

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

24 January 2019

Application No:	SMD/2018/0509	
Location	Land Adjacent To Daisy Bank Farm, Uttoxeter Road Upper Tean	
Proposal	Outline permission with details of access (all other matters reserved) for residential development of up to 55 dwellings including creation of a new access, car parking and ancillary landscaping	
Applicant	Belmont Investors	
Agent	Indigo Planning	
Parish/ward	Checkley	Date registered 10/08/18
If you have a question about this report please contact: Jane Curley tel: 01538 395400 ex 4124 Jane.curley@staffsmoorlands.gov.uk		

REFERRAL

This is a major application and is locally contentious

1. SUMMARY OF RECOMMENDATION

<p>APPROVE subject to the prior completion of a Section 106 legal agreement and conditions</p>

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The site extends to approximately 2.6 hectares and lies to the south east of Upper Tean. It is a greenfield site consisting of a number of fields which are subdivided by hedgerows and fencing. The site wraps around Daisy bank Farm which is excluded from the application. A single new point of access is proposed onto Uttoxeter Road.

2.2 To the south west the land fronts onto Uttoxeter Road apart from a small section which adjoins Daisy Bank Farm, to the north west is a paddock which separates the site from existing housing development. Similarly to the south/south east there are several small fields which separate the site from existing housing development (Hawthorne Close, Furlong Drive). To the south a strip of land separates the site from the property known as Westbourne and an unnamed brook. Levels rise west to east across the site. Public footpath Checkley 59 lies to the south and east of the site.

3. DESCRIPTION OF THE PROPOSAL

3.1 This is an outline application seeking consent for up to 55 dwellings. Approval of access is also sought at this stage; all other matters are reserved for subsequent approval. An Indicative plan is provided which shows a development of 55 dwellings. A Parameters Plan is also submitted for approval. This shows a single point of access off Uttoxeter Road, a 5 metre landscape buffer to the south eastern and north western boundaries and a 6m wide landscape buffer to the southern boundary. Areas of open space/strategic landscaping are also denoted along the Uttoxeter Road frontage.

3.2 The application includes a Planning Statement, Design and Access Statement, Flood Risk Assessment and Drainage Report, Transport Statement, Extended Phase 1 habitat Survey, Tree survey report, Landscape and Visual Impact assessment, Minerals report, Ground report, Affordable housing report and Heads of Terms for a legal agreement. Members are advised to consider all of these documents prior to the meeting.

3.3 The applicant sought pre application advice from the Council PAD/2018/0006. The proposal tabled was for circa 76 dwellings.

4. RELEVANT PLANNING HISTORY

None of note

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. Following consultation last year a Preferred Options Site Allocation DPD is currently out for consultation.

Adopted Staffordshire Moorlands Core Strategy DPD (26th March 2014)

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

 SS1 Development Principles

 SS1a Presumption in Favour of Sustainable Development

 SD1 Sustainable Use of Resources

 SD3 Carbon-saving Measures in Development

 SD4 Pollution and Flood Risk

 SS6C Rural area strategy

 DC1 Design Considerations

DC3 Landscape and Settlement Setting
C1 Creating Sustainable Communities
NE1 Biodiversity and Geological Resources
T1 Development and Sustainable Transport
T2 Other Sustainable Transport Measures

Local Plan process

5.4 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 has recently been held 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 the plan and the examination in public has now taken place
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question. The Officer Comments section of this report identifies the level of outstanding objections to each policy and recommends the amount of weight to be given to them at this stage in the process
- 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 are considered to be relevant to this application:

Policy SS1 Development Principles
Policy 1a Presumption in favour of sustainable development
Policy SS2 Settlement hierarchy
Policy SS8 Larger Villages Strategy
Policy H1 New Housing Development
SS2 Settlement Hierarchy
SD 1 Sustainable use of resources

SD 4 Pollution and water quality
SD 5 Flood Risk
H1 New Housing Development
H3 Affordable housing
DC1 Design Considerations
DC3 Landscape and settlement setting
C1 Creating sustainable communities
C2 Sport, recreation and open space
NE 1 Biodiversity
NE 2 Trees, woodland and hedgerows
T1 Development and sustainable transport

National Planning Policy NPPF

National Planning Policy Guidance

6. CONSULTATIONS CARRIED OUT

6.1 A Site Notice has been displayed and nearby residents notified by letter.

6.2 98 letters of objection received raising the following issues:-

- Access would be hazardous and extra cars would lead to pollution and congestion
- Concern over existing sewage system. In times of heavy rain it leads to sewage overflowing at the junction of High Street and Hollington Road
- The existing footpath along the A 522 is in a poor state of repair and poorly lit at night
- The road is already overburdened with traffic including JCB / Quarry traffic to the extent that the road is dangerous to cross and pull out onto and perhaps unsurprisingly there have been several road traffic accidents. The pavements are inadequate / non-existent in places and it is dangerous for all road users especially pedestrians and cyclists. It is treacherous for anyone with young children
- Infrastructure is not available. This will burden existing facilities.
- 55 houses will swamp Upper Tean.
- High flood risk. It is a flood plain
- Alter the character of this part of the village by replacing quiet countryside with a large housing estate.
- Not identified in the Submission Local Plan as a site or the Neighbourhood Plan after extensive consultations and years of work.
- New access will open up views of the site. It requires a long length of hedgerow to be removed
- Loss of view from existing properties
- Site is rich in wildlife
- This is a greenfield site outside the Development boundary
- Will merge Upper and Lower Tean
- Contrary to SS6 of Local Plan

- Landscapae and Visual Appraisal is misleading
- Lack of public consultation by the Council
- There are other sites in the village that have been given planning permissions recently
- The high street is often impassable with JCB workers and lorries, JCB High-school traffic and coaches using the village as a drop off and pick up point, lorries to and from the quarries every few minutes
- Upper tean has had its quota of housing and doesn't need any more
- Existing pond close by attracts frogs, greate crested newts and smaller smooth newts
- Lack of public open space and play areas
- Should be building on brownfield land
- Inadequate infrastructure support for the development
- The reltionship with the rest of the village is not cohesive. It design does not integrate well.
- It is all about profit not what the local community want
- In the Neighbourhood Plan this is a 'protected view. It is not a green light site under the Plans site selection criteria
- The village is gridlocked every morning with traffic

6.3 3 Letters of support raising the following issues:-

- There are few opportunities for new housing in the local area and very little development has taken place in recent years.
- Local shops and services need additional people with available expenditure to support them
- New housing is desperately needed all over the country most people agree BUT "not in their village/town
- Tean needs new blood if the village is to thrive.
- Excellent that we are providing new housing for the area. Many people complain that the villages are dying and lack facilities but we need more housing to bring in more people.

Checkley Parish Council

6.4 Strongly object to this opportunist planning application for the follow reasons:

1. Residents have worked extremely hard alongside Checkley Parish Council to produce the emerging neighbourhood plan. This is our key document for setting out the future of our village in terms of housing sites and numbers. The Site Selection Criteria would "red light" this proposed development due to the number of dwellings (too many and therefore inappropriate).
2. The proposed site is not a SMDC preferred site and therefore there should be evidence within SMDC offering an explanation, which should form part of SMDC's consideration of this greenfield site application.
3. The projected need for dwellings up to 2030 (based on SMDC's own calculations) is already achieved by dwellings already constructed since 2012, approvals in place and approvals pending. Any further dwellings would significantly over provide for our village against SMDC's projected

- need. Or are SMDC expecting Checkley Parish to absorb the requirements of other parishes within Staffordshire Moorlands?
4. The proposal does not appear to conform to the SMDC's own Core Strategy (page 94) which refers to "maintaining character and avoiding over-development." Surely additional dwellings to those projected will be unsustainable with local services, including GP practises and schools coming under unsustainable pressure.
 5. This application suggests that the site has no important habitats or biodiversity. However, local knowledge has pointed out that this area houses a diverse bird population including buzzards and barn owls along with multiple species of bat. This development will undoubtedly have a harmful impact on the wildlife and flora that exist in this locality along with its supporting ecology.
 6. This development will have a vast negative visual impact on the landscape. The view across the proposed site looking towards the A50 would be one of our villages protected views in the Neighbourhood Plan. If anyone's view of the surrounding hills that define our village scene are affected by this development, it would not be a green light site under the Neighbourhood Plan site selection criteria.
 7. In general, the National Planning Policy Framework has moved significantly towards a local driven agenda, the pending Local Plan and our Neighbourhood Plan form key element in achieving a locally driven agenda.
 8. Surface water that currently soaks into the existing field will potentially run-off across the A522 to an already known flood zone, increasing the risk of flooding to existing properties. Concerns have also been raised regarding how the current foul water drainage system will cope with the addition sewerage joining the main sewer which is already at maximum capacity.
 9. The Parish Council would also like it drawing to your attention that the footpath along this stretch of road is dangerous due to an uneven surface and often over-grown hedges and verges, causing pedestrians to walk on a very busy road. The additional 50-100 road users as a result of this development will also exacerbate this situation.

Trees and Woodland Officer

6.5 No objection on tree loss and tree protection grounds. Advises that overall loss of existing trees and hedgerow is minimal, with no adverse impact on retained trees and hedgerows (forming the large majority of existing stock) assuming provision of suitable temporary tree protection measures during construction, which could be readily conditioned.

6.6 The application's supporting information includes an assessment of the potential landscape impacts of the proposed scheme, and the potential visual impacts on a selection of short range/adjacent and longer range representative viewpoints in the surrounding area (LVA). The landscape character of the site itself is not considered to be of particularly noteworthy quality, and therefore the landscape impact arising from the proposed development would not be major. Within the development, indicative

landscaping is likely to comprise only typical on-plot small ornamental trees and small blocks of shrubs where space exists, and this is probably all that could be realistically achieved in a layout of the type indicated with no incidental open space within the main development area. The boundary planting along Uttoxeter Road, rear of Plots 25 – 34, and along the north-west and north-east sides of the site represents the opportunity to provide substantial structural landscaping which should contribute to reducing/mitigating for visual impact. Such planting therefore would need to be carefully planned and specified, with suitable provision made for not only for short term establishment maintenance but also long term retention and ownership/management responsibility.

Ecology Officer

6.7 No objection subject to conditions to secure a Construction Environmental Management Plan and Ecological Management Plan in the interests of safeguarding protected species and securing biodiversity enhancement. Advises that an extended Phase I Habitat survey by Rachel Hacking Ecology dated September 2017 accompanies the application. The survey did not identify any protected or priority species or habitats. No additional surveys for habitats or species were advocated. Habitats were classed as local importance only. The most important habitat on site were species poor hedgerows. The potential to enhance and create hedgerow habitats with associated grassland buffer strips was highlighted. Appropriate enhancement of linear habitat features would lead to a net gain in biodiversity. Boundaries of the site offer the potential to create species rich hedgerows especially on the eastern boundary of the site. A suggested species mix reflecting local hedges would be 10% Hazel -*Corylus avellana*, 70% Hawthorn-*Crataegus monogyna*, 5% Holly -*Ilex aquifolium*, 10% - Blackthorn *Prunus spinosa*, 5% Dog Rose -*Rosa canina*. Species selected should reflect site conditions and drainage. 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. Hedgerows should be bordered by 1-2m wide species rich grassland buffers. Full details including methods of soil preparation, establishment, remedial replacements, weed control should be provided

Environmental Health Officer

6.8 No objection subject to conditions to control noise/disturbance/working practices during construction, secure sound insulation within the dwellings and secure a remediation scheme.

Regeneration Officer

6.9 The proposal for development of 55 new homes at land adjacent to Daisy Bank Farm will provide the following outputs:

- The new householders occupying each new house will spend some of their income locally through shopping and use of local services. National research has identified that 34% of all household expenditure is spent at district level or below. For this development of 55 units this is calculated at £516,340 per year.
- Each new house will generate direct jobs within the construction industry or associated supply chain, of which 25% are likely to be locally based. Indirect Jobs are also generated by local spend in shops and services. This is calculated at an additional local job for every seven new homes. Using these multipliers the development will generate 58 direct jobs and 9 indirect jobs.
- The development will also generate approximately £10,104 council tax for the area per annum.

Project Officer

6.10 Advise that due to the proximity to other open spaces in the area will not be seeking on site facilities and therefore would be seeking off-site contributions towards play and playing pitches. The majority of the play and open space provision in the area is owned and managed by Checkley Parish Council, who are in the process of developing a Neighbourhood Plan which includes the protection and development of open spaces. Without wishing to prejudice the impartiality of the Parish Council, we feel that the off site contributions should be targeted towards upgrading existing play and playing pitch facilities within the vicinity of the proposed development site in Upper Tean. The current formula for calculating these contributions is as follows- Play - £502.65 per bedroom; Playing Pitch - £627.21 per bedroom

Local Highway Authority

6.11 No objection subject to conditions. Comment that the site is close to local amenities and will be accessed directly from the A522 Uttoxeter Road which is an adopted, lit 40mph road. A single point of vehicular access, priority junction, is proposed along with a potential pedestrian link to connect to Uttoxeter Road. This will provide the main connection to the facilities in the village and the local school. Currently there is footway provision on Uttoxeter Road to which the new access will connect. This needs maintaining/widening where necessary to a minimum of at least 2m across the frontage of the site to provide good pedestrian facilities. This may involve removing hedgerow and vegetation, which needs to be maintained in perpetuity. In addition to this, adequate visibility from the new access must be obtained. Considering the speed of the road a visibility splay of at least 2.4m x 120m must be provided based on the General Arrangement drawing no. SK21779-02. This visibility splay must become part of the adopted highway.

6.12 The new access road into the development is proposed to measure 6m wide, with 10m radii and 2m wide footways which is acceptable. Given the potential number of properties (55) proposed the applicant has submitted a Transport Statement, in accordance with DfT guidance, to assess the impact on the adjacent highways. The trip generation has been considered

for the peak AM and PM hours using the national TRICS database. This concludes that the increase in trips on the local network will be slight and that there will not be a material impact on the highway. In addition, the site is on the edge of the village settlement and will take advantage of being in close proximity to local amenities and schools. There are regular bus services in the area that prospective residents will also be able to use. Overall the site will connect to a main classified road (A522), close to local facilities and will result in a minimal increase on the network in the peak hours. For these reasons, in accordance with NPPF guidance, this proposal is not considered to have a severe impact

Local Lead Flood Authority (LLFA)

6.13 Confirm that the site lies within Flood Zone 1. Initially objected to the application. This was on the grounds that the submitted documents did not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. Following further discussions with the applicants consultants and confirmation of Severn Trent Water accepting discharge to sewer, moved to a position of 'No objection' subject to the submission of a detailed Sustainable drainage scheme.

SCC Mineral Authority

6.14 No objection. Advise that the application site falls within a Minerals Safeguarding Area (MSA) for superficial sand and gravel as defined in the Minerals Local Plan for Staffordshire (2015 – 2030). SCC records indicate that there are no allocated, permitted or historic mineral sites near the application site. A Phase 1 Geo-Environmental Appraisal Report & Mineral Safeguarding Statement was submitted with the application. Paragraph 2.6 of the report/statement states: -

Based on the geological plans it is considered that the quantity of the minerals underlying the site is likely to be minimal and the proposed residential development would not lead to significant sterilisation of any significant underlying mineral resources and it is believed that there is no justification in this case to require further assessment of the resources affected.

6.15 Having regard to this assessment SCC advise that it is reasonable to conclude that the proposed development would not lead to the significant sterilisation of important mineral resources. They accept that the site involves only 2.3 hectares of land and is immediately adjacent to the A522 and existing houses, so it would not be practical or environmentally acceptable to work any underlying mineral resources.

Severn Trent Water

6.16 No objection subject to drainage condition

Police Architectural Liaison Officer

6.17 No objection. Comment that a layout based on the indicative site layout plan would appear to possess very sound crime prevention credentials, which suggests that the important part crime prevention through environmental design can play has been recognised. The locality is a comparatively low crime one, with the site self-contained and likely to create a development with a strong sense of community under the perceived ownership and control of the residents

6.18 Advise that the PPG Design Paragraph 010 (reference ID: 26-010-20140306) states "*Designing out crime and designing in community safety should be central to the planning and delivery of new development*", any reserved matters application that comes forward, particularly in relation to the layout should clearly explain and demonstrate how crime prevention and community safety measures have been considered and incorporated in the design proposal

SCC Education Authority

6.19 Advise that the development falls within the catchments of Great Wood Primary School, Tean and The Cheadle Academy. The development is scheduled to provide 55 dwellings. Excluding the 18 RSL dwellings from secondary only, a development of 55 houses including 18 RSLs could add 12 Primary School aged pupils and 6 Secondary School aged pupils. The education contribution for a development of this size would be as follows; 12 Primary School places (12 x £11,031 = £132,372) and 6 High School places (6 x £16,622 = £99,732) and 1 Sixth Form place (1 x £18,027 = £18,027). This gives a total request of £250,131 for up to 55 dwellings.

6.20 Advise that Great Wood Primary School is projected to have insufficient space to accommodate the pupils generated by this development but The Cheadle Academy is projected to have sufficient space therefore no request will be made towards High School provision. The final request would therefore be for 12 Primary Schools places giving a total of **£132,372**.

The above comments are based on a development providing 55 dwellings including 37 houses and 18 RSL houses. If the number of houses or total dwellings increases, or the number of RSL properties reduces, a revised contribution will be necessary. The above contribution is based on the cost multipliers published in the current EPOP which are subject to change.

Design Review Panel

6.21 Commented that the application site is isolated and fragmented from the existing natural edge to the settlement. It does not relate well to it. When travelling south from the centre of Upper Tean on the A522 there would be a large open, development free gap to the north east of the road, complemented on the south west by open land. The character and appearance at this point is very much open countryside with sporadic detached houses, agricultural buildings which are generally hidden/screened from view by mature hedging and trees. Development of the application site

which circles around Daisy farm would be out of context with existing development. It would introduce a much high density development .

6.22 The setting back of development from the main A 522 is a positive feature. Where development is close to the A522 it is shown facing and addressing the road (plots 39-44) and again this is positive. However there is no road hierarchy within the layout which is a very negative aspect of the scheme as is the dominance of roads – the road layout would not be acceptable as shown. The other major issue is the lack of space for structural/buffer planting along the south eastern boundary. This would form the new edge to the settlement and should be appropriately landscaped. The submitted layout does not allow sufficient space to achieve a meaningful buffer here. Overall the density is too high for this location which marks the transition to open countryside.

7. OFFICER COMMENT AND PLANNING BALANCE

7.1 As with all applications, the LPA is required to determine this application in accordance with the Development Plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations.

7.2 Core Strategy Policy SS1a establishes a 'Presumption in Favour of Sustainable Development' in line with the National Planning Policy (herein referred to as the NPPF) where: (1) planning applications that accord with policies within the Core Strategy will be approved without delay and (2) where there are no relevant policies or they are out of date, the Council will grant planning permission unless material considerations indicate otherwise considering:-

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or,
- Specific policies in within the NPPF indicate that development should be restricted.

Principle

7.3 This is a greenfield site which lies outside the defined settlement boundary of Upper Tean in open countryside. Upper Tean is identified as a Larger village in the Core Strategy under Policy SS6A. The policy states that such villages will retain and enhance their role as rural service centres providing for the bulk of the local housing needs of the rural areas. The Policy says that to meet local housing need, sites will be allocated primarily within the built up area on locations with good accessibility to services and facilities. It goes on to say that where development is required to be met on land outside the built up area this will be only of a small scale and on sites which relate well to the built up area, can be assimilated into the landscape and have good access. For the reasons set out below, this site is not considered to be small scale (albeit that small scale is not defined) and does

not directly adjoin the existing settlement boundary with 'gaps' to the north west and south east separating the site from existing development (understood to be a land ownership issue). However it does have good access and for the reasons set out in the assessment below it can be assimilated into the landscape. Whilst there is conflict therefore with Policy SS6A this is judged to be relatively limited.

7.4 In any event and notwithstanding the above, there are other material considerations in the form of the NPPF. The Council's current housing supply is 1.99 years. The NPPF says at paragraph 11, footnote 7 that where a five year supply of deliverable housing sites can not be demonstrated, then policies which are most relevant for determining the application are out of date and in these circumstances planning permission must be granted unless the any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. The so-called "tilted balance." This matter is returned to in the planning balance below.

Access

7.5 Approval of access is sought at this stage. A new and single point of access is proposed from Uttoxeter Road into the site. Visibility splays of 2.4m by 120m are shown. These would necessitate the removal of some of the frontage hedgerow.

7.6 The applicant has submitted a Transport Statement (TS) with the application to assess the impact of the development on the highway network. This has been carefully reviewed by the Local Highway Authority (LHA) who raise no objection to the application subject to conditions. The LHA advise that the TS has considered trip generation for the peak AM and PM hours using national TRICS database. It has considered junctions including the A522 Cheadle Road/Uttoxeter Road/High Street T junction. The TS concludes and the LHA agree that the increase in trips on the local network will be slight and that there will not be a material impact on the highway. Overall the site will connect to a main classified road (A522), close to local facilities (see discussion below on accessibility) and will result in a minimal increase on the network in the peak hours. For these reasons the proposal is not considered to have a severe impact. A safe and suitable access can be achieved. No objection is raised on highway grounds. There is compliance with relevant parts of Policy DC1, T1 and the NPPF.

Accessibility

7.7 The application site is situated in a sustainable location on the edge of the village of Upper Tean which is identified as a Larger village in the Core Strategy. There are a range of services and facilities available in the village including shops, church, schools, a nursery, post office and eating places. The site is within easy walking distance of the village. Footways provided as part of the new access will link into the existing footways on Uttoxeter Road. A new footpath connection is also proposed from the site directly onto

Uttoxeter Road; confirmed on the Parameters Plan. Many of the representations received refer to the poor state of the existing footpath on Uttoxeter Road. Maintenance of this is the responsibility of the highway authority and it's poor condition is an existing problem. The footpath has become very overgrown resulting in it being very narrow in parts. This could be due to a lack of maintenance or lack of use or more likely a combination of the two. However this development if approved has the potential to increase the use of this footpath. Indeed ensuring that a good and safe pedestrian access can be achieved between the application site and the village centre is a key material consideration in terms of the connectivity of the site and encouraging walking as a mode of travel. On site investigations together with input from the LHA and SCC Land charges has now confirmed the extent of the adopted highway which means that there is an opportunity to widen out and surface the stretch of footpath from the new site access to Hollincroft Court. This would be done by the applicant under a separate Section 278 Highway Agreement. Given the importance of this to accepting housing on this site a Grampian condition is recommended restricting occupation of any of the units until such time that this work has been carried out. With this in place, walking does offer a very realistic alternative to the car from the application site, as does cycling. Furthermore there are regular bus services in the area that prospective residents will also be able to use. There are existing bus stops providing a regular service to Hanley – Uttoxeter close to the site on Uttoxeter Road.

7.8 This site is in a sustainable location. There are realistic alternatives to modes of travel other than the car including walking, cycling and public transport. The Local Highway Authority raise no objection to the application on accessibility grounds. The conclusion is that the proposal does offer opportunities for sustainable travel modes and it therefore accords with the relevant part of T1 and the NPPF.

Affordable housing

7.9 Policy H2 requires that on sites such as this, 33% of the total dwellings are delivered as affordable homes. The applicant has committed to this and has agreed to enter into a Section 106 Planning Obligation to secure 33% of the units as affordable housing in perpetuity. With this in place there would be compliance with Policy H2

Landscape and Visual impact

7.10 The application is supported by a Tree survey and Arboricultural Impact assessment and an indicative Landscape Masterplan. There are a number of trees, generally along the site boundaries. Some of these are notable large/mature individual specimens and hedgerow trees, whilst others are groups of trees. There are also substantial stretches of mature field hedgerow.

7.11 The only relatively large tree which would be removed to facilitate development is an early-mature Elm (denoted 34T) at the access position off

Uttoxeter Road. This is approx. 11m tall and whilst currently noted as being in fair to good condition, the Trees and Woodland Officer advises that it is likely to succumb to Dutch elm disease in due course. He would have no objection to its loss.

7.12 Based on the Illustrative layout but as a general observation, the development of the site for housing is likely to result in the loss of some existing hedgerows specifically that along the frontage where the new access is proposed, a small stretch as one enters the site and the stretch which divides the site (to the rear of Daisy Bank Farm). It is acknowledged that these three stretches of hedgerow would be difficult to retain in any scheme. However the Trees and Woodland Officer points to the opportunity for mitigation as discussed below. The layout as indicated would enable the retention of all other existing trees and hedgerows.

7.13 The indicative Landscape Plan and Parameters Plan shows potential mitigation in the form of new hedgerow planting along the southern boundary of the site where there is currently just a fence. This would help to contain the development and provide a softer edge to what would be the new settlement edge. There is also an opportunity to reinforce the existing over-mature hedgerow/grown out individual trees and groups along the eastern boundary of the application site (8G) by infill hedge planting. Furthermore the Landscape Plan and the Parameters Plan show a potential 5m wide buffer planting strip along the length of this boundary and part of the northern boundary. The Trees and Woodland Officer does raise some concern about issues of ownership/maintenance responsibility for these stretches of hedge and structural planting because the Illustrative plan shows that much of this would be within individual curtilages. It is always preferable to have such planting within areas of open space where maintenance/management is more easily resolved.

7.14 Overall the conclusion of the Trees and Woodland Officer is that the loss of existing trees and hedgerow is minimal, with no adverse impact on retained trees and hedgerows (forming the large majority of existing stock). The provision of suitable temporary tree protection measures during construction would be required and could be secured through a condition.

7.15 In terms of landscape and visual impact, the application is supported by a Landscape and Visual Impact Assessment (LIVIA). The existing landscape character of the site itself is mainly small agricultural fields, part bounded by sections of hedgerow and trees. This existing character would of course be fundamentally changed by the development of a housing estate of up to 55 dwellings. The Trees and Woodland Officer comments that the landscape structure of enclosure would be retained and strengthened by the retention of existing field hedgerows and trees as well as the new buffer planting. He also comments that whilst the site lies just outside the present village boundary and is therefore technically in an open countryside location, the character of the immediate surroundings is more semi-rural, with the existing housing estate off Vicarage Road/Furlong Avenue exerting a suburban influence on the site, and the busy A522 Uttoxeter Road lying

immediately adjacent to the site having sporadic development of individual dwellings, smallholdings and farmsteads also diluting the “undeveloped” rural character. He says that the landscape character of the site itself is not considered to be of particularly noteworthy quality and therefore the landscape impact arising from the proposed development would not be major.

7.16 In terms of visual impact, as noted above the site is separated physically and from some viewpoints only, visually from the existing village settlement due to the intervening retained narrow fields between the north-west/north-east edges of the application site and the existing residential estate development. It is understood that this is due to different land ownerships. The Trees and Woodland Officer comments that this separation would not be readily apparent in views from along Uttoxeter Road because of the mainly retained frontage hedgerow and trees combined with the development’s set back from the frontage. The Parameters Plan shows the frontage retained as open space with strategic landscaping. This would limit the visual impact of the scheme and any views of the developed site itself from the main road would screen the undeveloped “gap” beyond. Similarly, this “gap” would also not be apparent from longer distance viewpoints on public rights of way to the west and south (Viewpoints 1 and 2 of the LVA), despite these viewpoints being elevated. 7.16 The undeveloped “gap” would be most apparent from the public footpath leading south-east of Hawthorn Close (LVA Viewpoint 3, Public Footpath No 16b Checkley Parish) which looks directly across the intervening retained field towards the site and possibly glimpsed view through the mature hedgerow/trees from the second public footpath (Public Footpath No. 59 Checkley Parish) leading off 16b and back to Uttoxeter Road. Although therefore physically the site does not directly adjoin the existing settlement, the perception in the majority of views would be of a logical extension to the settlement. It would not appear unduly ‘detached’, incongruous or poorly related to the existing settlement.

7.17 In terms of the visual impact of the proposed development itself the Trees and Woodland Officer comments as follows. From elevated Viewpoint 1 from Public Footpath No.5 Checkley Parish at Benthouse Farm, the development would be seen partly against and in the context of the existing settlement but also partly as a new projection of the village into the open fields/countryside to the south-east and, from this angle, introducing estate-type development into over half of the existing gap between Upper and Lower Tean. The Trees and Woodland Officer suggests that the magnitude of change to this view may be better described as “low” rather than “negligible” as described in the applicant’s LIVIA, in turn leading to a “moderate” rather than “slight” significance of visual effect on Viewpoint 1. From the similarly elevated LIVIA Viewpoint 2 from Public Footpath No. 12 at Tean Leys Farm, the more northerly aspect would result in the whole of the site being viewed against the existing settlement and in the context of several nearer dwellings/farmsteads collectively already contributing notable built form to the foreground of the site itself. Accordingly the applicant’s LIVIA assesses the magnitude of change to this view as “low” even though the scheme would produce something of a forward (southerly) projection of the

existing settlement towards Viewpoint 2. The resulting significance of visual impact is noted as “moderate” in the LIVIA. The Trees and Woodland Officer concurs with this assessment.

7.18 The outlook from Viewpoint 3 (Public Footpath No. 5 near Hawthorne Close) looks across presently undeveloped agricultural fields (including the application site itself) towards rising ground beyond the River Tean to the skyline, hiding the A50 further to the south-west. There is some visual influence of individual dwellings/farmsteads, moving traffic on the Uttoxeter Road, and electricity pylons on the skyline, but an absence of settlement effects. The proposal of estate-type residential development with currently very little intervening vegetation would therefore introduce a significant change in character to this view. The Trees and Woodland Officer suggests that this magnitude of change could be regarded as “high” rather than “medium” as assessed in the LIVIA, resulting in “substantial” visual impact in this view. He says however that it may be considered that such a level of visual impact would affect a length of approx. 25 m of a small residential cul-de-sac looking across the open frontage of 15 Hawthorne Close but already having immediately adjacent settlement influences and an approx. 80 m section of Public Footpath No. 5 again with initial adjacent settlement influence. Over time, with maturation of proposed new buffer planting, he advises that the likely change to the view may gradually reduce to medium leaving a long-term “moderate” visual impact. The applicant’s LIVIA assesses the overall visual impact on Viewpoint 3 as “moderate-substantial”. There is general agreement with this assessment

7.19 The LIVIA assesses visual impact on Uttoxeter Road, Viewpoints 4, 6 and 7, as “slight” and on Viewpoint 5 as “slight-moderate”. The Trees and Woodland Officer accepts these conclusions. He comments that the site as existing is well screened in views from the highway by frontage hedgerow and trees. The Illustrative plan shows development can be achieved well back from the boundary (c.33m at the site entrance, and c.18m between Blossom Tree Barn and Westbourne) with vegetation retained and/or spatial opportunity to provide significant additional screen planting.

7.20 The Trees and Woodland Officer conclusion on landscape impact is that the character of the site itself is not considered to be of particularly noteworthy quality and therefore the landscape impact arising from the proposed development would not be major. In terms of visual impact he concludes that the opportunity to provide substantial structural landscaping should contribute to reducing/mitigating the visual impact of the development. He caveats this however by saying that such planting would need to be carefully planned and specified, with suitable provision made for not only for short term establishment maintenance, but also long term retention and ownership/management responsibility. Given the importance of the buffer planting and areas of open space along the site frontage to the acceptability of the scheme, it is recommended that these matters together their future maintenance and management be secured through the Section 106 Legal Agreement.

7.21 Having regard to the above the conclusion is that any adverse visual impact can be reduced/mitigated by the provision of substantial structural landscaping as described above. With this in place it is considered that the development can be satisfactorily assimilated into the landscape. Replacing fields with housing will inevitably change the landscape character of the area. However the actual landscape structure will be retained and strengthened by the retention of existing hedgerows and trees and new buffer planting. Paragraph 170 of the NPPF requires decision makers to recognise the intrinsic character and beauty of the countryside. It no longer uses the language of seeking to protect the countryside. However it does refer to protecting and enhancing 'valued' landscapes. It does not go on to define what constitutes a 'valued' landscape. However the scope and definition of the term 'valued landscape' has been considered in several cases notably the so called Stroud case (Stroud DC V SoS CLG 2015 EWHC 488) where Mr Justice Ouseley's said that to be 'valued' a landscape has to be more than just popular. It must have physical attributes which take it out of the ordinary. In this case, for the reasons described above, the landscape is not considered to be a valued landscape in terms of the NPPF. As noted by the Trees and Woodland Officer it has no particular features which are noteworthy. Therefore whilst replacing open fields with housing could not be said to protect local landscape in terms of Policy DC3, as described above there is opportunity to reduce/mitigate the landscape and visual impact. The conclusion is therefore that there is some conflict with DC3 although this is limited. This matter is considered further in the planning balance below.

Illustrative Layout

7.22 The application seeks consent for up to 55 dwellings and therefore it is incumbent on Members to satisfy themselves that up to 55 dwellings can be satisfactorily accommodated on the site. This equates to a density of circa 21 dph which is a relatively low density but one that is reflective of its edge of settlement location.

7.23 Whilst generally the indicative layout works well in relation to existing trees and hedgerows, it is considered to be rather formal, regimented and very road dominant with no road hierarchy. This semi rural location which will mark the transition from the built up settlement to open countryside and consequently it is considered demands a more informal and organic layout particularly to the south east where development should 'feather' towards open countryside. There are some positive features however including the fact that dwellings generally address internal roads and Uttoxeter Road. The retained open frontage on Uttoxeter Road is also a positive feature. The layout should incorporate good urban design principles so that it is legible and permeable with good active frontages. Landscaping will be key and should be designed into the scheme and not left as an after thought. The DAS initially referred to development including two and a half storeys, up to 9.5m in height. This was not accepted and a revised DAS requested which now confirms that the development will have a maximum of two storeys, maximum 7.5 metres.

7.24 Policy H1 requires a mix of house types on new developments such as this. The Strategic Housing Market Assessment sets out a target mix of 60% 1 and 2 beds and 40% 3 and 4 beds for the District. Whilst the indicative layout is weighted towards 3 and 4 bedroom dwellings, the applicant confirms that more 2 bedrooled units can be incorporated at reserved matters without impacting on viability. The DAS has been revised in this respect also as it initially only proposed detached and semi-detached units; it now includes terraced units. Dwelling mix can and should be conditioned at this stage.

7.25 Overall although highlighting some shortcomings with the indicative layout, it is considered that having regard to the opportunity to introduce some smaller units, a more efficient road hierarchy and a more informal layout that up to 55 dwellings can be accommodated on this site. The Parameters plan which is submitted for approval secures areas of open space along the site frontage and buffer planting along the north western and south eastern boundaries. These elements are key to reducing/mitigating the visual impact of the development and reinforcing the landscape structure of enclosure. The conclusion is that up to 55 dwellings can be accommodated on the site.

Biodiversity

7.26 The application is accompanied by an extended Phase I Habitat survey . The survey did not identify any protected or priority species or habitats. No additional surveys for habitats or species were advocated. Habitats were classed as local importance only. The most important habitat on site were species poor hedgerows. The potential to enhance and create hedgerow habitats with associated grassland buffer strips was highlighted. Appropriate enhancement of linear habitat features it says would lead to a net gain in biodiversity. Boundaries of the site offer the potential to create species rich hedgerows especially on the eastern boundary of the site.

7.27 The Ecology Officer has considered the application and supporting material and raises no objection to the application subject to conditions to secure a Construction Environmental Management Plan and an Ecological Management Plan. With these conditions in place there is compliance with Policy NE1 and the NPPF.

Drainage

7.28 The site lies within Flood Zone 1 which is land at least risk from flooding. Nevertheless a Flood Risk Assessment and Drainage Strategy is submitted. This concludes that the site is at low to very low risk of flooding from all sources. It sets out two options for the site depending on the outcome of infiltration tests. In the event that infiltration proves to be a feasible option, Option 1, then the houses will all have soakaways within their gardens and permeable surfacing for private drives allowing infiltration of surface water. Elsewhere a comination of oversized drains and an

attenuation tank will be used with water ultimately discharging to the public sewer to the south east of the site. If infiltration testing establishes that the ground is not suitable then Option 2 proposes that all surface water drains off site to the public sewer via a combination of perforated pipes, oversized pipes and an attenuation tank. In both options measures are included to ensure that surface water runoff is limited to 5 L/s i.e mimicking greenfield run off. This is all in accordance with prevailing advice.

7.29 The Lead Local Flood Authority and Severn Trent Water have considered the application and submitted reports. They accept the conclusions reached and the proposed drainage strategy in principle. Subject to conditions to secure sustainable drainage schemem there is compliance with SD 4 and the NPPF.

Economic Benefits

7.30 The Regeneration Officer advises that residential development will impact on the local economy in terms of jobs and purchasing of supplies and services. In order to assess the economic impact of this development, data supplied by the applicant has been used together with the Council's approved multipliers. Based on these the proposal for development of 55 new homes at land adjacent to Daisy Bank Farm will provide the following outputs:

- The new householders occupying each new house will spend some of their income locally through shopping and use of local services. National research has identified that 34% of all household expenditure is spent at district level or below. For this development of 55 units this is calculated at £516,340 per year.
- Each new house will generate direct jobs within the construction industry or associated supply chain, of which 25% are likely to be locally based. Indirect Jobs are also generated by local spend in shops and services. This is calculated at an additional local job for every seven new homes. Using these multipliers the development will generate 58 direct jobs and 9 indirect jobs.
- The development will also generate approximately £10,104 council tax for the area per annum.

Developer Contributions

7.31 The applicant has confirmed in principle acceptance of the education and public open space contributions as outlined above. These contributions are required to mitigate the impact on the development on school capacity and local public open space provision. They will need to be secured through a Section 106 obligation. With this in place there would be compliance with Policy C1.

8. PLANNING BALANCE & CONCLUSION

8.1 Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

8.2 As set out above there is some conflict with parts of Policy SS6A and DC3 of the Development Plan. However the NPPF is a material consideration of weight. It sets out a presumption in favour of sustainable development. For decision taking it says at paragraph 11 that where those policies which are the most important for determining the application are out of date, the tilted balance applies i.e that permission must be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Footnote 7 confirms that 'out of date' includes applications for the provision of housing where the LPA cannot demonstrate a 5 year supply of deliverable housing sites. That is the case here with the District having a less than 2 year supply. The tilted balance applies.

8.3 The proposal would deliver economic benefits through the construction of the dwellings and once completed through extra spending power in the local economy and increased Council tax receipts. The Regeneration Officer has clarified this above. Moderate weight is attached to this. The provision of housing in circumstances of a chronic housing under supply attracts very significant weight as does the offer of affordable housing. The site is in a sustainable location and is served by a bus route. With improvements to the existing footpath as described above walking also offers a realistic alternative mode of travel as does cycling. It is acknowledged that there is some limited conflict with Policy SS6A in that the proposal is not considered to be small scale and it does not directly adjoin the Development boundary with 'gaps' to the north west and south east separating the site from existing development as described above. There is also some limited conflict with Policy DC3. However the assessment above does show that with the proposed buffer planting and the offer to retain areas of open space along the site frontage, the development will have an acceptable visual impact. The landscape character will be changed by replacing fields with housing but again existing hedgerows and trees and new buffer planting will assist in retaining and strengthening the landscape structure. Any conflict with DC3 is therefore limited.

8.4 Weighing all of these matters into the balance and applying the paragraph 11 test, the judgement reached is that the limited harm identified is not significant and demonstrable; it is clearly outweighed by the provision of housing including affordable housing in circumstances of a chronic housing undersupply in the District. The proposal will deliver sustainable development and a recommendation of approval is therefore made.

10. OFFICER RECOMMENDATION

A. That planning permission be granted subject to the prior completion of a Section 106 Agreement to secure:

- a) 33% of the total number of dwellings as affordable units**
- b) Financial contributions towards public open space and education and**
- c) Provision of buffer planting and areas of public open space as shown on the Parameters Plan 17068 Rev B dated 7-11-18 together with arrangements for the future management and maintenance of these areas**

and subject to the following conditions:-

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

Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and thereafter the development shall only be carried out in accordance with the details as approved.**

Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3. Details of the appearance Layout, Scale, Appearance and Landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced and thereafter the development shall only be carried out in accordance with the details as approved.**

Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Articles 4 and 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 4. The development hereby approved shall be carried out in accordance with the following submitted plans**

Location Plan 17063 00 Rev B

Parameters Plan dated 7-11-18 17068 rev B

Design and Access Statement Rev B

Reason:- To define the permission and in the interests of propper planning.

Mix and size

- 5. The reserved matters application(s) shall be based on the Nationally Described Space Standards**
Reason: - To ensure dwellings of adequate size in line with national policy
- 6. The mix of units at reserved matters shall reflect the Council's Strategic Housing Market Assessment**
Reason: - To ensure an appropriate mix of units

Trees and Landscape/Visual Impact

- 7. No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the approved development, unless otherwise approved by the LPA. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (nominally March to August inclusive), unless otherwise agreed by the LPA and in this case only following careful inspection by a competent person to establish that such trees, shrubs or hedgerow are not in active use by nesting wild birds.**
Reason:- To protect existing trees and hedgerows in the interests of the character and appearance of the area.
- 8. Any mature tree to be removed or to have substantial crown pruning operations carried out shall first be carefully inspected for the potential to provide bat roosting opportunities. Any tree which has such potential (which could include cavities, splits, decay pockets, hollow stems or branches, areas of loose bark, dense ivy cover or dense epicormic shoots) shall be subject to a further detailed and if necessary climbing inspection by a licensed bat worker immediately prior to felling or pruning, and all felling or pruning of such trees shall take place in the presence of the bat worker who can then immediately advise on appropriate measures if bats are encountered during dismantling, felling or pruning operations.**
Reason:- In the interests of protected species.
- 9. The development hereby approved shall be constructed only in full accordance with the tree protection plan and arboricultural method statement contained within the Arboricultural Impact Assessment and Method Statement report reference MG/5553/AIA&AMS/REV A/JUL18 submitted in support of the outline planning application hereby approved, such tree protection plan and arboricultural method statement having first been reviewed and suitably updated as necessary to apply specifically to the detailed proposed layout subsequently approved under a reserved matters application.**
Reason:- To protect existing trees and hedgerows during construction in the interests of the character and appearance of the area.

Biodiversity/Ecology

- 10. No development including site clearance shall take until a Construction Environmental Management plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority (LPA). This must include:**
- Risk assessments of potentially damaging construction activities.
 - Identification of biodiversity protection zones.
 - Practical measures during construction to avoid or reduce impacts during construction (may be provided by method statements).
 - The location and timing of sensitive works to avoid harm to biodiversity.
 - Confirmation that there will be no clearance of trees, shrubs, tall ruderal or brambles between 31st March and 31st August inclusive unless a competent ecologist has undertaken a careful detailed check of vegetation for active birds nests, immediately before vegetation removal, and provided written confirmation that no birds will be harmed and/or appropriate methods are in place to protect nesting bird interest on sites. Any such written confirmation should be submitted to the LPA for its written approval before any clearance of trees, shrubs, tall ruderal or brambles.
 - Suitable methodology for the removal of Japanese Rose before any work is undertaken on the hedgerows.
 - Lighting used during construction to minimise impacts on wildlife.
 - Open excavations or pipes to be sealed at night. Ramps / planking to be installed to permit wildlife to escape being trapped in structures during construction.
 - The role and responsibilities of an ecological clerk of works or similar competent person.
 - Disposal of waste material on site.
 - Use of protective fences , exclusion barriers and warning signs.

The CEMP shall be implemented and adhered to throughout the construction period strictly in accordance with approved details.

Reason:- In the interests of protected species and habitats during construction

11. The first reserved matters application shall be accompanied by an Ecological Management Plan (EMP) addressing mitigation and enhancement. The EMP should include:

- a) Purpose and conservation objectives of the proposed enhancements.
- b) Detailed designs and/or working methods to achieve stated objectives.
- c) Extent and location of proposed works on appropriate plans and scale maps.
- d) Type and source of material used where appropriate e.g. native species of local provenance.

- e) Creation and enhancements of semi natural habitats linked to Staffordshire and UK biodiversity Action Plan priorities prioritising the enhancement and creation of hedgerows and associated buffer strip (up to 2m from hedgerows).
- f) Provision for linear wildlife corridors and stepping stone habitats linked into the surrounding landscape and Local Wildlife Site (LWS) promoting habitat connectivity.
- g) Timetable for the implementation of works demonstrating that works are aligned with the proposed phases of the development. This should include a ten year plan detailing implementation, monitoring and remediation and habitat maintenance measures
- h) Creation of bird nesting features for bats, house martin and house sparrow within new buildings.
- i) Creation of grassland areas to include soil preparation, seeding or creation using green hay, initial and long term maintenance including cutting regimes and protection from disturbance.
- j) A lighting design plan and technical specifications to minimise light spill into surrounding hedgerows and the adjacent countryside. Lighting must demonstrate acceptable impacts on foraging or commuting bats that may use adjacent hedgerows and allow birds species to exhibit undisturbed behaviour patterns.
- k) Garden planting to benefit pollinating insects including climbing species to create green infrastructure
- l) Persons responsible for implementing the proposed works.

The EMP shall be implemented in accordance with the approved details and all features shall be retained in that manor thereafter.

Reason: In order to secure a net gain in biodiversity.

Highways

12. No dwelling shall be occupied until such time that a vehicular access onto Uttoxeter Road (A522) including new footways and visibility splays have been fully constructed, in accordance with a scheme to be first approved in writing by the Local Planning Authority based on General Arrangement drawing No SK21779-02.

Reason: In the interests of highway safety in accordance with the NPPF.

13 Prior to the commencement of any construction including site clearance a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details relating to construction access, hours of construction, routing of HGV's, delivery times and the location of the contractors compounds, cabins, material storage areas and contractors parking and a scheme for the management and suppression of dust and mud from construction activities including the provision of a vehicle wheel wash. The development and all site operations shall then be undertaken strictly in accordance with the approved CEMP for the duration of the construction programme.

Reason: In order to minimise the impact of construction activity on the surrounding environment in accordance with the National Planning Policy Framework.

14 No dwelling shall be occupied until such time as the associated driveway has been surfaced in a bound material and sustainably drained in accordance with details to be first agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with the NPPF.

15. No dwelling shall be occupied until such time that the existing footpath between the proposed site access and Hollincroft Court has been widened and surfaced in accordance with a scheme which shall first have been agreed in writing with the Local Planning Authority

Reason:- To ensure that a suitable and safe pedestrian access to the village centre is secured in the interests of the connectivity and sustainability of the site

Drainage – LLFA

15 The development hereby permitted shall not be commenced until such time that a Sustainable Drainage scheme, the ‘Scheme’ has been submitted to and approved in writing by the Local Planning Authority. The ‘Scheme’ shall include for the following:-

a) Limiting the surface water run-off generated by the site to a maximum of 5l/s/Ha as suggested by Severn Trent so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

b) Provision of an appropriate calculated volume of attenuation flood storage on the site to a 100 year + 30% standard.

c) Finished floor levels set no lower than 150mm above local ground level

d) Confirmation of the body responsible for maintaining the surface water system over the lifetime of the development according to an acceptable maintenance schedule which shall also be provided demonstrating that it is achievable and that it provides a suitable number of water quality treatment elements.

The ‘Scheme’ shall be fully implemented before first occupation of any dwelling hereby approved and shall subsequently be maintained in accordance with the timing / phasing arrangements embodied within the approved ‘Scheme’.

Reason

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

To reduce the impact of flooding on the proposed development and future occupants.

16. The development hereby permitted shall 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 development shall subsequently be implemented in accordance with the approved details before the development is first brought into use.

Reason:- 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.

Construction/Demolition

17. No development (including site clearance) hereby permitted shall take place until a Demolition and Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

- I. the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;
- II. the arrangements for prior notification to the occupiers of potentially affected properties;
- III. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- IV. 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;
- V. a scheme for recycling/disposal of waste resulting from the construction works;
- VI. the parking of vehicles of site operatives and visitors;
- VII. the loading and unloading of plant and materials;
- VIII. the storage of plant and materials used in constructing the development;
- IX. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- X. 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 shall be carried out in accordance with the approved details. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of the alteration.

Reason: To protect the amenities of the area.

Contamination

18. No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, property (existing or proposed including buildings, crops, livestock, pets, woodland, service lines and pipes; buildings), adjoining land and ground and surface waters has been submitted to and approved in writing by the Local Planning Authority. The scheme must include:

- a. A site investigation scheme, based on the information already provided to support a detailed assessment of risks to all receptors that may be affected, including those off site.
- b. The results of the site investigation and the detailed risk assessment referred to in (a) and, based on these, an options appraisal and A remediation strategy giving full details of remediation objectives and remediation criteria
- c. A validation plan providing details of the data that will be collected in order to demonstrate that the all works set out in (a) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- d. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason :- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

Validation

19. Prior to bringing the development into first use, a validation report demonstrating completion of the 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 validation 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 validation plan, and for the reporting of this to the local planning authority.

Reason :- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

Unexpected Contamination

20. In the event that contamination is found at any time when carrying out the approved

development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (X) , and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (20), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason :- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

Soil Importation

21.No soil shall be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be first submitted to and approved in writing by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority.

Reason :- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation

and or management of those risks.

Waste Management

22. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.

Reason: To protect the amenities of the area.

Sound Insulation

23 Development shall not commence until a site specific scheme for protecting the proposed residential units from 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 BS8233:2014 Guidance on Sound Insulation for Buildings and be designed to achieve noise levels of less than 30 dB LAeq in bedrooms, less than 40 dB LAeq in living areas and 55dB LAeq in outside living areas. A report shall be produced containing all raw data and showing how calculations have been made. A copy of such report shall be submitted to the Local Planning Authority for its approval.

Reason: To protect occupiers from noise and safeguard their residential amenities.

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.

Informative

- 1. Your attention is drawn to the letters and advice from a) the Architectural Liaison Officer dated 3rd September 2018**
- 2. A sustainable development has been negotiated which complies with the National Planning Policy Framework**