

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**22<sup>nd</sup> November 2018**

<b>Application No:</b>	SMD/2017/0722	
<b>Location</b>	Land At Blythe Park, Sandon Road, Cresswell	
<b>Proposal</b>	Approval of reserved matters following outline permission SMD/2014/0576 at Plot 1 for a warehouse assembly unit.	
<b>Applicant</b>	Scentarea Ltd	
<b>Agent</b>	Wardle Armstrong LLP	
<b>Parish/ward</b>	Draycott	<b>Date registered</b> 15/01/2018
If you have a question about this report please contact: Rachael Simpkin tel: 01538 395400 ex 4122 rachael.simpkin@staffsmoorlands.gov.uk		

## **REFERRAL**

The application is brought before the Planning Applications Committee as it relates to the first phase of a large scale mixed use major development which is locally controversial.

### **1. SUMMARY OF RECOMMENDATION**

**APPROVE, subject to planning conditions.**

### **2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

2.1 The 6.8 ha greenfield application site is positioned adjacent to the existing Blythe Business Park, which accommodates a range of office, industrial and distribution premises within Cresswell some 1.5km southeast of Blythe Park. In further detail, the application site is bound by the existing Blythe Park to the northwest, the Crewe - Derby railway line to the northeast and agricultural fields to the southeast and southwest.

### **3. DESCRIPTION OF THE PROPOSAL**

3.1 Reserved matters planning consent is sought at Plot 1 for a warehouse assembly unit pursuant to the approval of outline planning permission ref. 2014/00576 granted planning permission on the 24<sup>th</sup> May 2016 following the finalisation of the s106 agreement as detailed below. The unit would comprise of a 10,600sqm manufacturing facility (Use Class B2) with ancillary office space and is intended to be occupied by a greenhouse manufacturing company and comprises details of: layout, scale, landscaping and appearance.

3.2 The dimensions of the rectangular building would measure as follows: 157.5m x 62.5m x 15.2m with a finished floor level of 156.35m. The scheme's elevations would be

clad in 'gull' light grey to the walls beneath a 'merlin' darker grey roof. There are a number of vehicular doors associated with the long elevations of the unit to allow a lorry to manoeuvre in a single horizontal movement finished in dark blue. A cantilever canopy would be positioned over the dock levellers and loading bays.

3.3 A concrete service yard measuring 130.0m x 52.0m at the widest distance would be positioned to the northeast of the assembly unit and would contain a vehicle wash within the northeast corner of the yard.

3.4 Site access would be delivered in accordance with those details and conditions approved at the outline stage shown at Appendix 1 of the officer report. A revised red edge has been received which shows the extent of the first phase scheme. Reserved matters in relation to the other phases are likely to be the subject of future applications.

3.5 The application is accompanied by a Planning Statement providing a brief history and assessment of the site. Details about layout, scale, appearance and access are also provided. The application, the details attached to it, including the plans, any comments made by residents and the responses of consultees can be found on the Council's website at:-

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=117816>

#### **4. RELEVANT PLANNING HISTORY**

SMD/2014/0576 - Outline planning application with all matters reserved (save access) for creation of up to 168 residential dwellings (Use Class C3), up to 33,480 sqm of use class B1, B2 And B8 floorspace, ancillary uses to include community centre and a shop (Use Class A1), Together with highway works, landscaping, public realm, car parking and other associated works at Land At Blythe Park, Sandon Road, Cresswell, Staffordshire For Scentarea Ltd. Approved with conditions and s106 agreement.

In summary, the following obligations are secured:

1. Affordable Housing:

33% of the total number of dwellings will be affordable and shall comprise 70% Affordable Rented Housing and 30% Shared Ownership Housing or as may be agreed in accordance with the Affordable Housing Scheme.

2. Bus Service Contribution:

£270,000 payable in three equal instalments

3. Travel Plan Contribution:

£11,000

4. Education Contribution:

£11,031 per Primary School place  
£16,622 per High School place; and  
£18,027 per Sixth Form place

## 5. Provision of a Community Facility on Site

## 6. Provision of a Shop on Site

## 7. Public Open Space:

*Multi-Use Games Area (MUGA) – To be built to a specification agreed with the Council.  
Neighbourhood Equipped Play Area - To be built to a specification agreed with the Council*

*Open Space Contribution - £226,780 as a contribution towards the development and maintenance of playing fields in the Vicinity of the Site.*

## **5. PLANNING POLICIES RELEVANT TO THE DECISION**

5.1 The Development Plan comprises of:

- Saved Local Plan Proposals Map / Settlement Boundaries (adopted 1998).
- Core Strategy Development Plan Document (adopted March 2014)

### Staffordshire Moorlands Local Plan (1998)

5.2 Development boundaries within the 1998 Adopted Local Plan are still in force until such time as they are reviewed and adopted through the site allocations process.

### Adopted Staffordshire Moorlands Core Strategy DPD (26<sup>th</sup> March 2014)

5.3 The following Core Strategy policies are relevant to the application:-

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS6c Other Rural Areas Area Strategy
- SD1 Sustainable Use of Resources
- SD3 Carbon-saving Measures in Development
- SD4 Pollution and Flood Risk
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- C3 Green Infrastructure
- R1 Rural Diversification
- NE1 Biodiversity and Geological Resources
- T1 Development and Sustainable Transport

## **Local Plan Process**

### National Policy Guidance

Paragraph 48 of the newly adopted NPPF states that:

“...decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

### Local Plan process

The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the Local Plan was “sound”. Formal representations were then invited from residents, businesses and other stakeholders to provide them with the opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongside a comprehensive evidence base.

In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public will now be held this Autumn in order to determine whether the Local Plan is sound and legally compliant. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted in the Spring of 2019. At this point, it will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

In this context, the Council’s position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is as follows:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question.
- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

### Emerging Policies

The following policies (including their weighting) are considered to be relevant to this application:

- SS1 Development Principles (Moderate)
- SS1a Presumption in Favour of Sustainable Development (Significant)

- SS10 Other Rural Areas Strategy (Limited)
- SD1 Sustainable Use of Resources (Limited)
- SD3 Carbon-saving Measures in Development (Moderate)
- SD4 Pollution and Water Quality (Significant)
- SD5 Flood Risk (Significant)
- DC1 Design Considerations (Moderate)
- DC3 Landscape and Settlement Setting (Significant)
- NE1 Biodiversity and Geological Resources (Moderate)
- C3 Green Infrastructure (Significant)
- T1 Development and Sustainable Transport (Moderate)
- T2 Other Sustainable Transport Measures (Moderate)

### National Planning Policy Framework

### National Planning Policy Guidance

## **6. CONSULTATIONS CARRIED OUT**

### Expiry

Neighbour Notification:	Expiry date 12 <sup>th</sup> March 2018
Site Notice:	Expiry date 19 <sup>th</sup> March 2018
Press Notice:	Expiry date 21 <sup>st</sup> February 2018

A total of 17 letters of objection have been received and refer to some or all of the following points:-

### Principle of Development

- The application refers to Cresswell as a village when it is designated as a hamlet and this makes the application inadmissible as all of the information in the application relates to a village and not a hamlet. The application should therefore be withdrawn.
- Object to the proposed large scale housing estate in a safe, semi-rural area in respect of increased traffic congestion, noise pollution, insufficient school places and GP services;
- The proposed industrial estate would overwhelm this small settlement;
- Reference is made to the previous Local Plan Examination inspector comments in relation to previously proposed employment uses in relation to the impact on the neighbouring settlement of Cresswell and the known toxicity of industrial waste to inform whether the principle of expansion is feasible or desirable;
- It has emerged since the outline planning permission was passed ref. SMD/2014/0576 that a national investment site, Blythe Vale only 2 miles away from Cresswell has been supported by the Government;
- This development is in a much better location for development being as it is located on a Class A road / dual carriage way, with excellent links to the A50, Stoke on Trent and Derby and access to amenities / retail facilities at nearby Meir Park;

- The original plan stated that the residential element of the outline scheme would be delivered at the same time as the industrial element and therefore promises of a bus service and school places have not been offered;
- The status of Cresswell as a hamlet would change to predominantly an industrial estate rather than balanced with residential development;
- The application does not present sustainable development owing to poor public transport links and there would be increased traffic as a result of the scheme;
- At the original meeting of the Council's Planning Committee meeting, the Planning Officer strongly recommended refusal of the application and there appears to be no logical explanation seven of the eleven planning committee members chose to ignore that advice;
- In view of the unchanged environmental circumstances, it would be expected that the views of the Council's planning officer would not have changed and that similarly strong recommendation of refusal will be made again;
- Looking at the local plans this development is far away from the outlined need in this area and well above the planned number of houses that should be developed within certain time frames;
- This statement outlines that 10 new jobs would be created and 105,674 sq ft of employment space.
- There are, however, existing areas of the current business park site that could be re-developed / re-used rather than to build on a green belt site;

### Highways

- The roads leading to and from the site are grossly inadequate for existing levels of traffic, which has been the subject of much concern and campaigning over the years;
- Object to the current closure of the current entrance to Blythe Park;
- The proposed new entrance further along Sandon Road will result in an increase in lorry traffic in the hamlet of Cresswell causing noise and pollution;
- The increased traffic will have a huge impact on Hilderstone as they already have many HGVs taking a shortcut through their village despite warnings;
- The proposed roundabout will have a detrimental impact on the access to 42 Sandon Road, with an occupant who relies on a powered wheelchair and drives an adapted van owing to the traffic flow from the roundabout. The requested meetings with SCC highways have been ignored to date;
- It is also stated that a neighbour's son is reliant upon specialist transport, which needs to be able to park on Sandon Road;
- Detailed plans should be provided in respect of plans for the frontage driveways of Sandon Road properties affected by the proposed new roadway, showing how they are going to change the curbs and that pavements will be made good;
- The proposed new roundabout and access to the business park is a pointless and extremely expensive exercise as there is adequate access and this would serve the new factory adequately as it does at present to the Greenhouse people;
- The traffic increase will still have an impact on the rail crossing and surrounding roads regardless of whether the entrance is moved and the existing entrance closed off;

- The creation of roundabouts on Sandon Road and on Uttoxeter Road in Draycott will only create more issues with traffic and will have a detrimental effect of all residents;
- This is a significant health and safety issue as this road is already lethal with young families in the area;
- You should also see that there have been many accidents on this road and a few involving young children already;
- There is a traffic limit through Hilderstone restricting heavy goods vehicles therefore most of the business traffic will still have to come Via Draycott;
- Neighbours were informed that before any works to commence that a new roundabout on Draycott Road first;
- The resolution of the road infrastructure required to support the outline scheme has not been put forward as part of this application, which is a major health and safety issue;
- The Draycott roundabout is predicted to take place after the phase 1 application has take place and would not relieve the commuter traffic queues exacerbated by additional traffic from the proposed unit;
- The Council does not have any jurisdiction to authorise works for the installation of a roundabout or an amended access to the existing properties on Sandon Road and the Council has a duty to reject the application, which appears to be unworkable owing to the inadequate radii of the turnings to and from the proposed realigned public road and the inherent danger to residents wishing to enter or leave the realigned road in close proximity to the roundabout;
- Residents for many years have campaigned for a new pavement up and over the hill from the Issac Walton Pub to the Cricket Club owing to pedestrian safety issues;
- It is hoped that common sense will prevail and developers will have to resubmit their plans for a suitable entrance to the business park to serve the new factory;
- Complaints lodged again companies that have used the estate in the past due to the significant volumes of larger vehicles, which has driven companies out of the area and it is queried how a new company can be justified when this will happen again;

### Contamination

- There is historical evidence of the former industrial activities of Blythe Colour Works resulting in the depositing of dangerous chemicals on large areas of the whole site, which has been left insitu and covered up with imported soils in the knowledge of the Council;;
- The toxicity report does not include a study Blythe Business Park itself where road construction will be taking place. The Health & Safety Executive have been asked to be contacted as soon as construction begins so that they can assess and suspend work;
- Burial of highly toxic waste was accidentally spilled on the field where the industrial area is to be constructed which has not been taken into account in the Wardle Armstrong report and inappropriate bore samples have been undertaken;
- Concern in respect of the disruption to the chemicals in the ground as a potential health and environmental risk;

- Assurance is sought that the ground will be independently tested and approved by the Environment Agency prior to any building works taking place;
- There is already a higher than average cancer rate in the area and therefore request that these objections and concerns are recorded so that they may support any future litigation;

### Character and Appearance

- This application would not minimise the impact on the environment and would most definitely serve to destroy major elements of the existing environment, which residents have had the right to enjoy over centuries contrary to Policy CS S02;
- As well, it would not promote local distinctive or protect the historic, environmental or cultural aspects of Cresswell contrary to CS Policy SO8;
- There is no evidence of good design as the proposal would comprise a large monolithic, metal-clad block incongruous with the surrounding countryside environment contrary to CS Policy DC1;
- The existence of an industrial site in this countryside environment is an anathema in planning terms;
- The current site which is not fully occupied appears to be unkempt and a poorly maintained facility, which may be considered as a veritable blot on the landscape;

### Countryside / Nature Conservation

- The scheme would not protect / improve the character and distinctiveness of the countryside, its landscape, biodiversity and geological resources contrary to CS Policy SO9;

### Other Issues

- The passing of this outline planning permission is still under investigation by the police;
- There are numerous legal reasons why this scheme should legally not take place in respect of: health and safety grounds, road infrastructure and local amenities;
- A very short time has been given to residents to get their objections in;
- The planning application was submitted in October 2017 and has only just gone out into the public domain;
- The website states that the decision will be made by delegated powers, which means that the residents will not be able to speak at a planning committee meeting;
- It appears that the application is being rushed through and will usurp the Government Inspector's inspection of the Local Plan, which has put all of the rural allocation for industry in Cresswell. Once again this is being investigated by the police and no applications should be passed until that investigation has been completed;
- There have been significant concerns from other Parish councils about the outline planning permission, which include Hilderstone, Forsbrook, Blythe Bridge and Fulford;

- Proposal takes no account of the potential for the intolerable and permanent disruption to the lives of the existing residents and their human rights to enjoy their properties without interference;

### VVSM Community Group

- Again we see that you are referring to Cresswell as a village when in fact it is a hamlet and development should be very carefully considered. The expansion of the Business Park would overwhelm this small hamlet;
- Since the Outline Planning Permission was granted SMD/2014/0576, St. Modwen have applied and have been granted change of use to that of housing on the Blythe Vale site as National Investment site which is only two miles from Cresswell and is being supported by the Government;
- The Blythe Vale site comprises of 117 acres (47.3ha) available with a phase 1 release of 14.5 (5.9ha) on a prominent junction to the A50 with links to M1 and M6.
- Should this application go through this will put enormous pressure on not only Blythe Bridge but Cresswell is in an area that is unsustainable as it has poor transport links and poor road infrastructure as was stated at the Planning Committee meeting held on February 26, 2015;
- The current Planning Application No. SMD/2017/0722 does not include the roundabout at Uttoxeter Road and Cresswell Lane, also there is no mention of the widening of the pinch point on Cresswell Lane and no indication has been made regarding pedestrian footpaths on this stretch of road. To date there is no safe step-in for pedestrians on this road;
- Condition 07 of the outline approval in relation to phasing states that housing should be in conjunction with the first phase of industrial building. There is no mention of the housing in this application;
- Neither is there any mention of Condition 12 of the outline approval in relation to offsite highway works;
- Whilst a contamination report has been carried out by Wardell Armstrong on behalf of the developers. VVSM still have grave concerns over the historic burial of contaminated waste. We have carried a lot of research into this and note that although Wardell Armstrong did tests for contamination none were carried out on the Business Park itself especially where the mill was sited. We would ask that more comprehensive tests are carried out, as we know Cadmium which has been buried there over the years once disturbed will go airborne;
- Once again, we are doubtful about the above because of the soil importation regarding the Remediated Toxic Tip. Some loads of soil bought in to fill this tip were contaminated, how many went through the net? Or indeed how many will be missed next time. The people responsible will not want to test every single vehicle that is bringing in soil for this project and we must hope that is registered correctly. There is no one to police this action;
- The village of Hilderstone has severe issues with HGV's cutting through from Stone/Stafford to connect with the A50 as there is a very winding road passing through the village with houses on the edge of the road and no footpath and no possibility of ever having one due to the location of the houses. It is important to note that although there is a large notice on the outskirts of the village when travelling from Stone it does not deter HGV's from ignoring this and relying too much on the Satellite Navigation system;

- When the A50 is closed due to accidents the road through to Uttoxeter via Draycott, Totmonslow, Upper Tean, Lower Tean and Checkley is horrendous because of the amount of not only cars and vans but the amount of HGV's which use the A50 having to use this route;
- Cresswell also suffers the Stafford rat run. Some members of VVSM are also part of the Cresswell Community Speedwatch Group and can confirm that what you would normally call off peak we can have as many as 300+ vehicles travelling through Cresswell in one hour. This is not fiction it is fact; and,
- VVSM would like to see this application go through the Planning Committee and not delegated powers. We would like to be informed of the date of the proposed planning meeting so that we can attend same.

<b>Consultee</b>	<b>Comments</b>	<b>Response</b>
<b>Draycott Parish Council</b>	Awaited	Members will be updated at the meeting.
<b>Environment Agency</b>	No objections, see comments below:	Refer to technical matters section.
<p><i>12.11.18</i></p> <p>The Environment Agency has reviewed the hydraulic model and accompanying report titled "Blythe Park Hydraulic Modelling Study" prepared by JBA Consulting, Rev 5.0, dated October 2018. Based on the information submitted we have no objection to the discharge of condition 15 on Planning Permission SMD/2014/0576. We are satisfied the deficiencies highlighted in our previous letter, ref. UT/2018/117221/01-L01 dated 03 July 2018, have been resolved. We expect the findings of the aforementioned model report to be used to inform the detailed design of each phase of Reserved Matters.</p> <p><i>03.07.18</i></p> <p>The Environment Agency objects to the proposed development on the following grounds:</p> <p>The application site lies within Flood Zone 3 defined by the Environment Agency's Flood Map for Planning (Rivers and Sea) as having a high probability of flooding. Paragraph 103, footnote 20 of the National Planning Policy Framework (NPPF) requires applicants for planning permission to submit an FRA when development is proposed in such locations.</p> <p>In the absence of a Flood Risk Assessment (FRA), we object to this application and recommend refusal of planning permission until a satisfactory FRA has been submitted. Please note Condition 15 on planning permission SMD/2014/0576 requires the submission and approval of a detailed hydraulic model of the River Blithe and ordinary watercourse crossing the site. This information should be subsequently used to inform the site specific FRA for this Reserved Matters application.</p>		
<b>Lead Local Flood Authority (LLFA)</b>	See comments below:	Refer to technical matters section.
<p>Condition 18 relates to having a detailed scheme for surface water drainage works for the site and would be discharged by ourselves as LLFA. If we assume the modelling is</p>		

approved and agreed by the EA as it stands, there are still a number of points which I would need to resolve in order to discharge condition 18 detailed as follows:-

The surface water drainage and layout for Phase 1 appears to be acceptable. Microdrainage results are predicting floods at 9 locations for the 100 year storm. However, it does not say how much water is overflowing and there is no plan to show where that flood water will go to. Flood Volumes and indicated exceedance flow rates are required.

<b>Crime Prevention Officer</b>	No objections, subject to comments below:	Noted.
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Specifically in relation to Phase 1B commercial development, the applicant's attention is directed to the Secured by Design Commercial Developments 2015 Design Guide, which is available to view on the police's Secured by Design website ([www.securedbydesign.com](http://www.securedbydesign.com)). This provides design guidance and minimum recommended manual attack-resistant specification requirements for doors, shutters etc. to reduce the risks of crimes against the person and property crimes including such things as burglary, theft and arson. The installation of appropriately certified products to the recognised security standards contained within is recommended.

<b>SCC Highways</b>	No objections in principle subject to additional car parking as per the comments below:	Refer to layout section.
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I have no objection in principle to warehouse unit but I would offer the following observations; the car parking levels seem low for this type of unit but in lieu of having no approved parking standards then this would be difficult to resist or insist on additional parking. Ideally further detail could be submitted justifying the parking numbers proposed.

The drawings do not show any construction details for car parking; I would expect all car parking, access roads and aisles to be hard surfaced. I would also require that the service yard is kept clear of any external storage to allow HGV's sufficient space to safely manoeuvre. This will need to be clearly annotated on the plans.

The above comments will need to be addressed and the drawings changed before I would fully support this element of the reserved matters.

The cycle parking is to be welcomed but may better located closer to the office part of the building where it would benefit from natural surveillance and lighting.

Again the parking and servicing will need to be implemented prior to occupation.

The Local Highways Authority have recommended the condition discharge of the following highway conditions in relation to the outline scheme approval ref. SMD/2014/0576 relating to conditions: 10, 11, 12, 13, 14 and 39 based on the following drawings:

- 17001-SK16 (Emergency vehicle access details)
- 17001-103, 17001-104 (General arrangements)
- 17001-203, 17001-204 (Setting out - coordinates)
- 17001-231, 17001-232 (Setting out - chainages)

- 17001-233, 17001-234 (Setting out - chainages)
- 17001-251, 17001-252 (Contours)
- 17001-253, 17001-254 (Contours)
- 17001-801, 17001-802, 17001-803, 17001-805, 17001-850 (Standard details)
- 17001-501, 17001-503 (Lighting, signs and markings)
- 17001-S11, 17001-S14, 17001-S16, 17001-S18 (Signs)
- Construction Traffic Management Plan Issue 1

<b>SMDC Aboricultural Officer</b>	No objections subject to a condition as detailed below	Refer to layout section.
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12.11.18

Further to my previous comments of 13<sup>th</sup> April 2018, and subsequent discussions with the applicant/agents, revised landscape proposals have been submitted seeking to address precious issues raised.

The detailed new planting proposals, as set out on EDP Phase 1b: Detailed Landscape Design Sheet 1 of 2 and Sheet 2 of 2 (Drg. No. Edp1677\_d044c), importantly now shows a substantial native tree and shrub planting screening buffer along the south-west side of the Phase 1b Plot 1 site forming the external boundary of the overall industrial development site against open countryside.

This is now shown to be nominally the full 20m width, as agreed at outline stage and indicated on the original Illustrative Landscape Strategy plan (Drg. No. EDP 1677/39b); this means the planting belt would extend beyond the red edge of the application site, but would be deliverable as it would nonetheless be partly within the blue-edged land also under the applicant's control – again as discussed and agreed at outline stage.

The planting specification has been revised for this structural landscape buffer, and now comprises a much more appropriate mix of mainly native tree species (high canopy and understorey, together with supporting native shrub layer) across the full width of the planting belt, which would provide increasingly effective screening as it matures. This extends along the full length of the Plot 1 site. Similar planting proposals to extend this structural screening buffer would be required/should be anticipated in association with future development phases (other than where the gas main easement prevents planting) – once again in accordance with the original Illustrative Landscape Strategy plan at outline stage; however it is noted that the latest Illustrative Landscape Masterplan (Drg. No. EDP 1677 d041b) does not in fact show south-eastwards continuance of the screening buffer outside the red edge, and this would need to be addressed with future phase submissions.

Elsewhere within the Plot 1 site, further on-site landscaping is proposed comprising mainly native trees, native hedgerow and shrub planting areas, meadow grass and amenity grass.

I therefore confirm that the revised landscaping proposals for the Phase 1b Plot 1 site, including adjacent structural screen planting belt along the southern boundary of Plot 1, as now shown on EDP Phase 1b: Detailed Landscape Design Sheet 1 of 2 and Sheet 2 of 2 (Drg. No. Edp1677\_d044c), are acceptable to discharge the reserved matters landscaping submission requirements of this Phase 1b.

The Phase 1a (re-aligned site access road) now more closely follows the existing roadway within the existing industrial estate; the red edge for the Phase 1a road, together with that for the Phase 1c new roundabout and road link onto Sandon Road, are closely drawn to the edges of these roads and have no spatial opportunity for new landscaping. Therefore any new landscaping along these routes will need to be included with/secured in association with future development phases.

As landscaping is a reserved matter, there is no specific implementation condition imposed on the outline planning permission, and I would therefore request that the following condition be imposed in the event that reserved matters landscaping is now approved:

- 1. The detailed planting scheme shown on EDP Phase 1b: Detailed Landscape Design Sheet 1 of 2 and Sheet 2 of 2 (Drg. No. Edp1677\_d044c) shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the Phase 1b Plot 1 development hereby approved. The trees, shrubs, hedging, groundcover and grass seeding planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.*

17.04.18

This proposal for a greenhouse manufacturing and storage warehouse is part of the eastern employment development area of the overall site. The Phase 1b site itself is not physically defined on the ground by existing features other than the course of the River Blithe along its north-western edge; there are no existing trees or hedges which would be affected by this element of the scheme.

The reserved matters landscaping scheme provides detailed plans and schedule for the landscaping of Phase 1B. Generally species mixes are appropriate with a heavy bias towards use of suitable native species which would be in keeping with the open rural area (in terms of boundary screening) and provide ecological/habitat benefit.

However, I have some concerns over the landscape buffer area along the south-west side of the plot. There is no existing field boundary here, it is just a notional boundary line drawn on a plan to suit the extent of proposed development, and therefore this boundary will initially be visually open and the proposed development of the very large warehouse building for the current Phase 1b application, plus subsequent proposals to the south-east, would be in full view and have substantial visual impact. Whilst the principle of this development has been agreed via the outline planning permission, I note that the outline application included an indicative landscape strategy plan providing for a structural landscape belt of new native hedgerow with dense woodland-type planting on its northern side, which following some negotiation and amendment was agreed to be "not less than 20m" wide in total – this would require the majority of this belt to be located outside the outline (and current reserved matters) application site red edge, but this is in blue-edged land also in the applicant's control and therefore appropriate for inclusion in conditional details.

The current reserved matters landscape scheme provides only for that part of this belt within the red edge, being of approximately 7m planting width only. The reserved matters submission makes no provision for any planting outside the red edge. Given that this Phase 1B site comprises half of the currently exposed south-west boundary and proposes to accommodate a massive building of huge footprint area and 15m tall to the ridge, it is considered important that the whole length and depth of the indicated structural landscape belt along this edge of the overall site is implemented as early as possible. However, the submitted landscape scheme under current reserved matters application does not provide for this, and I am unclear as to how it would otherwise be provided for.

In terms of detail, the submitted planting belt for the 7m width within the red edge is also insufficient. What is needed is a mix of closely planted tree species (across the full minimum 20m width) capable of achieving significant height and consequently providing effective screening through both height and width/density once established. However, the planting schedule for the “native structure planting” proposed for this strip is a mix of mainly shrub species which although providing good density would not provide much height even at maturity. A single line of tree species is shown to support this native structure planting mix.

The proposed detailed landscaping scheme submitted for reserved matters landscaping in relation to Phase 1B would therefore prove unacceptably ineffective and is not in accordance with the indicative landscape strategy submitted at outline planning stage.

<b>SMDC Ecology</b>	Comments are detailed below:	Refer to layout / appearance section.
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*Hedgerows*

Native hedgerow planting mixes within the site are acceptable. Hedge plants should be 40-60cm transplants of locally common native species and of British provenance (preferably local) and should comply to British Standard 3936. Hedgerows should be planted with 6 plants per metre in two staggered rows, about 25cm apart with plants at approximately 45cm in each row. Hedgerow plants should be protected with a hedge guard and secured by a cane or stake. Other details provided in the specification for the establishment of hedgerow are acceptable. Full details of remedial replacements, plus long-term aftercare should be provided. This should include management regimes for trimming and hedge laying, with suggested timescales.

*Grassland*

In relation to the north-east grassland and scrub buffer to phase 1B the EM3 wildflower seed mix meets the requirement to establish a species rich grassland areas. Further information is required in relation to the management regime for this grassland In particular initial and longer term cutting regimes. Management should mimic hay-level cutting regimes with cuttings removed Between July - September. Details of how the establishment of the meadow grassland will be monitored, and what will be indicators of success and remedial measures should be provided.

Special General Purpose Meadow Mixture Emorsgate Wet Grassland mix adjacent to the water course WFG18 with a sowing rate 4g/Sq.m is appropriate. Details of seedbed

preparation, management and removal of weeds such as dock are adequate. Details of how the establishment of the meadow grassland will be monitored, and what will be indicators of success and remedial measures should be provided.

Trees within the watercourse buffer are generally of acceptable native local species such as alder and willow. Details need to be provided regarding the longer-term management of the tree scrub buffer amongst the species rich grassland. Periodic coppicing would produce age structure with the scrub and could benefit a range of invertebrates and breeding birds. The provision of nest boxes on trees when established could further enhance biodiversity.

At the south-west corner of phase 1B adjacent to the greenhouse factory car parking area it would be desirable to extend the area of species rich grassland areas.

#### *Provision of roosting sites for bats*

Condition 33 of the outline application decision notice relating to ecology stipulated Provision of bat roosting, swift nesting and house sparrow nesting opportunities in the industrial units. The proposed landscaping plan does not appear to show their location, design, or detail aftercare and maintenance of installed features.

#### *Watercourse features*

The watercourse along the northern boundary of phase 1B appears as a linear feature. Planning condition 33 indicated that in channel features should be installed to improve the ecological value of watercourses. There is no indication in the landscape management plan of how the stream/ drainage ditch topography could be engineered to improve its for biodiversity value.

#### *Attenuation Pond*

Planting mixes of WFG18 and EM3 around the attenuation pond are adequate. The scrub planting mix around the pond is acceptable. A management plan for the scrub buffer around the southern side of the attenuation pond should be provided. It is important to ensure that two thirds of the pond remains open. A mix of unshaded and shaded pond periphery will maximise biodiversity.

#### *Tree buffer on southern side of greenhouse factory*

Species selected for the linear strip of planting on the southern side of the Greenhouse factory are generally low growing scrub species. A wider buffer would have greater wildlife value and habitat and for breeding birds or foraging areas for bats. The type of locally native tree species to provide effective screening should also be considered.

<b>Severn Trent Water</b>	No objections to the proposals subject to the inclusion of the following condition:	Noted – refer to technical matters section.
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Condition:

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

<b>SMDC Regeneration</b>	Comments are detailed below:	Noted. Refer to planning balance section.
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The site has approved outline planning permission for a significant extension to an existing popular industrial estate close to the A50. These comments relate to the reserve matters application for a phase 1 delivery which includes required s278 off site roadworks, infrastructure works to unlock the development and build out the first unit (10,750sqm) for an expanding manufacturing SME which requires early occupation to meet growth and which without suitable accommodation is likely to leave the district and county. The infrastructure will also act as an enabling phase to facilitate second phase development to include 22,730sqm of new commercial accommodation as well as releasing 8,361sqm of existing commercial space for other SMEs from the adjacent relocation.

The direct benefits of the initial phase delivered through this reserve matters application include

- 10,750sqm new business accommodation
- Additional Business rates income of additional £128,180 per annum (based on rateable value of £260,000)
- 12 SME supported (Greenhouse People + 11 x new SME occupiers)
- 190 jobs created (Greenhouse People 10 additional jobs (safeguarding 60) + 180 in 11 sme occupiers)
- Productivity improvements for The Greenhouse People

The direct benefits of the second phase enabled by this initial approval

- 22,730 sqm new business accommodation
- Additional Business rates incomes of c£275,000 per annum
- 10-20 SMEs supported
- 225-685 new jobs (based on HCA Employment density guide for B1c-B8 use third edition)

As total scheme

- 33,480 sqm new commercial accommodation (accommodating estimated 32-42 expanding businesses)
- Additional business rates income of c £400,000 per annum
- 415-875 new jobs

In addition to the benefits above, the Council have an adopted methodology for quantifying the economic impact of growth. This recognises the impact on the economy of re-spend of employees in our towns and communities and the jobs that this in turn supports. The creation of between 415 new positions is likely to have a minimum

economic boost of £800,000 to the locality.		
<b>SMDC Environmental Health</b>	No objections subject to the inclusion of conditions to address the following issues:	Refer to technical matters section.
<ol style="list-style-type: none"> <li>1. There is a standard plant and machinery condition applying to the entire development so increases in background noise are not permitted.</li> <li>2. To show that this is understood we would expect details of what is to be installed and how it would be attenuated so that amenity of existing and future occupiers is considered and the plant machinery noise is complied with. All plant and machinery noise impacts would be measured in line with BS4142:2014.</li> <li>3. We would advise the Greenhouse Building is appropriately sound insulated and the appropriate material is used so far is reasonable and that BS8233:2014 is complied with in order that noise escape from inside operations are minimised. The insulation should be appropriate for the use.</li> <li>4. The original noise assessment submitted with the application is still valid in my opinion noise emissions from this plant should not exceed those currently existing.</li> <li>5. The housing scheme will need a new noise assessment so it is vital this building and its operation does not compromise that part of the scheme hence 1-4 above are important.</li> </ol>		
<b>SMDC Waste</b>	No comments.	Noted.

## 7. OFFICER COMMENT AND PLANNING BALANCE

### Policy & Principle

7.1 The determination of a planning application should be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.

7.2 Section 38(6) requires the Local Planning Authority to determine planning applications in accordance with the development plan, unless there are material considerations which 'indicate otherwise'. Section 70(2) provides that in determining applications the Local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations". The Development Plan currently consists of the Staffordshire Moorlands Core Strategy.

7.3 The revised National Planning Policy Framework (NPPF) was issued on the 24th July 2018. The Framework is considered to be a mandatory material consideration in decision making. The applicable contents of the revised Framework will be referenced within the relevant sections of the officer report as detailed below.

7.4 Once again achieving sustainable development sits at the heart of the Framework as referred to within paragraphs 10 and 11. As before, achieving sustainable development requires the consideration of three overarching and mutually dependant objectives being: economic, social and environmental where they are to be applied to local circumstances of character, need and opportunity as follows:

- a) *an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) *a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of the present and future generations; and by fostering a well designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well being; and,*
- c) *an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making the effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

7.5 Paragraph 11 of the Framework requires decision makers to apply a presumption in favour of sustainable development. For decision makers this means approving development proposals that accord with an up-to-date development plan without delay.

7.6 Reserved matters planning consent is sought at Plot 1 for a warehouse assembly unit pursuant to the approval of outline planning permission ref. 2014/0576 granted planning permission on the 24<sup>th</sup> May 2016.

7.7 In detail, the outline consent established the principle of development and site access. In terms of highway considerations, it secured the proposed main site access arrangements from the Sandon Road, as well as the other access points as per Condition 04 of the outline planning consent. In these regards, the highways access was found to be acceptable in terms of the proposed access points and its impact on the wider local highway network, subject to achieving offsite junction improvements as were secured.

7.8 Other strategic matters were assessed in relation to impacts of: drainage / local flood risk; water quality in relation to the River Blithe; ecology; trees; pollution / contamination and infrastructure provision. These matters were found to be acceptable for the quantum of development as proposed, subject to the planning conditions / obligations as secured by the outline consent. As such this application does not represent an opportunity to revisit those matters. The main issues in the consideration of this application therefore are only the layout, scale, landscaping and appearance of the development. (For Members convenience, the outline planning conditions are detailed as Appendix 1 to the officer report and planning obligations are summarised above.)

7.10 The proposed manufacturing building is shown to be sited within the employment use area as per the Land Use Parameters Plan and internal vehicular access as approved at the outline stage.

### **Layout, Scale, Landscaping and Appearance Matters**

7.11 The proposed application site borders open countryside immediately to the south and herein CS Policy DC1 'Design Considerations' and CS DC3 'Landscape Settlement and Settings' is herein relevant. In these regards, the scheme's siting and scale parameters 157.5m x 62.5m x 15.2m require careful consideration in relation to landscape impact in the context of the outline planning permission approving the principle of employment provision within the wider site.

7.12 Scheme revisions have secured a substantial 20.0m native tree and shrub planting screening buffer along the south-west side of the Phase 1b Plot 1 site forming the external boundary of the overall industrial development site against open countryside as detailed within the relevant consultation section above. Whilst the planting belt would extend beyond the red edge of the application site, it would nonetheless be deliverable in view of the blue-edged land which falls under the applicant's control and reflects the principles of landscape mitigation agreed at the outline approval stage.

7.13 The Council's Aboricultural Officer confirms that the revised structural landscape buffer, which extends along the full length of the Plot 1 site comprises of high canopy and understorey native trees, together with supporting native shrub layer across the full width of the planting belt to provide for an increasingly effective screening as the tree planting matures. Elsewhere within the Plot 1 site, it is confirmed that further on-site landscaping is proposed comprising mainly native trees, native hedgerow and shrub planting areas, meadow grass and amenity grass and address those relevant comments of the Council's Ecology Officer as set out above.

7.14 Accordingly, the revised reserved matters landscaping submission is acceptable in respect of this first phase of development of the wider outline scheme. This would be subject to a specific implementation condition to secure the reserved matters landscaping for this phase.

7.15 In respect of other layout matters, the proposed scheme building makes efficient use of the plot whilst providing an appropriate screen buffer as detailed above. A total of 64 spaces are provided within the main car park and visitors parking areas in accordance with the requirements of the end user. The Local Highways Authority raises no objection in principle to warehouse unit, however, consider that the parking standards appear to be low for the type of unit sought and requires further justification for the parking numbers proposed. The Local Plan submission version sets out parking standards at Appendix 8 for Non-Residential Development. In accordance with these standards, the scheme generates the following parking requirements: Class B1 Offices: 930sqm at 43 spaces; Class B2 General Industrial: 2,088 m<sup>2</sup> at 47 spaces and Class B8 Storage or Distribution: 7,334sqm at 30 spaces to total 120 parking spaces. The applicant sets out that a further 56 spaces could be made available in the service yard to comply with the above should there be a material change in circumstances. A site plan has been submitted to the Council showing how these additional spaces could be accommodated and appears to be an acceptable solution, which could be secured by

means of planning condition reserving such land if required. The site plan showing additional car parking provision is subject to the comments of the Local Highways Authority and Members will be updated at the meeting.

7.16 The detailed design matters have sought to demonstrate that the scheme accords with the scheme parameters established at the outline stage. The building would be finished in a recessive grey and would be screened to its prominent countryside edge by an appropriate landscape buffer to reduce its prominence within its context.

## **Conclusion and Balance Section**

7.17 The proposal will have substantial direct economic and social benefits arising from job creation, and spending in the local economy including both construction and the supply chain. Overall it is concluded that the limited residual landscape harm which has identified above does not substantially and demonstrably outweigh these benefits. Subject to the receipt of the acceptable comments from SCC highways in relation to the amended car parking plan, the proposal is considered to comply with the relevant local plan policies as listed above in all other respects and on that basis is recommended for approval subject to those conditions as detailed below.

### **1. RECOMMENDATIONS**

#### **A. APPROVE subject to the following conditions:**

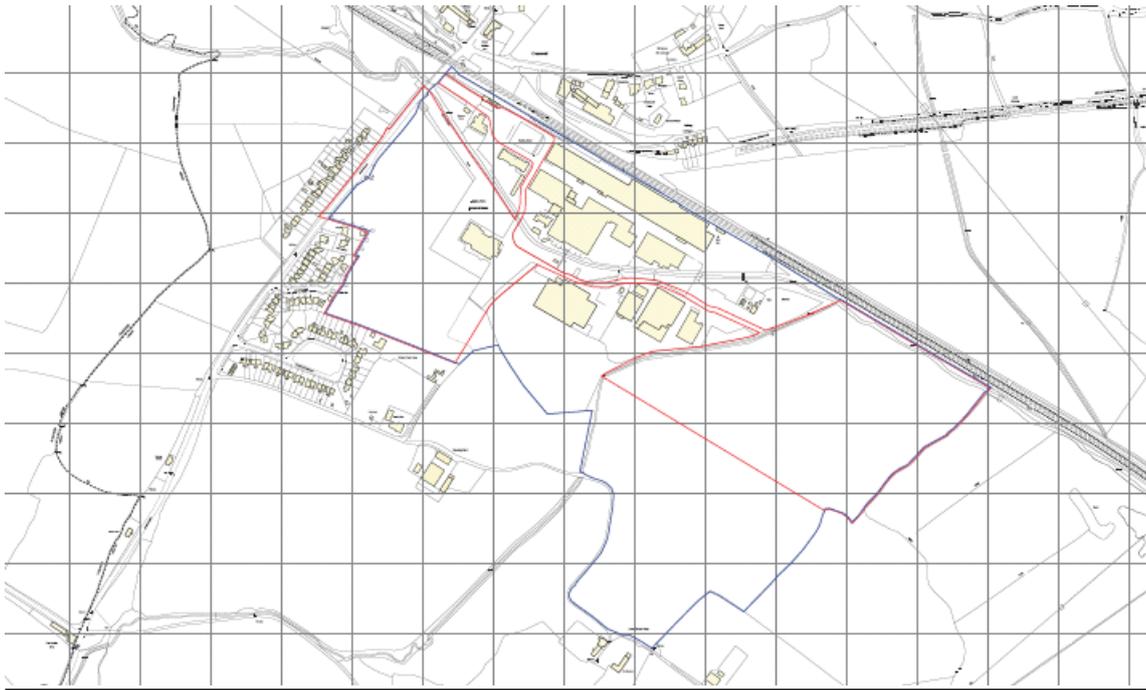
- 1. The development hereby approved shall be carried out in accordance with the following submitted plans: to be advised.**
- 2. Prior to the construction of any of the manufacturing unit hereby approved, details and samples of proposed facing materials and hard surfacing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**
- 3. The detailed planting scheme shown on EDP Phase 1b: Detailed Landscape Design Sheet 1 of 2 and Sheet 2 of 2 (Drg. No. Edp1677\_d044c) shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the Phase 1b Plot 1 development hereby approved. The trees, shrubs, hedging, groundcover and grass seeding planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.**
- 4. The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the**

development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

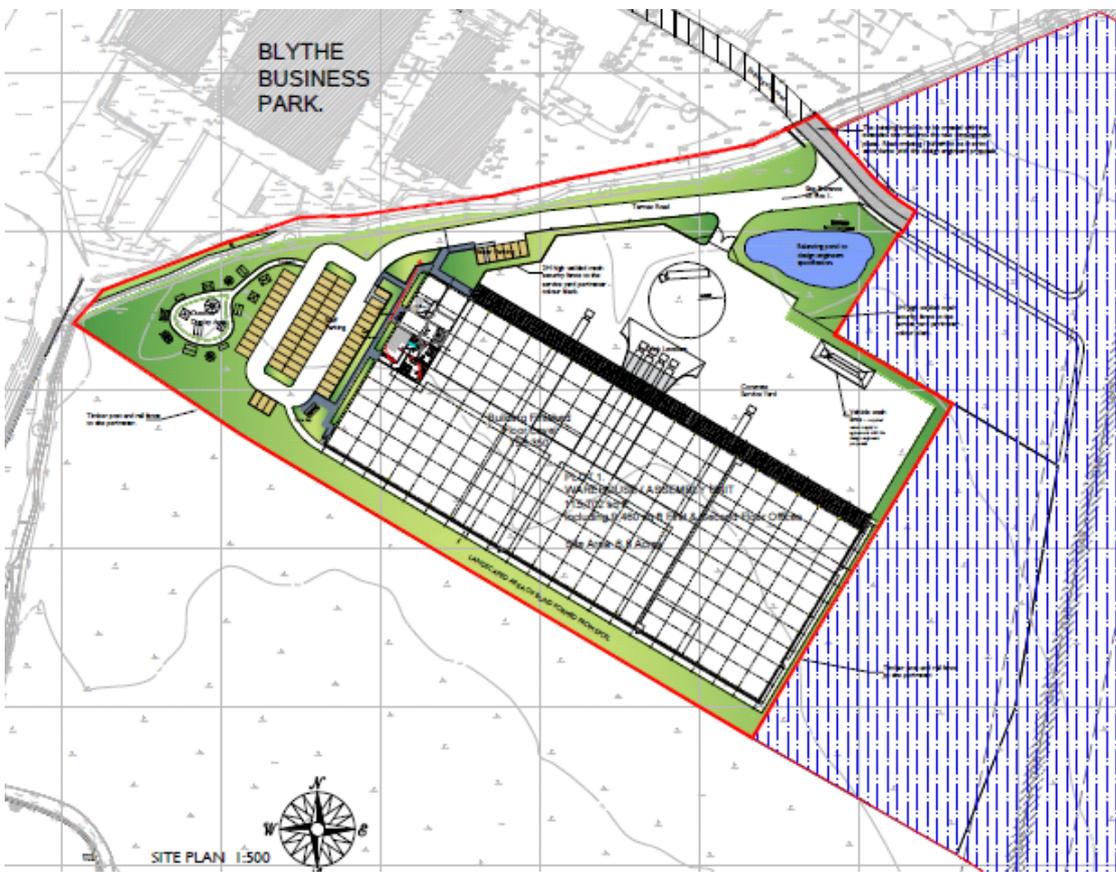
5. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.
6. Land for the reserve parking areas as shown on site plan drawing reference: A-082-P-11 shall be retained unobstructed as future parking provision for the life of the development.

**B.** In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Operations Manager - Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

**Location Plan (as approved at the outline stage)**



**Site Plan (Phase 1 Manufacturing Unit)**



## **APPENDIX 1**

### Outline Conditions (for information)

#### General

1. No phase of the development (as approved under Condition 06) except for works of site clearance and demolition hereby permitted shall be commenced until full details of the layout, scale, appearance and landscaping (hereinafter called “the reserved matters”) for that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.
2. Application for approval of the first reserved matters (as identified in condition 01) shall be made to the Local Planning Authority no later than the expiration of 4 years from the date of this permission and the last application for reserved matters approval shall be made no later than 6 years beginning on the date of this permission.
3. Each phase of the development hereby permitted (pursuant to the details to be provided for condition 6) shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved for that phase.
4. The development hereby permitted shall not be carried out except in accordance with the access details shown on the following submitted plans:-
  - Location Plan drawing ref. 2500 BW1-00359737
  - 120314-08 rev B
  - 120314-04 rev C
  - 120314-06 Rev ANo more than 168 dwellings shall be developed on the site.
5. The total gross floorspace of the non residential elements of the development as defined by the Town and Country Planning (Use Classes) Order 2015 (as amended) hereby permitted shall be limited as follows:-
  - Employment Units (B1b,c / B2/ B8): up to 33,480 sqm
  - Shop (A1) up to 250 sqm
  - Community Facility (D1) up to 250 sqm

The development shall be carried out in accordance with the approved details.

6. No development, with the exception of site clearance and demolition shall commence until there has been submitted to and approved in writing by the Local Planning Authority a Phasing Programme. The Programme shall provide details of the phasing of the development including the extent and composition of the phases and the overall likely programme for the development. The development shall only be carried out in accordance with the approved Programme.
7. The Phasing Programme approved pursuant to condition 06 may be amended from time to time with the written approval of the Local Planning Authority. If the Local

Planning Authority considers that such an amended Programme will result in a change to or extension of the development such that the development as changed or extended may have significant adverse effects on the environment for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (the Regulations), then the amended Programme shall be accompanied by an appropriate Environmental Statement and the application for the amended Programme shall be determined in accordance with the requirements of the Regulations.

8. There shall be maintained at all times a Masterplan for the whole of the development site which shall be submitted to and approved in writing by the Local Planning Authority at the time of submission of the first application for approval of reserved matters. The Masterplan may be updated, from time to time with the written agreement of the Local Planning Authority, as each application for approval of Reserved Matters or other scheme in respect of each phase or part of the development is submitted. Development shall proceed in accordance with the approved Masterplan. Such Master Plan shall:
  - (i) show connections through the site and onto the public highway for pedestrians and cyclists,
  - (ii) show residential street layout and character, and,
  - (iii) be in general accordance with the Design and Access Statement submitted with this application.

#### Highways

9. No phase of development hereby permitted shall be commenced until full details of the following have been submitted to and approved in writing by the Local Planning Authority for that phase:
  - layout of site including disposition of buildings and provision of parking, turning and servicing within the site curtilage;
  - means of surface water drainage from all areas intended to remain in private ownership, and,
  - full road construction including longitudinal sections and a satisfactory means of draining roads to an acceptable drainage outfall.The development shall thereafter be implemented in accordance with the approved details and phasing plan and be completed in respect of each phase prior to first occupation of that phase of the development.
10. The development hereby permitted shall not be commenced until details of the access arrangements indicated on drawing no. 120314-04 rev C (including alterations to the existing access and provision of bus stops) have been submitted to and approved in writing by the Local Planning Authority. These shall incorporate further two-dimensional and three dimensional revisions as recommended by subsequent Safety Audits and shall be constructed in accordance with the approved plans prior to first occupation of any part of the development.
11. The development hereby permitted shall not be commenced until details of the off site highway works at the junction of Cresswell Lane and Uttoxeter Road indicated on drawing no. 120314-08 rev B and footway works indicated on drawing no. 120314-06 rev A have been submitted to and approved in writing by the Local Planning Authority

which shall incorporate further two-dimensional and three dimensional revisions as recommended by subsequent Safety Audits and shall be constructed in accordance with the approved plans prior to first occupation of development.

12. The development hereby permitted shall not be commenced until an off-site traffic management scheme comprising a signage scheme detailing the permitted routing for HGV traffic accessing and leaving Blythe Business Park shall be submitted to and approved in writing by the Local Planning Authority. The approved traffic management scheme shall thereafter be implemented prior to first use of the commercial development in accordance with the approved plans.
13. The development hereby permitted shall not be commenced until a Construction Traffic Management Plan is submitted to and approved in writing by the Local Planning Authority detailing the management and routing of demolition / construction traffic (ensuring such traffic travels in a northerly direction to and from the site), traffic management measures, delivery times, internal compound arrangements and wheel washing facilities. The approved Construction Traffic Management plan shall be implemented on the commencement of construction and thereafter be adhered to for the full period of construction unless otherwise agreed in writing by the Local Planning Authority.

#### Flood Risk

15. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) reference JL30799\_NHY-RP-001 Rev B produced by Jacobs dated August 2014 and the following mitigation measures detailed within the FRA:
  - Limiting surface water run-off generated by all storm events up to and including the 1 in 100 year plus climate change critical storm so that it will not exceed run-off from the undeveloped site and not increase the risk of flooding off-site.
  - Finished floor levels of the proposed residential units shall be set no lower than 650mm above the 1 in 100 year plus climate change flood level.
  - Provision of compensatory flood storage if required.The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
16. At reserved matters, a detailed hydraulic model of the River Blithe and the ordinary watercourse crossing the site shall be submitted to and approved in writing by the local planning authority in consultation with the Environment Agency. The scheme shall be implemented as approved.
17. No development shall take place including works of demolition until such time as a scheme for detailed surface water drainage works on the site, including the phasing of such works (based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development) has been submitted to and approved in writing by the Local Planning Authority. Any reference to a phase in Conditions 16 to 17 inclusive shall be to the phasing approved pursuant to this condition.

The scheme to be submitted shall include:-

- Demonstrate that the surface water drainage system(s) are designed in accordance with CIRIA C697 and C687 or the National SuDS Standards, should the later be in force when the detailed design of the surface water drainage system is undertaken;
- Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 30% (allowance for climate change) critical rain storm to ideally the Greenfield runoff rates for the site. As a minimum, the developed site must not exceed the run-off from the undeveloped site and must not increase the risk of flooding off-site;
- Demonstrate the provisions of surface water run-off attenuation storage in accordance with the requirements specified in '*Science Report SC030219 Rainfall Management for Developments*';
- Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods, and,
- Confirm how the on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters.

The scheme for each phase shall also include:-

- Final drainage calculations for the site taking into account the drainage catchment areas from each phase of the development (determined through Condition 6) as they contribute to the site network;
- Infiltration tests for use of soakaways;
- Final drainage layouts including SuDS;
- Details of how the scheme shall be maintained and managed in perpetuity after completion, and,
- Details of the landscaping and safety features of any balancing ponds.

The scheme shall be fully implemented and subsequently maintained in accordance with the timing/phasing arrangements embodied within the scheme.

18.No phase of the development hereby permitted shall be commenced until comprehensive details of permanent foul drainage proposals for that phase of the site have been submitted to and approved in writing by the Local Planning Authority. No dwelling of the development hereby permitted shall be occupied in any phase until the foul drainage scheme for that phase has been implemented in accordance with the approved details.

#### Groundwater and contamination

19.No development except for works of site clearance and demolition (not to include break up or removal of hardstanding or other excavation) shall take place until such time as a phased remediation strategy that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. Any reference to phases in Conditions 17 to 18 inclusive shall be to the phases set out in the remediation

strategy approved pursuant to this condition. The scheme to be submitted shall include:-

I. A preliminary risk assessment which has identified:

- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors, and,
- potentially unacceptable risks arising from contamination at the site.

II. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

III. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

IV. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be fully implemented as approved and subsequently maintained in accordance with the timing/phasing arrangements embodied within the scheme

20. No occupation of any phase of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved for each phase.

### Design

21. No phase of the development hereby permitted shall be commenced until detailed plans and sections showing existing and proposed site levels for that phase and showing the proposed relationship with adjacent phase(s) have been submitted to and approved in writing by the Local Planning Authority and the development thereafter shall only be carried out as approved.

22. No phase of the development hereby permitted shall be commenced until a landscaping strategy for that phase and showing the proposed relationship with adjacent phase(s) have been submitted to and approved in writing by the Local Planning Authority and the development thereafter shall only be carried out as approved.

### Amenity

23. No phase of the development hereby permitted shall take place until a Construction and Environmental Method Statement for that phase of the site has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

- I. The method and duration of any pile driving operations (expected starting date and completion date);
- II. The hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 07:00 to 19:00 hours Mondays to Fridays, and 08:00 to 16:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;
- III. Pile driving shall not take place outside 09:00 to 16:00 hours Mondays to Fridays, nor at any time on Saturdays, Sundays or Bank Holidays;
- IV. The arrangements for prior notification to the occupiers of potentially affected properties;
- V. The responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- VI. A scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction phase;
- VII. Details of wheel washing facilities. All construction vehicles shall have their wheels cleaned before leaving the site;
- VIII. A scheme for recycling/disposal of waste resulting from the construction works;
- IX. The parking of vehicles of site operatives and visitors;
- X. The loading and unloading of plant and materials;
- XI. The storage of plant and materials used in constructing the development;
- XII. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- XIII. Installation and maintenance of wheel washing facilities, and,
- XIV. Details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works.

All works within a phase of development shall be carried out in accordance with the approved details.

24. Except for works of site clearance and demolition, no phase of the residential development hereby permitted shall take place until a site specific noise assessment and scheme for protecting the proposed residential units for that phase of the site from external noise has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall have due regard for the British Standard 8233:2014 (Sound insulation and noise reduction for buildings) and be designed to achieve noise levels of less than 35 dB LAeq in bedrooms, less than 40 dB LAeq in living areas and less than 55 dB LAeq in outdoor living areas. Pre-completion tests shall be carried out to verify compliance with this condition. A report shall be produced containing all raw data and showing how calculations have been made. No dwelling within that phase hereby permitted shall be occupied until the approved works to that dwelling have been completed in accordance with the approved details.
25. Noise associated with plant or equipment ("machinery") installed or operated at the non-residential floorspace hereby approved shall not increase the background noise levels expressed as  $L_{A90}$  [1hour] (day time 07:00-23:00 hours) and/or (b)  $L_{A90}$  [15 mins] (night time 23:00-07:00 hours) at any residential dwelling above that prevailing when the machinery is not operating. Noise measurements undertaken to demonstrate compliance with this condition shall be pursuant to BS 4142:2014. If required, plant

and machinery shall be mitigated in accordance with a scheme to be submitted to and agreed by the Local Planning Authority in writing, and the plant and machinery shall not be used until the mitigation has been implemented.

26. The design and construction criteria for development of the buildings/premises falling within use class B1, B2 and B8 shall have regard to British Standard BS8233: 2014 Sound insulation and noise reduction for buildings (Guidance Document). The design criteria shall achieve sufficient noise reduction to ensure that the noise from the activities generated inside the fabric of the buildings/premises falling within use class B1, B2, or B8 shall not increase the background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [5 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:1997.
27. The number of HGV vehicle movements into and from the Industrial Area is limited to 16 movements between the hours of 22:00 and 06:00. Records to prove compliance should be maintained and submitted to the Local Planning Authority upon request. All records should be retained for at least 12 months.
28. No overnight parking shall be allowed on the access road between the hours of 18:00 and 06:00.

#### Archaeology

29. No phase of the development hereby permitted shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority and until any pre-start element has been completed in accordance with the approved scheme. The scheme shall include an assessment of significance and research questions and in particular:
- a) The programme and methodology of site investigation and recording;
  - b) The programme for post-investigation assessment;
  - c) Provision to be made for analysis of the site investigation and recording;
  - d) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
  - e) Provision to be made for archive deposition of the analysis and records of the site investigation, and,
  - f) Nomination of a competent person or persons/organisation to undertake the works.
- No part of the development hereby approved shall be occupied in any phase until the site investigation for that phase has been implemented in accordance with the approved written scheme of investigation.

#### Landscape and Ecology

30. The development hereby permitted shall not be commenced until such time as a scheme to install oil and petrol separators on areas of car parking associated with the B1, B2 and B8 Use Class uses has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

31. No phase of the development hereby permitted shall take place until detailed landscape plans and a Landscape and Ecological Management Plan (LEMP), including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following elements:

- detail extent and type of new planting (planting to be of native species wherever appropriate) ;
- details of maintenance regimes;
- details of any new habitat created on site, and,
- details of treatment of site boundaries and/or buffers around water bodies.

In detail, the plan shall include as a minimum:-

- Details of the favourable conservation objectives,
- Detailed prescriptions to meet objectives for creating and managing retained and created habitats.
- Design and location of bird boxes, planting and landscaping scheme (including hedge planting species composition) to benefit biodiversity.
- Design and provision of green roof for the industrial units;
- Provision of bat roosting, swift nesting and house sparrow nesting opportunities in the industrial units;
- Provision of swift nesting and house sparrow nest boxes in residential units;
- Details of baseline and periodic monitoring to ensure habitats are managed to achieve favourable conservation status as defined by the management plan objectives;
- Inclusion of a riparian buffer strip along the stream;
- In channel stream management as appropriate, and,
- Is fully referenced to justify management advocated.

The approved management plan shall be implemented prior to the occupation of any dwelling development of the first phase and land to which the plan relates shall subsequently be maintained in accordance with the approved details.

32. No tree/shrub clearance work shall be carried out between 1st March and 31st August inclusive in any year, unless the site has been surveyed for that phase in advance for breeding birds and a scheme to protect breeding birds has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

33. No phase of development hereby approved shall be commenced until details of a Construction Ecology Management Plan (CEMP) for that phase, setting out the measures to protect retained features through appropriate fencing and site best practice to avoid pollution from run-off has been submitted to and approved in writing by the Local Planning Authority.

As a minimum the CEMP shall include the following elements:

- machinery operation and fuel storage details;
- Fencing to protect retained habitats and trees (where appropriate in line with British Standards;
- providing briefing and instruction to contractors regarding the biodiversity issues present on site;

- Strict adherence to pollution prevention guidelines provided by the Environment Agency (PPG01, PPG02, PPG03, PPGOE and PPG06) to prevent pollution to the watercourse from chemicals or silt;
- A detailed method statement and plan to protect the adjacent medium sized breeding population of great crested newts;
- Measures to eradicate Monbretia on schedule 9 of the Wildlife and Countryside Act (WCA) and Japanese knotweed;
- Details of a control programme for Himalayan Balsam should be provided as part of the habitat management plan for retained and enhanced habitats.

The CMP shall follow best practice methods throughout and establish protocols and contingency plans to deal with incidents should they arise. The approved CMP shall be implemented in accordance with the approved details.

34. No phase of development hereby approved shall be commenced until details of a lighting scheme for that phase has been submitted to and approved in writing by the Local Planning Authority. The design and location of lighting shall not impact on foraging or commuting bats and shall minimise disturbance to other wildlife avoiding retained and enhanced habitat areas. The scheme shall be implemented in accordance with the approved details.

35. No development hereby approved shall be commenced in respect of the Blythe river bank until details of a crayfish survey has been carried out, which shall be submitted to and approved in writing by the Local Planning Authority. If crayfish are identified by this survey, a mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority before any commencement of development. Any such mitigation strategy shall be implemented in accordance with the approved details and timescales.

36. No development hereby approved shall be commenced until details of an updated badger survey has been carried out to check for the presence of any newly dug setts, which shall then be submitted to and approved in writing by the Local Planning Authority. If a new sett is discovered during this updated survey, or if construction activities extend within 30.0m of a known sett, a mitigation strategy would be required (and depending on the level of disturbance might require a licence from Natural England). The mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority before any commencement of development. Any such mitigation strategy shall be implemented in accordance with the approved details and timescales.

### Trees

37. No phase of the development hereby permitted shall take place (except for works of site clearance and demolition) until a detailed Arboricultural Method Statement to include a scheme for the retention and protection of trees and hedges on or adjacent to that phase of the site has been submitted to and approved in writing by the Local Planning Authority. Development of that phase shall be carried out in accordance with the approved Statement and protection scheme, and in particular:

- a) No trees or hedgerows shall be cut down, uprooted or destroyed, cut back in any way or removed without the written approval of the Local Planning Authority;

- b) If any tree, shrub or hedge plant is removed without such approval, or dies or becomes severely damaged or diseased within 5 years from completion of the development hereby permitted, it shall be replaced by another tree, shrub or hedge plant of similar size and species, planted at such time as may be specified in writing by the Local Planning Authority;
- c) No operations shall commence on site (including soil moving, temporary access construction and/or widening or any operation involving the use of motorised vehicles or construction machinery) unless the protection works required by the submitted/approved protection scheme are in place;
- d) No excavation for services, no storage of materials or machinery, no parking of vehicles, no deposit or excavation of soil or rubble, no lighting of fires and no disposal of liquids shall take place on the site within any area designated as being fenced off or otherwise protected in the submitted/approved protection scheme;
- e) All protective fencing erected in accordance with the approved scheme shall be retained intact for the full duration of the construction of the development hereby permitted and shall not be moved or repositioned, without the prior written approval of the Local Planning Authority.

#### Network Rail Emergency Access

38. The development hereby permitted shall not be commenced until details of the emergency access indicated on drawing no. 120314-09 have been submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail, which shall incorporate further two-dimensional and three dimensional revisions as recommended by subsequent Safety Audits and be constructed prior to first occupation of development in accordance with the approved plans.