning or other permission, there is a presumption in favour of the physical preservation of nationally important archaeological remains, whether scheduled or not, together with their settings.***

### **Areas of Archaeological Interest**

- 2.4.62 The majority of areas of archaeological interest which are indicated on the Proposals Map are of a more local importance, and are registered on the County Sites and Monuments Record (SMR), a copy of which is held by the Borough and included within the Technical Appendix. These have also been identified on an Archaeological Constraints Map also available for inspection at the Borough Council.
- 2.4.63 These are areas where evidence exists to indicate the presence or strong probability of archaeologically important remains. The consideration of development proposals affecting archaeological remains of this nature will not be so clear cut as nationally important sites. The following policies aim to provide framework in which a balance between the preservation of the archaeological resource, with the demands of the development process can be struck.
- 2.4.64 When important remains are known to exist or when there is good reason to believe that important remains exist on a site where development is proposed, the developer will be required to carry out an archaeological evaluation of the site, to enable an informed decision to be made.
- 2.4.65 The evaluation will locate and determine the significance of the archaeological deposits present, and form the basis for any further action to be taken.

## **POLICY E&D34 ARCHAEOLOGICAL EVALUATIONS**

***Proposals [requiring planning or other permission] affecting areas of archaeological interest and their setting will normally be required to be accompanied by a written evaluation, by a recognised archaeologist to ascertain the archaeological importance of the site.***

***The recommendations of the evaluation will be taken into account to ascertain whether the remains are of sufficient importance to justify the preservation of the site. The evaluation will advise if the most appropriate action is to:-***

- (i) preserve the remains in situ, either undisturbed or with minimal disturbance; or***
- (ii) ensure the proper excavation and recording of the archaeology of the site. In such cases agreements may be required prior to the grant of planning permission and include provision for the financing, in whole or part, of the excavation work. Conditions may be imposed to enable reasonable access to the site by***

***nominated archaeologists before and/or during construction, or to facilitate a watching brief during the development, to ensure that the greed methods of preservation are enforced on site.***

- 2.4.66 New areas of archaeological interest or material are constantly being discovered, quickly outdating any list or map produced. Any additional areas discovered are therefore afforded the same policy protection as those currently known.
- 2.4.67 Appropriate management is therefore essential to ensure that they survive in good condition.
- 2.4.68 More detailed guidance on this topic has produced by the Borough Archaeologist in the document "Planning for Archaeology in Stafford Borough".

### **Historic Parks and Gardens**

- 2.4.69 Historic Parks and Gardens are an important part of the Borough's heritage and contribute to the attractiveness of the landscape. They also have a potential for education and tourism.
- 2.4.70 A number of them have been included in the English Heritage Register of Parks and Gardens of Special Historic Interest. These are Sandon Park, Shugborough Park and Trentham Park. Maps illustrating their extent are included in the Technical Appendix. The register is not exhaustive and is currently being updated. Further areas may therefore be added.
- 2.4.71 The Register has no statutory power but PPG15 indicates that such areas should be protected.
- 2.4.72 Registered areas are of national importance but there are also a significant number of other areas of more local importance which should be protected from harmful development and secure enhancement where possible. These include: Lea hall, Loynton Hall, Ingestre, Tixall, Eccleshall Castle, Ranton Abbey, Barlaston Hall, Hilderstone Hall, Meece House, Standon Hall, Swynnerton Park, Fradswell Hall, Bishton Hall, Charnes Hall, Aqualate Park, St. Georges, Little Onn Hall, Seighford Hall, Hanchurch Manor, Chartley Hall, Hilcote Hall, Meaford Hall and Broughton Hall. Further sites may be added to the list on the recommendations of English Heritage or other bodies with expertise in garden history.
- 2.4.73 It is likely that historic parks will be affected by other designations, such as listed building or green belt etc. and these will have to be taken into account in the formulation and consideration of development proposals.
- 2.4.74 The conservation and management of Historic Parks and Gardens is a considerable responsibility for landowners and requires significant resources and expertise. The Staffordshire Gardens and Parks Trust has recently been set up and aims to encourage and provide advice to owners about how to conserve and manage these landscapes.

2.4.75 The Borough Council will encourage the conservation, restoration and maintenance of historic parks and gardens whether listed or not.

2.4.76 In considering development proposals particular regard will be paid to the following policy.

***POLICY E&D35 HISTORIC PARKS AND GARDENS***

***Proposals within or likely to affect historic parks and gardens will be accompanied by a detailed historical evaluation of the park and a survey of the existing landscape.***

***Proposals should take account of that evaluation and:***

- i. safeguard the historic park or garden and its landscape setting;***
- ii. retain, manage and, where appropriate, restore the surrounding gardens or parkland, boundary features and surroundings;***
- iii. conserve any other facets of interest in the area e.g. archaeological, architectural, nature conservation".***

***Development proposals which would damage the character, setting or appearance of a park or garden of historic interest will not be granted planning permission.***

2.4.77 Consultation on proposals affecting historic parks and gardens whether or not, will be undertaken as appropriate with English Heritage, the Garden History Society and the Staffordshire Gardens and Park Trust.

## Nature Conservation

- 2.4.78 Policies aim to:
- (i) conserve wildlife interests and natural features by the conservation i.e. protection and enhancement of habitat;
  - (ii) promote nature conservation interests by the creation of new habitats and enhancement of existing areas of value;
  - (iii) identify, protect and create a network of wildlife corridors;
  - (iv) encourage appropriate public access to areas of nature conservation value;
  - (v) encourage community involvement in the creation, management and enjoyment of areas of nature conservation value.
- 2.4.79 The safeguarding of sites of known nature conservation importance is a basic principle underlying planning policies. The importance of sites and subsequent level of policy protection given is tiered between the international, regional/local level. Strongest protection being given to internationally important sites.

### ***POLICY E&D36 NATURE CONSERVATION: GENERAL REQUIREMENTS IN CONSIDERATION OF PLANNING APPLICATIONS***

***Planning applications for developments that may affect sites of acknowledged importance for nature conservation, will normally be required to be accompanied by an ecological survey and report.***

### **Sites of National and International Importance**

- 2.4.80 Sites of international importance which are given the strongest protection, include Ramsar Sites, Special Protection Areas (SPA's) and Special Areas of Conservation SACs). Development proposals which may affect such sites will be subject to the most vigorous examination.
- 2.4.81 There is currently one site identified under the European Commission's Habitats Directive a RAMSAR site at Chartley Moss.
- 2.4.82 Consideration should be given to the use of conditions or planning agreements or obligations to secure all compensatory measures necessary to ensure that the overall coherence of Natura 2000 as defined in Article 3 of the Habitats Directive is protected and to ensure the protection of and enhancement of the sites nature conservation interest. Obligations and agreements are voluntary, and any provision should be reasonable in scale and kind to the development to be permitted.

- 2.4.83 Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs), are sites of national importance.
- There are currently 16 designated Sites of Special Scientific Interest (SSSI) within the Borough. Maps showing their extent are included in the Technical Appendix SSSIs are designated by English Nature because the area is of special interest by reason of any of its flora, fauna or geological or physiographical features. The purpose of designation is to secure the protection and management of the nature conservation interests of the site.
- 2.4.84 The identification of SSSIs is a statutory function of English Nature. Notification confers a statutory duty on Local Authorities and owners and/or occupiers to consult English Nature where activities may threaten the scientific integrity of the site. In general the sites are privately owned and not accessible to the general public.
- 2.4.85 The role of the Local Planning Authority is to protect the areas from adverse development pressures. This protection may extend beyond the SSSI boundaries, partly to avoid the SSSI's becoming isolated islands but also to prevent potentially harmful activities (e.g. water pollution or changes in water level) nearby. Therefore, proposals in or likely to affect SSSI's will be subject to special scrutiny.
- 2.4.86 Some SSSIs are also subject to an additional designation in recognition of their special nature conservation interest. National Nature Reserves (NNRs) are designated by the nature conservation agencies under the Wildlife and Countryside Act and are considered to be of national importance. NNRs are currently designated at Chartley Moss and Aqualate Mere.
- 2.4.87 Where the site is a NNR or a site identified under the Nature Conservation Review (NCR) and Geological Conservation Review (GCR), particular regard will be paid to the sites national importance.
- 2.4.88 The Borough Council may in certain cases enter into a management agreement under section 39 of the Wildlife and Countryside Act 1981, or apply for article 4 Direction order as a means of controlling inappropriate types of permitted development or other activities that threaten the conservation interest of a site.

***POLICY E & D37 NATURE CONSERVATION: SITES OF INTERNATIONAL IMPORTANCE***

***Development which may affect a European site, a proposed European site or a Ramsar site, not directly connected with, or necessary to the management of the site, and which may have a significant effect on the site (either individually or in combination with other proposals), will not be permitted unless there is no alternative solution and there are imperative reasons of overriding public interest.***

***Where the site concerned hosts a priority natural habitat type and/or a priority species, development will not be permitted unless it is necessary for reasons of human health or public safety or for beneficial consequences of primary importance for nature conservation.***

**POLICY E & D38 NATURE CONSERVATION: SITES OF NATIONAL IMPORTANCE**

***Development which may have a harmful effect, directly or indirectly, on a Site of Special Scientific Interest or National Nature Reserve will not be permitted unless the reasons for the development clearly outweigh the value of the site and the national policy to safeguard the intrinsic nature conservation value of the national network of such sites.***

**Sites of Regional/Local Importance**

- 2.4.89 Sites of regional/local importance include Local Nature Reserves (LNRs), Non-Statutory Nature Reserves, and Sites of Importance for Nature Conservation.
- A Local Nature Reserve is designated at Brocton (Cannock Chase).
- 2.4.90 A large number of non-statutory sites of biological and geological interest were identified in the County Biological Survey. A full list of those currently identified within the Borough is provided in the Technical Appendix but it can be anticipated this information is subject to change.
- 2.4.91 English Nature have carried out survey work that identified some 40 ancient woodlands in a provisional Countryside inventory in 1989, and 5 lowland heathland sites. The latter includes the single largest block remaining in the West Midlands Region - Cannock Chase High Plateau identified in its "Lowland Heathlands of Staffordshire" 1990 report. The heathland site area within Stafford Borough amounts to 715 ha, 41% of the County total.
- 2.4.92 The protection and management of both statutory and non-statutory nature conservation sites is an important policy objective. Advice will be sought from English Nature, Staffordshire Wildlife Trust and Staffordshire County Council, on any proposal affecting or likely to affect such areas.

**POLICY E & D39 NATURE CONSERVATION: SITES OF REGIONAL/LOCAL IMPORTANCE**

***Development which may harm, directly or indirectly, Local Nature Reserves, Sites of Nature Conservation interest and Regionally Important Geological Sites will not be permitted unless the reasons for the proposal clearly outweigh the need to safeguard the intrinsic nature conservation value of the site or feature.***

**Protecting Nature Conservation Interests**

- 2.4.93 Where development proposals affect a site of nature conservation interest and are considered acceptable, buildings and infrastructure will need to be located to cause the minimum disturbance to the nature conservation interest which exists on the site. During construction, care should be taken not cause any damage, and suitable planting and appropriate site management will be essential to ensure that the interest is retained and enhanced. It will also be necessary to take account of the requirements of the Wildlife and Countryside Act 1981. The following policies will apply.

**POLICY E & D40 MITIGATION AND AMELIORATION OF IMPACT ON SITES OF NATURE CONSERVATION VALUE**

*Where development is to be approved which could affect any site of nature conservation value appropriate measures will normally be required to:-*

- (a) conserve, as far as possible, the site's nature conservation interest;*
- (b) replace habitats or features where damage is unavoidable;*
- (c) ensure sympathetic siting and development and suitable planting; and*
- (d) introduce site management if appropriate.*

**~~POLICY E&D41 PROTECTED SPECIES~~**

~~Development likely to have an adverse effect upon species protected by the Wildlife and Countryside Act 1981, as amended, will only be permitted where harm to the species can be avoided~~

~~To avoid harm to the species the Local Planning Authority may consider the use of conditions and planning obligations to:~~

- ~~a. facilitate the survival of individual members of the species;~~
- ~~b. reduce disturbance to a minimum;~~
- ~~c. provide adequate alternative habitats to sustain at least the current levels of population.~~

**Trees and Woodlands**

2.4.94 Trees and woodlands contribute much to the character and visual attractiveness of the landscape and townscape. They are also important in nature conservation terms providing habitat and cover for wildlife.

2.4.95 There are a number of objectives in relation to trees and woodland. These are to:

- (i) retain existing trees;
- (ii) encourage the replacement of trees that are lost;
- (iii) secure the planting of new trees, both in connection with new development and as a general principle; and,
- (iv) ensure that the potential of afforested areas to provide recreational opportunities including rights of access, are maintained and developed;

- (v) secure the appropriate management of the resource;
- (vi) encourage the multipurpose use of forests, especially close to urban areas e.g. community forests.

2.4.96 These objectives will be achieved by:-

- (i) making tree preservation orders to protect trees under threat, in locations where they contribute to amenity;
- (ii) ensuring trees are protected on development sites;
- (iii) liaising with the Forestry Authority in respect of the implications of felling licence applications and woodland grant schemes;
- (iv) encouraging owners and occupiers of land to take advantage of available grants;
- (v) undertaking and encouraging small scale amenity tree planting in co-operation with other public and private organisations and individuals;
- (vi) ensuring that adequate landscaping, including tree planting will be incorporated in new development proposals and where appropriate in advance of new development. Emphasis will be placed on the provision of native tree species and on opportunities for nature conservation where development is proposed in proximity to open space and the open countryside

#### **The Protection of Trees**

2.4.97 It is recognised that trees, woodlands and hedgerow have a very important role in the environment. They provide valuable wildlife habitats and can beneficially "soften" the visual appearance of developments, help reduce the build up of greenhouse gases, reduce the transmission of noise and add greatly to the character and attractiveness of the area. The Council places high priority on protecting trees, woodlands and hedgerows.

2.4.98 Trees in conservation areas (shown on the proposals maps) and those covered by Tree Preservation Orders are protected by law, and the Council requires notice of at least six weeks prior to any intended works to be performed on a tree covered by a Tree Preservation Order.

2.4.99 The Borough Council will seek the retention of trees, woodland, and hedgerows by agreement, the use of Section 106 Obligations or planning conditions. In the case of trees which contribute significantly to the amenity of an area the making of Tree Preservation Orders will be considered.

#### **POLICY E&D42 TREE PRESERVATION ORDERS**

**Consents which are sought to carry out works to trees which are covered by a Tree Preservation Order will be resisted, except where there is a demonstrable need for the works sought.**

**Where consent is given for works to a tree covered by a Tree Preservation Order the Local Planning Authority will require the replacement of any lost amenity by the planting of new trees nearby of like species as appropriate to the site.**

#### **POLICY E&D43 TREES IN CONSERVATION AREAS**

**Within a Conservation Area, if notice is received by the Local Planning Authority to carry out works on any trees, the authority may, within six weeks of receiving the notice, place a Tree Preservation Order on the tree(s) if it feels the unaltered presence of the tree(s) is vital to the character amenity and enjoyment of the Conservation Area.**

#### **POLICY E&D44 DEVELOPMENT AFFECTING TREES AND HEDGEROWS**

**Where development is proposed on sites containing trees and hedgerows, not necessarily covered by Tree Preservation Orders, the Council will expect a detailed planning application to be accompanied by:-**

- (i) an accurate tree and hedgerow survey indicating the location, identity, height, canopy spread (for trees) coupled with any shrubs likely to be affected by the development proposal;**
- (ii) a general landscaping plan which shall be approved by the Local Planning Authority prior to the commencement of any works (see Policy E&D46 Paragraph 1). The need for, the submission of plans detailing precise landscaping shall normally be required as part of any conditions of consent imposed by the local planning authority if permission is granted. These detailed plans will normally include trees, hedgerows and shrubs to be retained or felled, and showing the location and species of new planting.**
- (iii) where appropriate a plan for the protection of trees, hedgerows and shrubs during construction of the development may be required as part of the conditions imposed on any planning consent given. This would be in accordance with advice contained in the British Standard Institute Code of Practice, "Trees in relation to Construction" (BS 5837 : 1991) or any amendment thereafter.**

### **Ancient Woodlands**

- 2.4.100 Ancient and semi-natural ancient woodland is a diminishing resource but is recognised to have the greatest nature conservation value. Thus many ancient woodlands are identified as SSSI's or BGI's.
- 2.4.101 A countywide inventory of ancient woodlands was prepared by English Nature in 1989, and those within the Borough are listed in the Technical Appendix.

### ***POLICY E&D45 PROTECTION OF ANCIENT WOODLANDS***

***Proposals that would have an adverse effect upon the nature conservation and/or landscape value of an Ancient Woodland area will be refused.***

### **~~Forestry Consultations~~**

- ~~2.4.102 The Borough Council acts as a consultee for some forestry proposals and grant applications determined by the Forestry Authority. In this role the following policy will apply, when considering proposals referred to the Borough Council by the Forestry Authority for consultation purposes.~~

### ~~***POLICY E&D46 FORESTRY PROPOSALS***~~

~~***Forestry proposals which involve clearfelling, replanting or afforestation will generally be acceptable unless the proposal;***~~

- ~~(a) ***would detract from the appearance of the landscape due to location and design, particularly in the AONB or SLA;***~~
- ~~(b) ***does not include acceptable proposals for replanting, management, or the future use of the land. This is considered particularly important in relation to ancient and broadleaved woodland;***~~
- ~~(c) ***would adversely affect nature conservation or archaeological interests. This is particularly important in relation to ancient woodland;***~~
- ~~(d) ***restricts existing public access.***~~

## **Trees and new Development**

- 2.4.103 Existing trees in the vicinity of buildings create a maturity of landscape that would be expensive and take decades to attain. It is essential therefore that during the examination of planning proposals, specific consideration is given to the retention of trees even if not included in a TPO or Conservation Area.
- 2.4.104 Where there are proposals for development, it will be usual to discuss with the applicant revisions to the layout in order to retain as many trees as possible. A TPO will not normally be used as a sole reason to prevent development of a site or reduce the type of development that would usually be expected on the site.
- 2.4.105 It is usually inevitable that on a site with good existing tree cover, some trees will have to be felled in the course of the approved development. There will be a requirement to retain the most important trees and to ensure that new planting schemes form part of the development proposals. In pursuing this objective, the Borough Council will require developers to adhere to the principles contained in BS 5837: 1991 "Trees in relation to construction". Layouts will need to be designed so as to retain trees in locations that guarantee their immediate future i.e. in locations that do not inevitably lead to requests for felling once the development is occupied.

### ***POLICY E&D47 THE SUBMISSION OF LANDSCAPING SCHEMES***

***With the aim of securing the protection and enhancement of the quality and character of the environment, layout plans for development proposals will normally be required to be accompanied by a general landscaping scheme. This should consider the general siting and provision of major landscape features such as open space areas, water features and tree planting. Exact particulars of the landscaping scheme will normally be established via conditions of planning approval imposed by the local planning authority.***

***Any such scheme should endeavour to protect existing trees, hedges, shrubs and other natural features, and where possible incorporate them into the proposed development, together with proposals for new features.***

***Development should not normally take place until a suitable, detailed landscaping scheme is approved by the Local Planning Authority.***

- 2.4.106 The Borough Council wishes to ensure that developers undertake tree and shrub planting in appropriate densities and siting in order to maintain and enhance the environmental quality of their development.

**POLICY E & D 48 LANDSCAPE PROPOSALS SUBMITTED WITH PLANNING APPLICATIONS**

***Landscape proposals submitted with an application, or in accordance with conditions imposed by the Local Planning Authority, will normally be expected to detail the species type, siting, number, size and density of trees, shrubs and any other natural features proposed.***

**The Borough Council will consider the following criteria:**

- (i) *whether it is appropriate for landscape works to be carried out before development commences, in order to minimise the visual impact of the development;***
- (ii) *whether it is appropriate for a condition to be imposed requiring the maintenance of approved planting for a suitable period with a provision for replacement planting to be carried out if originals fail within a suitable period following original planting;***
- (iii) *whether a condition requiring planting species to comprise indigenous stock is appropriate;***
- (iv) *the opportunity for the creation of areas of nature conservation value.***

**New Planting**

- 2.4.107 Retention of existing trees however is insufficient, trees become over mature and need removal due to disease and other factors and need active management to avoid their decline and to ensure long term retention. To supplement the above measures new planting is needed. It is the intention to encourage and undertake tree and shrub planting throughout the Borough so as to maintain and enhance environmental quality. Particular emphasis will be given to planting of appropriate indigenous species and on taking the opportunity for creating areas of nature conservation value where development is proposed in proximity to existing green open space and vegetation/wildlife corridors e.g. the Green Network.
- 2.4.108 As mentioned above new planting will either be in association with new development or as part of other initiatives. The Borough Council will continue to encourage and undertake small scale amenity tree/shrub planting in the Borough in co-operation with parish councils, public authorities, conservation organisations and local landowners/occupiers.
- 2.4.109 The Countryside Commission is currently progressing work on an initiative for a new national forest based on ancient forests of Needwood and Charnwood. The area of search for the forest containing a large area between Leicester, Derby and Birmingham, including the area between Uttoxeter and Rugeley.
- 2.4.110 In addition, the Countryside Commission and the Forestry Commission are considering the creation of a community forest in southern Staffordshire (the

Forest of Mercia), to enhance the quality of the environment, provide recreational opportunity for local residents, create a haven for wildlife and the potential for new use of agricultural land.

- 2.4.111 There are areas where planting would be inappropriate, these include certain specialised habitats e.g lowland heath, unimproved grassland, certain wetlands or where it could obscure geological features.

**~~POLICY E&D49 NEW TREE AND SHRUB PLANTING PROPOSALS~~**

~~Tree and shrub planting proposals will (M2.44) be acceptable where they:-~~

~~(i) are sympathetic to local patterns of vegetation;~~

~~(ii) improve visual amenity;~~

~~(iii) mitigate the visual effects of an obtrusive structure or use;~~

~~(iv) enhance the nature conservation value of an area.~~

- 2.4.112 Grants are available from a number of sources that can be used either directly or indirectly for the purpose of landscape conservation work within the countryside. In some instances the principal purpose of the grant may not be landscape conservation. Grants from FRCA for example have to be for work which has an agricultural value, while those from English Nature should be for nature conservation and those of the Forestry Authority must include timber production amongst the objectives.

- 2.4.113 However, many projects can satisfy a number of objectives. The planting of trees on marginal land may have landscape and nature conservation benefits. The trees may also have a potential timber value as well as providing shelter which is an agricultural benefit. The choice of grant available for projects of this kind can therefore be great. Further potential grant sources include the Countryside commission, the Forestry Commission, English Nature, FRCA and Staffordshire County Council.

**Water Issues**

- 2.4.114 A great deal of the variety and attractiveness of the urban form and landscape character in the Borough arises from the water related environment. These range from Rivers with their associated wetland systems, to canals and areas of standing water. The value of these areas has been recognised in relation to a number of interests, such as nature conservation, landscape and amenity, recreation and wildlife and as pedestrian movement corridors. Thus many areas have been the focus of area designations, such as Sites of Special Scientific Interest, Sites of Biological interest, Conservation Areas, Special Landscape Areas and the Green Network, policies for which are detailed elsewhere in this plan.

### **Floodland Considerations**

2.4.115 The natural watercourse system provides for the essential drainage of land. It is necessary to ensure that new development is not at risk from flooding, and also that development does not put other areas at risk. Land liable to flooding is to be protected from development.

2.4.116 New development liable to cause or exacerbate flooding problems elsewhere, will also be resisted (guided by the Environment Agency) unless satisfactory upstream storage can be provided, and funded by development.

### ***POLICY E&D50 LAND DRAINAGE AND FLOODING CONSIDERATIONS***

***Unless satisfactory mitigation measures can be undertaken development will not be allowed:***

- (a) in an area liable to flooding;***
- (b) where it would lead to the loss of natural flood plain;***
- (c) where it would lead to substantial changes in the characteristics of surface water flows, with either a consequently enhanced flooding risk, or a marked reduction in flow to existing rivers and streams;***
- (d) where it would lead to detrimental changes in the characteristics of a surface water run off system to the deprivation of wildlife or habitat networks, such as the drying out of a wetland or flow disruption to a neighbouring watercourse resulting in species reduction or loss;***
- (e) where it would have an adverse effect upon the integrity of fluvial defences;***
- (f) where it would lead to the loss of access to watercourses for future maintenance.***

2.4.117 It is recognised that there is land outside of those areas currently identified as flood plain that may be liable to flooding. Where development is proposed in an area liable to be at risk from flooding, developers will be required to produce a level survey to Ordnance Datum to ascertain flood risk areas.

### **Ground Water Protection**

- 2.4.118 The Environment Agency operates a policy on ground water issues entitled, "Policy and Practice for the Protection of Ground Water". The policy was developed in order to protect ground water resources from pollution or derogation. Ground water resources are a component of potable water supply which are sensitive to contamination. Once contaminated they are irrevocably damaged. It is essential therefore to prevent development which threatens those resources. The policy identifies which areas are sensitive to water resources and also identifies protection zones around sensitive ground water abstractions. There are a number of source protection zones in the Borough including Milford, Shugborough, Lower Hatton, Mill Meece, Bury Bank, Swynnerton, the Spot Acre area and Nut Wood near Gnosall.

#### ***POLICY E&D51 GROUND WATER RESOURCES***

*Proposals for development will subject to other policies, be acceptable provided that they do not damage ground water resources and/or prevent the use of those resources.*

### **Water Quality**

- 2.4.119 It is recognised that fundamental to all of these interests is the quality of the water itself, and therefore support is given in principle to those initiatives that result in improvements to water quality. The water industry is currently undertaking a large capital investment programme to enable compliance with recent legislation, intended to improve the quality of bathing waters; find alternative disposal means for sewage sludge presently disposed of at sea; and to improve the quality of drinking water.
- 2.4.120 The Water Act 1989 replaced the previous water and sewerage authorities with successor private water companies and the then National Rivers Authority which in 1996 became part of the Environment Agency. The plan area falls under the responsibility of Severn Trent Water Ltd. The responsibility for regulating pollution together with duties for land drainage and flooding protection is held by the Environment Agency.

Technical advice on water issues will be sought from the relevant organisation in the determination of planning proposals. In particular the preventative measures necessary to protect against potential water related problems arising from development will be sought from the Environment Agency.

### **Sewage Treatment**

- 2.4.121 As a result of the water quality legislation, it is understood that two basic options for sewage sludge disposal are being investigated. These are incineration or sewage sludge storage and processing plants, the latter possible involving transport across Local Authority boundaries
- 2.4.122 Improvement of drinking water quality is liable to lead to proposals for the construction of new water treatment works or the substantial alteration of existing works. These uses tend to be located in the countryside on the periphery of urban areas and therefore will be assessed against the factors outlined for considering development in the countryside.
- 2.4.123 Severn Trent Water Ltd. operates a "Cordon Sanitaire" policy around its sewage treatment works. This aims to minimise the impact of potential nuisance and discomfort caused by odours and flies, which neighbours may find unacceptable. Each cordon is drawn upon a site specific basis and takes into account treatment processes in use, size of population served, industrial effluents served, topography, surrounding land uses, anticipated extensions to the works, any planned abatement measures and complaints record in the vicinity. Although certain types of development may be acceptable within the cordon, STW Ltd. state an intention to object to any development that they consider inappropriate.

### **The Water Environment**

- 2.4.124 As already stated, the value of the water based environment range from nature conservation, landscape and amenity, to recreational resource and pedestrian and wildlife movement corridor. Where development is to be approved that could affect an area of water related nature conservation value, reference will be made to the provisions of the nature conservation policies, which aim to protect and conserve those areas of existing value; and restore and enhance the natural elements of the environment.

#### ***POLICY E&D 52 DEVELOPMENT AND WATER BASED ENVIRONMENTS***

***Development considered acceptable adjacent to the water based environment will be granted planning permission where the proposal;***

- (a) conserves, restores and enhances the natural elements of the environment; and***
- (b) caters for public access where it will not conflict with the ecological value of the area.***

### **The Retention and Creation of Water Features**

- 2.4.125 Policies detailed elsewhere in the plan require that attractive landscape features such as streams and ponds be integrated into the landscaping scheme for any development. The number of ponds and wetland areas in particular has declined in recent years. Those that remain provide habitat for wildlife and increase landscape diversity.
- 2.4.126 Some development schemes may require the creation of balancing ponds which can be managed to enhance nature conservation interest. A recent example has occurred at Astonfields, Stafford. The creation of new water features such as ponds and lakes as part of landscaping or farm diversification schemes is encouraged, particularly in schemes such as business parks or golf courses.
- 2.4.127 The Borough Council will encourage the creation of new ponds and wetland areas, particularly those which are sympathetic with the landscape and are managed to provide a rich and varied wildlife habitat.
- 2.4.128 Developers are advised to consult the Environment Agency over any proposals that involve the crossing over, in or under any watercourse. Such operations will require their consent under the Land Drainage Acts. Similarly the Environment Agency will require details of any alterations to ground levels adjacent to watercourses.

### **The Protection of Water Resources**

- 2.4.129 The Borough Council will seek to protect water resources and water quality from pollutants and unnecessary abstraction. Severn Trent Water Ltd and the Environment Agency will be consulted as appropriate to try to ensure that best practice is achieved in this field.

### ***POLICY E&D 53 PROTECTED WATER RESOURCES***

***Development which would have an adverse effect upon water quality, water levels, and the nature conservation value of water will not be permitted.***

### **Derelict, Vacant, Underused and Contaminated Land and Buildings**

- 2.4.130 Securing the re-use or adaptation of existing buildings, or bringing redundant, previously developed land back into beneficial use are fundamental objectives underlying planning policy, where it is consistent with other policies in this Plan.
- 2.4.131 At any time there will always be a number of eyesores, intrusive uses, or areas of derelict and degraded land which require treatment to mitigate their visual impact, landowners will be encouraged to improve sites which are in need of enhancement, maintenance or landscape implementation.
- 2.4.132 Encouragement will be given for owners to explore the nature conservation possibilities of vacant land even if this land is only likely to be available on a short term basis.

#### ***POLICY E&D54 RE-USE OF VACANT LAND AND BUILDINGS***

***Planning permission will normally be given to proposals that bring into beneficial use at the earliest opportunity, vacant land and buildings. In circumstances where it is necessary for land to be left vacant for any purpose, including redevelopment, the owners will be encouraged to undertake screening and/or landscaping of the land. Provision should be made for the accommodation of any protected species which use the buildings or land as a breeding or roosting site.***

- 2.4.133 Additional complications occur when the land is contaminated by previous activities. Contamination may give rise to hazards which put at risk people working on the site, the future occupiers and users of the buildings and land, the buildings themselves and water services. If precautions are not taken, contaminants may escape from the site to cause air and water pollution, the emission of landfill gas may be particularly hazardous. If these hazards are not identified and assessed properly, there may be a direct threat to health and safety. Should remedial action be needed in an emergency, there may be additional costs and difficulties. A balance has to be struck between these risks and liabilities and the need to bring the land into beneficial use.
- 2.4.134 The disturbance of contaminated land can mobilise pollutants and either cause first time pollution or worsen existing problems. Leachates and drainage from contaminated land sites pose serious risk of major pollution to both rivers and groundwater. Developers are advised to liaise with the Environment Agency over any proposal to redevelop contaminated landfill sites or other proposals which could lead to contamination, and will only be permitted if their drainage arrangements are acceptable.

### **POLICY E&D55 DEVELOPMENT ON CONTAMINATED LAND**

***Proposals for development on contaminated land will normally need to be accompanied by a study that assesses the problems and issues relating to the site.***

***Where development is considered to be acceptable, proposals should demonstrate that adequate measures have been taken to ensure that it will not cause or increase pollution of the air or watercourses and groundwater resources, or detrimentally affect future occupiers of the development.***

#### **Mineral Extraction**

- 2.4.135 Staffordshire County Council are the Mineral Planning Authority with sole responsibility for the control of mineral extraction. They are currently progressing work on an "Aggregates Local Plan 1989 - 2001" which includes various policies and identifies new sites for the provision of minerals in the County.
- 2.4.136 The Borough is naturally well endowed with aggregate minerals, principally River Terrace gravels and Sherwood Sandstone and there is an existing sand and gravel quarry at Lions Den on Cannock Chase.
- 2.4.137 Many of the mineral resources referred to, occur in areas of recognised high environmental quality. The Structure Plan contains a number of policies that seek to ensure that environmentally significant areas e.g. AONB, SSSI's, SLA's etc. will be protected from new mineral development unless the need for the mineral outweighs the environmental objections.
- 2.4.138 Stafford Borough Council assumes the role of consultee on mineral related issues located within the Borough. In this role the aim will be to ensure that full weight has been given to the protection of environmentally significant areas and the availability of the mineral resources outside of these areas has been fully taken into account.
- 2.4.139 The Mineral Consultation Area gives some idea of the extent of mineral deposits which are known or regarded as being of economic importance. Within this area all planning applications which might sterilise the mineral deposit are referred to the Mineral Planning Authority (the County Council).
- 2.4.140 There are three coal mines located outside the plan area but which work seams that extend into the Borough. There are no current plans to work outside the present National Coal Board Consultation Area which extends to the south in the Brocton and Colwich areas, to the north east in the Barlaston and Moddershall areas, and to the north west in the Swynnerton and Hanchurch areas.

### **Waste Disposal**

- 2.4.141 Staffordshire County Council areas the authority responsible for the control of waste disposal in the County. The County Council wish to ensure that waste treatment and disposal facilities including landfill sites are distributed throughout the County in locations to satisfy the needs of each District.
- 2.4.142 Planning permission was granted in 1985 for landfill on part of the former Royal Ordnance Factory site at Swynnerton. This believed to have capacity for well beyond the plan period.

### **Utility Services**

- 2.4.143 The provision of utility services is a necessary feature of society. In considering proposals to install new or replace existing services the main objective will be to minimise visual intrusion in both the built and natural environment. This will be a primary concern in areas of special control such as AONB, SLA, Conservation Areas etc.

### **Renewable Energy**

- 2.4.144 Renewable Energy is the term used to describe energy gained from non-exhaustible resources such as; the sun, wind, oceans, falling water, geothermal, combustion of waste and the use of plant materials. The use of renewable energy reduces dependence on non-renewable fossil fuels thereby reducing the emission of pollutants to an already over polluted atmosphere. Planning Policy Guidance Note 22, The Environment Protection Act 1990, The Electricity Act 1984 and This Common Inheritance, September 1990, are just four Government documents requiring or calling for a reduction in emissions of Carbon Dioxide (CO<sub>2</sub>) and other greenhouse causing gases to the atmosphere.

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### ***POLICY E&D56 RENEWABLE ENERGY***

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***Planning Permission will be subject to other policies given for proposals for the generation of power from any practicable renewable energy source, provided that;***

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- (i) access for construction traffic can be provided both without danger to highway safety and without permanent and significant damage to the environment;***
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- (ii) the development would not have a significantly detrimental effect on any Scheduled Ancient Monuments, National Nature Reserve, Site of Special Scientific Interest, or any other areas recognised by designation at an international, national, regional or local level to be of nature conservation, scientific or archaeological interest;***
- 
- (iii) the development will not result in an unacceptably high intrusion on the intrinsic qualities of the landscape;***

- ~~(iv) the development will not unacceptably affect the amenity of neighbouring occupiers;~~
- ~~(v) the development will have no electro-magnetic effect on existing broadcasting or receiving systems, and if such disturbance is caused, satisfactory measures will be taken to mitigate any disruptive effects;~~
- ~~(vi) the environmental impacts of all transmission lines between the development and the point of connection to the national grid are fully assessed;~~
- ~~(vii) a realistic means of securing the removal of the development exists at the end of its useful life and the restoration of the site to the standard required, so that the sites predevelopment land use may be resumed.~~

## **Telecommunications**

2.4.145 — It is recognised that modern telecommunications are an essential element of modern life both locally and nationally and are vital for economic success. They can play a crucial role in helping to attract business to an area, and benefit the environment by reducing the need to travel. They offer increased choices in terms of education, entertainment and broadcasting.

2.4.146 — Due to the vital input telecommunications have to modern life, there is considerable pressure for more telecommunications developments. Therefore, the Local Planning Authority must reconcile the provision of such developments, plus the aim of securing the best possible service and widest possible choice; with the protection of the environment and the amenity of those living or working near to telecommunications installations. It is against this background that the Government's intention to facilitate the growth of new and existing telecommunication systems must be assessed.

2.4.147 — There is a growing variety in the types of telecommunication systems available, increasing the pressures referred to above.

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### ***POLICY E&D57 TELECOMMUNICATIONS***

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***"The development of telecommunications proposals will subject to other policies be permitted provided that all of the following are satisfied in the opinion of the Local Planning Authority:-***

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***(a) that it can be adequately demonstrated the availability of alternative sites and developments, including mast sharing, and cable capacity sharing have been fully investigated;***

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***(b) that proposals demonstrating the following criteria can be achieved at an acceptable level to the Local Planning Authority:-***

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***(i) that the visual intrusion on the landscape of any development can be minimised;***

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***(ii) the protection of flora, fauna and the consideration of other nature conservation interests;***

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***(iii) that suitable ground conditions exist for the safe construction and operation of the proposed development;***

***(iv) the worthwhile enhancement of the amenity, health and safety of local residents;***

***(v) the protection of areas of archaeological, architectural and historic interest;***

~~(vi) the control of noise and vibration levels, both during construction and subsequent operation of any development;~~

~~(vii) the retention of the character, special interest and setting of nationally and internationally designated areas including, areas of outstanding natural beauty, green belt and SSSI's.~~

~~(viii) that the visual impact of any new apparatus to be installed on the exterior of a building upon the appearance of that building and the appearance of the surrounding area can be minimised;~~

~~(ix) that the potential for interference has been fully taken into account in the siting and design of any new development.~~

~~(c) that proposals giving details of associated developments including access roads and other ancillary buildings are submitted for consideration with any proposal for such development to the Local Planning Authority coupled with an assessment of their likely environmental impact;~~

~~(d) that proposals include a suitable scheme to restore sites to their original condition, once activities associated with the development have ceased.~~