

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

24 January 2019

Application No:	SMD/2018/0696	
Location	Land South East Of A521, A50 BLYTHE BRIDGE BYPASS BLYTHE BRIDGE, STAFFORDSHIRE	
Proposal	Full planning application for a haul road to provide temporary construction access to Phase 1 (Ref. SMD/2017/0512)	
Applicant	St. Modwen Homes	
Agent	Mr. Peter Hayward, Turley Associates	
Parish/ward	Forsbrook	Date registered 15/11/18
If you have a question about this report please contact: Ben Haywood tel: 01538 395400 ex 4924 ben.haywood@staffsmoorlands.gov.uk		

REFERRAL

The Application has been referred to committee because it is locally contentious and Committee has considered previous applications on this site.

1. SUMMARY OF RECOMMENDATION

APPROVE subject to Conditions

2. SITE DESCRIPTION

2.1 The Application Site comprises part of the existing Woodlands Lane, (a narrow lane off Uttoxeter Road, at Blythe Bridge, which serves a number of sporadic residential properties and agricultural holdings) as well as a strip of agricultural land alongside the remainder of the lane. The total site area to which this planning application relates is 0.31 hectares (ha), as shown in the Site Location Plan (Ref. 12629 – 200 A) and Red Line Boundary Plan (Ref. 12629 – 201 A). The site forms part of a wider site controlled by St Modwen, which in turn forms a significant part of a site allocated in the adopted Development Plan (Core Strategy 2014) for employment development.

2.2 The Site is located north of the A50/south east of the A521 at Blythe Bridge. The Application Site is south east of Blythe Bridge, located between this settlement and Forsbrook. To the north and primarily to the west of the Site, the land within the wider St Modwen control, forms fields used for grazing purposes.

2.3 The fields comprise grass, with trees and hedgerows predominantly forming the boundaries as opposed to being isolated within the fields themselves. Established tree and hedgerow boundaries in particular form the southern and western edges of the Site.

2.4 DETAILS OF PROPOSAL

- 2.5 Full planning permission is sought for a haul road to provide temporary construction access into Phase 1 (App Ref. SMD/2017/0512) at 'Land South East of the A521 Uttoxeter Road', otherwise known as Blythe Vale.
- 2.6 A full planning application was approved on 10/05/2018 (App Ref. SMD/2017/0512). The planning permission was for residential development under the following description of development: *'Detailed Planning Application for the development of 118 dwellings (Use Class C3), new access and internal roads for vehicles, pedestrian and cycle linkages; car and cycle parking; associated play and open space, landscaping, ecological habitats; sustainable drainage measures, earthworks and all ancillary enabling works including the demolition of building and structures.'*
- 2.7 Following this, a Reserved Matters planning application relating to 'Phase 2' of planning permission Ref: 11/00405/REM1MJ was approved on 17/10/2018 (App Ref. SMD/2018/0443). The planning permission was for an access road and associated infrastructure under the following description of development: *'Reserved Matters application for the Phase 2 Access Road and associated infrastructure, including drainage to the road, tree removal, levels, landscaping, safeguarding area over the A50 and Great Crested Newt mitigation, pursuant to planning application Ref. 11/00405/REM1MJ (SMD/2011/0304).'* 2
- 2.8 Neither scheme has yet commenced development. Access to the site to commence construction has been intended to be achieved via the junction of the Phase 1 access road and the Uttoxeter Road (A521). This access would then go on to serve the residential development. Whilst planning permission has been granted, the process of the S278 Agreement with Staffordshire County Council as Highway Authority is still underway.
- 2.9 St Modwen Homes wish to commence work on site as soon as possible in order to deliver the 118 dwellings permitted under Phase 1 (App Ref. SMD/2017/0512). The S278 agreement will allow for works to be undertaken within the public highway. However, the timescales in reaching this agreement can be relatively lengthy; and therefore to ensure that the delivery of new homes within the site can be commenced consecutively, St Modwen seek to secure planning permission for a temporary haul road access that will allow construction traffic to enter the site until such a time as the access work subject to the S278 process are approved.
- 2.10 The delivery of a temporary haul road will allow the construction of residential development to commence, as permitted under application Ref. SMD/2017/0512. This haul road will be in place until such a time that the S278 agreement is complete. Access can then be achieved via the original access permitted under. SMD/2017/051.2
- 2.11 As shown in the General Arrangement Plan and Construction Details Drawing (12629 202 C), the proposed temporary haul road will be routed from an entry off Uttoxeter Road to the northeast, along the existing Woodlands Lane for a short length, before heading directly southwest on a new track across the field towards the east corner of the Phase 1 site. The existing section of Woodlands Lane to which this application relates will be operated by way of a manned "stop" signed system, giving priority to pedestrians. Where the haul road exits Woodlands Lane and enters the neighbouring field at Point B, and where the haul road enters the Phase 1 residential site at Point A, manually operated

vehicle barriers, “stop” signs and radio communication between the two points will be in place. The haul road along the existing Woodlands Lane will prioritise vehicles heading southeast from Uttoxeter Road into the Site. Two passing places will be provided for vehicles along the proposed new haul road section.

2.12 The character of the haul road will comprise a 4.0m width, with passing points of a 7.0m width, as shown in the General Arrangement Plan and Construction Details (Ref. 12629 – 202C). Following the proposed temporary works, and once this access road is no longer required, the condition of Woodlands Lane will be returned to its former condition, as stated in the Site Traffic Management Plan (Ref. 12629 – 204 A). The gate currently in place at Point B will also be replaced with a gate that provides access for those with limited mobility.

2.13 The Section 278 Agreement, pertaining the site access off Uttoxeter Road approved under App Ref. SMD/2017/0512, is on course to be agreed by the end of February 2019. The Section 38 Agreement will then be sought over the months following this for the adoption of the approved estate roads. Given these timescales, the developer would ideally look for the temporary haul road to be in place for a minimal 12 month period, plus a further 6 months to allow for removal and restoration works to be completed. This should allow enough time for the S278 agreement to be reached, and for the construction of the site access approved under App Ref. SMD/2017/0512.

4. RELEVANT PLANNING HISTORY

- SM.97-0216 Premium Employment Site Development 30th July 1997
- 03/00498/FUL_MJ Variation of Condition 2(a) (b) (ii) of SM97-0216 to extend time limit. 15th July 2003
- 06/00984/FUL Variation of Condition 1 attached to planning permission 03/00498/FUL_MJ dated 15th July 2003 to extend time period in which to submit reserved matters by a further 5 years to 15th July 2013. - 17th October 2006
- 01/00125/REM Provision of access to phase 1 development of employment site. 3rd April 2007
- 07/01532/REM_MJ Development of commercial site of phase 1 for Class B1 use. 29th April 2008
- 11/00405/REM New Planning Permission to replace extant Planning Permission 06/00984/FUL, pursuant to the original Outline Planning Permission SM.97-0216 for a Premium Employment Site on land adjoining A50(T), Blythe Bridge, in order to extend the time for submission of reserved matters by 5 years to the 15th July 2018 and the implementation of the planning permission by 5 years to 15th July 2021.-9th August 2011
- SMD/2017/0512 ‘Detailed Planning Application for the development of 118 dwellings (Use Class C3), new access and internal roads for vehicles, pedestrian and cycle linkages; car and cycle parking; associated play and open space, landscaping, ecological habitats; sustainable drainage measures, earthworks and all ancillary enabling works including the demolition of building and structures.’ - Approved

SMD/2018/0443 Reserved matters application for the phase 2 access road and associated infrastructure including drainage to serve the road, tree removal, levels, landscaping, safeguarding area, great crested newt mitigation pursuant to planning application 11/00405/REM – Approved

5. PLANNING POLICIES

5.1 The Development Plan comprises of:

- Staffordshire Moorlands Local Plan (Adopted 1998)
- The Staffordshire Moorlands Local Development NPPF Core Strategy (Adopted March 2014)
- The Minerals Local Plan (Adopted December 1999) Saved Policies 2007
- Staffordshire & Stoke-in-Trent Joint Waste Core Strategy (Adopted March 2013)

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 Local Development Framework (LDF) (26th March 2014)

5.3 The Staffordshire Moorlands Local Development Framework (LDF) is a District wide development plan which replaces the Staffordshire Moorlands Local Plan to provide a framework for delivering development up to 2026. The Core Strategy is the key LDF document. It is a strategic District wide plan which influences how and where the Staffordshire Moorlands will develop in the future. It sets out what the Council would like to achieve in each of the main towns and the rural areas outside of the Peak District National Park. The Core Strategy provides the framework for future LDF documents which will then identify specific sites for development in the District (Site Allocations Development Plan Document) and provides detailed guidance to supplement the policies (Supplementary Planning Guidance).

5.4 The following CS (Core Strategy) policies are relevant to the application:-

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS6c Other Rural Areas Area Strategy
- SS8 Blythe Bridge Regional Investment Site
- E2 Employment Sites
- SD4 Pollution and Flood Risk
- DC1 Design Considerations
- DC2 The Historic Environment
- DC3 Landscape and Settlement Setting
- C1 Creating Sustainable Communities
- C2 Sport, Recreation and Open Space
- NE1 Biodiversity and Geological Resources
- T1 Development and Sustainable Transport
- T2 Other Sustainable Transport Measures

Supplementary Planning Guidance (SPG)

- Developer/Landowner Contributions SPG (2004)

National Planning Policy NPPF 2018

National Planning Policy Guidance

Emerging Staffordshire Moorlands Local Plan

National Policy Guidance

5.5 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

5.6 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.

5.7 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.

5.8 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 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

5.9 The following policies are considered to be relevant to this application:

- Policy SS1 Development Principles
- Policy 1a Presumption in favour of sustainable development
- SS2 Settlement Hierarchy
- SS9 Smaller Villages Strategy
- SS10 Other Rural Areas Strategy
- Policy H1 New Housing Development
- Policy DC2 Historic Environment
- Policies H2 and DSR1, 'Blythe Vale'.

6. CONSULTATIONS CARRIED OUT

The public consultation period ended on 19/12/2018

Forsbrook Parish Council

No comments

Draycott Parish Council

No comments received at the time of report preparation

Lead Local Flood Authority

Having checked our mapping, we can confirm that the haul road location is not within the uFMfSW 1 in 100 year outline and there are no recorded flooding hotspots within 20m or records of Ordinary Watercourses within 5m.

Highways

There are no objections on Highway grounds to the proposed development subject to the following conditions being included on any approval:-

- Before the proposed development is brought into use, details shall be first submitted to and approved in writing by the Local Planning Authority indicating wheel wash facilities and provision of road sweeper. The wheel wash facility and road sweeper shall thereafter be provided in accordance with the approved details and retained for the life of the haul road.
- REASON To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

NOTES TO PLANNING OFFICER: Woodlands Lane s a private road. The applicant should ensure they have appropriate rights and permissions to construct the haul road and use Woodlands Lane as access Drawing 12629 202 C refers to reinstatement of damage caused to Woodlands Lane. This should be done, with agreement of the owner/s of Woodlands Lane.

Ecology

No comments received at the time of report preparation

Tree Officer

No comments received at the time of report preparation

Archaeology

No comments received at the time of report preparation

Public Rights of Way

- On document “[1] 12629_202A_Haul Road for Phase 1 - General Arrangement Plan & Construction Details-202”, the application recognises Public Footpath No. 6 Forsbrook Parish which runs from north east to south west.
- The attention of the applicant should be drawn to the existence of the path and to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path. If the path does need diverting as part of these proposals the applicant would need to apply to Staffordshire Moorlands District Council under section 257 of the Town and Country Planning Act 1990 to divert the footpath to allow the development to commence. The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the right of way or its closure or diversion. For further information the applicant should be advised to read section 7 of DEFRA’s Rights of Way Circular (1/09).
- It is important that users of the path are still able to exercise their public rights safely and that the path is reinstated if any damage to the surface occurs as a result of the proposed development. The surface of the footpath must be kept in a state of repair such that the public right to use it can be exercised safely and at all times. Heavy vehicular use can cause the way to become unsuitable for use and in some instances dangerous. Some attention needs to be drawn to this and that surface works may be required. The use by private vehicles is subject to, and subordinate to, the public’s right, in other words, pedestrians have a public right and vehicles need to give way to them not the other way around. The County Council are only responsible for the maintenance of this route commensurate with its status as public footpath. If the footpath becomes damaged as a result of vehicular use we reserve the right to take legal action against property owners to request the reinstatement of the path.
- The County Council has not received any application under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question. It should be noted, however, that this does not preclude the possibility of the existence of a right of way at common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980. It may, therefore, be necessary to make further local enquiries and seek legal advice in respect of any physically evident route affecting the land, or the apparent exercise of a right of way by members of the public.

Environmental Health

- No objections
- The following comments were made with regard to Construction for the main development (Ref. SMD/2017/0512)
 - “A comprehensive construction plan should be submitted with a requirement to protect early morning amenity of existing residents”
- *Nuisance*: The proposed development is close to existing residential properties so a construction environmental management statement should be submitted for approval.
- It is considered that its appropriate is extended to this temporary haul road this should be applied to the this temporary haul road
- Contamination: There is a requirement under the consent SMD/2017/0512, for a full contaminated land risk assessment. It would not be appropriate to require this for this smaller part of the development. However, the developer should ensure that this temporary feature does not compromise the required investigation under SMD/2017/0512., which should relate to sources of contamination and final site layouts (rather than the temporary haulage road). The unexpected contamination condition is recommended as a precaution.
- If consent is granted the following conditions are recommended:
 - Construction and demolition works: Environmental Method Statement
 - Unexpected Contamination to be reported and mitigated

Third Parties

4 no. objections have been received making the following points:

- The application has been made on both sides of our land without our permission.
- The proposed application will be directly blocking the 24 hour access required by 2 businesses and a residential property.
- The public footpath which is located in front of the Chandni site has basically been taken away which will cause a health and safety issue. How are pedestrians meant to enter or leave the Chandni Cottage restaurant, B & R Motors and the residential flat above Chandni.
- In the application the acceleration lane to the A521 is to be used or removed? Will this be for parking of the HGV's and work men cars?
- Where are all these people going to be parking?
- Woodlands lane is only 8ft wide and goes straight down to the A521 all the other ground around it is owned by Edwin Lawton and ourselves.
- Where are they going to install the vehicle wheel wash?
- Soil and contaminated water will be entering both our sites, causing problems to all of our tenants. If the application is granted, will St Modwen be responsible for the continual cleaning and maintaining of all our sites involved from contaminants and potential damage to the surface of the car park if entered by HGV's.
- Consideration must be given to the flat above Chandni Cottage, no noise before 7am. B & R Motors opens at 7am and need access for customers dropping off and collecting their cars. The restaurant opens at 5pm, so the car park and access must be clean and clear before the restaurant opens.

- At no time have we had any correspondence from either SMDC, St Modwen or Turley in respect of the proposed planning and use of our land.
- Will there be the required splay for HGV's entering or leaving the Woodlands lane site from and to A521 which is a 60mph dual carriageway without crossing our land?
- We will not be giving permission for any area of our land to be used for or by St Modwen for the proposed Haul road up to Phase 1 (Ref. SMDC/2017/0512) whether it is a temporary use or not.
- I would like to object to the planning application to construct a haul road on land owned by SMH which will severely impact on the quality of life for me, my family, and the residents of Woodlands Lane.
- Application SMD/2017/0512 was approved under the agreement that access to the site would be allowed via the A521. This is subject to approval under the Highways Act 1980.
- Whilst I appreciate that SMH wish to begin the development at the soonest possible opportunity, it should be noted that the planning application was approved with the access route being the new road junction off the A521.
- Whilst this is classed as a temporary haul road, there is no indication of the timescale that this would be used as the main and only access route to a large scale building development.
- I would ask that the detail of the development in the original planning application is maintained and that this further application/amendment is rejected. If a different access and egress route is being requested, I would suggest that this is a major change to the planning request and forms part of a new application for the development site, and appropriate plans submitted.
- The development of this haul road is within 4 metres of the front of the properties on Woodlands Lane. This would result in heavy plant machinery being driven within an extremely close proximity of residents property, and in 3 of the properties, travelling directly in front of the residents living room windows.
- The land that the proposed haul road would use is at a much higher level than Woodlands Lane and so the heavy plant would be towering over the residents properties.
- The close proximity to the residents houses would increase dirt, noise and air pollution to residents. Fumes from heavy plant machinery would impact on the residents health and wellbeing.
- There is likely to be vibration from heavy goods that would impact on the residents properties.
- Heavy plant travelling along the haul road would restrict light from the properties on Woodlands Lane.
- The route that the haul road is proposed to use would include the initial part of Woodlands Lane. This is an unadopted lane and is managed by the residents of the lane. This is a narrow lane and is not at all suitable for heavy plant machinery.
- This is a pedestrian access route. The current lane already results in pedestrians having to move over onto the lane verges/embankments when vehicles are passing. This is completely unsuitable for pedestrian and heavy plant machinery. The lane is not wide enough to create a pathway in addition to space for such heavy machinery to pass.
- There is no street lighting on this stretch of lane and so is in complete darkness after 4.00pm in the winter months.
- The lane is used on a daily basis by pedestrians. My daughter is 11 years of age and walks to and from Blythe Bridge High School. This is when construction traffic would be in use. This presents a high risk of injury and accidents. The development of

passing places for pedestrians does not reduce this risk adequately and result in a significant material change to the layout of the lane.

- I use the lane at least twice per day as a pedestrian walking my dogs and this will have a negative impact on my quality of life and ability to use the lane.
- The lane will become muddy, slippery and dangerous to drivers and pedestrians.
- Excessive mud and water from the site will result in dangerous driving conditions, particularly throughout the winter months, with ice and snow.
- The proposed manned stop sign system would be detrimental to the residents of Woodlands Lane. Local residents will have to wait to access and leave their properties. Some residents operate a business from these properties and this will have an impact on their ability to access their premise.
- The temporary provision of a haul road would mean the permanent loss of trees vegetation and homes to local wildlife. I do not think that a Arboricultural Assessment and Tree Survey Plan has included the removal of these trees and hedgerows. This should be considered before any decision on this application is made.
- The plan includes filling in the pond area at the end of Woodlands Lane. This is home to a wide range of local wildlife and vegetation.
- The lane is not appropriate and suitable for the use proposed. It is approximately 3.0m wide and is not wide enough to safely accommodate this type of vehicle. The width of the new haul road on SMH land would be 4.0m in order to accommodate the machinery that is planned to use the route. There is not sufficient space available on Woodlands Lane to accommodate this. The width of a heavy plant excavator would result in the machinery churning up the embankments either side of the lane causing further mud issues and damage to the vegetation and surrounding areas.
- Whilst I can understand that SMH would like to start work on the development as soon as possible, this proposal to circumnavigate the planning process and start before approval from the Highways Agency is given is disastrous for the local area and in particular the residents of Woodlands Lane that will find themselves completely surrounded by building work, up to the rear boundary and 4 metres from their living room windows at the front of their homes.
- I would like you to note my strong objection to this proposal.
- Following the letter from Staffordshire County Council giving clarity on the legality of the use of Woodlands Lane by SMH as a temporary access road to the housing development, it is clear that permission for the use of private land needs to be given by the land owners. Woodlands Lane is an un-adopted lane and owned by the residents of the lane. I would suggest that written permission is obtained from the owner of the land/all residents of Woodland Lane prior to any decision being made by SMDC on this planning application. I would strongly appose this application as per the comments on the application previously made.
- I object to this Application not only because it will have a material and adverse effect upon my property but because it makes no planning, business or common sense.
- Planning permission was given on 10.5.2018 for 118 dwellings and under Reserved Matters permission was also given for access to the development site for all purposes including construction traffic subject to a S.278 Agreement being agreed. Access is clearly fundamental to any development.
- I understand from a Highways Consultant that 6 to 8 weeks is normally considered a reasonable time to complete S.278 documentation . The only justification for this Application -although it seems to have been submitted on a stand-alone basis - is that 'the timescales in reaching this agreement (S.278) can be relatively lengthy' and 'the Haul Road will be in place until such time that the S.278 agreement is complete'

- If this Application is permitted it will reduce to nil any immediate pressure on St. Modwen to agree an S.278 agreement. An agreement to agree is of course meaningless as it is unenforceable by either party and as such worthless. Surely it makes planning and business sense to focus and concentrate St Modwen's efforts on resolving the access problems which clearly must exist, otherwise there would be no need for this Application as the time for processing thjs Application could likewise be 6 to 8 weeks.
- The need for the haul road does not seem to have been anticipated nor mentioned as a possibility in the main application MSD/2018/0512 for the residential development. If it had been I would have objected.
- This Application is proposed to be dealt with under delegated powers but as it represents a material departure from the main permission 0512 and could give rise to a future planning and business quandary if terms of the S.278 agreement can never be agreed. It would therefore surely be prudent for the Application to be called in and considered by the planning committee.
- I arranged in 2002 for the initial part of Woodlands Lane to be tarmacked with financial contributions from other residents of Woodlands Lane. From that time the Lane was effectively adopted and managed by us all. While this part of Woodlands Lane may or may not be technically still a public right of way, I have sent a copy of this letter to St. Modwen's agents Turley Associates Limited (Turley), as I object to their presuming an automatic right to use Woodlands Lane for construction traffic for which given its width alone is totally unsuitable.
- Nowhere in the Application as far as I can see is there any indication of how many traffic movements there will be nor the nature of the traffic merely proposals for traffic management. St Modwen must know what is needed for the earthworks and construction of 118 houses.
- I gather when submitting this Application to you Turley stated that they would be contacting the residents of Woodlands Lane. I have not heard nor received anything from Turley or St. Modwen.
- Finally I know from personal experience that access to and from Woodlands Lane from the A521 Uttoxeter Road can often be difficult given the speed and volume of traffic. Access for construction traffic will certainly be hazardous and in my opinion dangerous.
- I know and accept that there is a need for residential development in the Staffordshire Moorlands but this is a misplaced and unjustified Application which seeks to by-pass the planning process already approved due entirely to St. Modwen's failure yet to agree and complete the S.278 Agreement required.

7. OFFICER COMMENT

Main Issues

7.1 The main issues in the consideration of this application are the principle of development, highway safety and traffic generation, contaminated land, air quality, noise impact, landscape impact, hedge and tree matters, ecology, amenity, drainage and flooding.

Principle of Development

Adopted Core Strategy

7.2 Under the provisions of section 38(6) of the Planning and Compulsory Purchase Act 2004 planning applications and appeals must be determined “*in accordance with the plan unless material considerations indicate otherwise*”. The part of the application site which lies within the field alongside Woodlands Lane, is allocated as a Regional Investment Site under Policy SS8 of the Core Strategy. The Policy strictly controls the use of the site to B1 (Office and Light Industrial Uses), and where appropriate, B2 (General Industry).

Emerging Policy

7.3 The Staffordshire Moorlands Local Plan Submission Version (February 2018) allocates approximately 300 homes within a wider, 48.5 hectare mixed use development on the site. This allocation is sought in conjunction with Policies H2 and DSR1, with the site referred to as ‘Blythe Vale’ or ‘Blythe Bridge Regional Investment Site’.

7.4 Policy DSR1 of the Staffordshire Moorlands Local Plan submission version refers to Blythe Vale and states:

Land of approximately 48.5ha is allocated for mixed-use including employment, residential development of approximately 300 houses and supporting infrastructure. This residential development should be located to the north of the site.

Development will be subject to compliance with other relevant Local Plan policies and

- *A comprehensive masterplan;*
- *Affordable housing in accordance with policy H3;*
- *A Transport Assessment;*
- *A Travel Plan;*
- *A landscaping scheme and mitigation measures identified in the Council's Landscape, Local Green Space and Heritage Impact Study;*
- *Details of surface water discharge;*
- *A site specific Flood Risk Assessment and early engagement with the Local Lead Flood Authority;*
- *Ecological survey and management plan having regard to the findings of the Council's Local Wildlife Assessment 2017;*
- *Measures to improve sustainable transport routes and connectivity with Blythe Bridge and surrounding area having regard to the Green Infrastructure Strategy;*
- *Cycle path crossing the site needs to be protected and*
- *Contributions toward infrastructure, public open space, education services and other community needs as required.*

7.5 Accordingly, it has been put forward and currently supported by the Council, in principle, as an allocation in the emerging local plan. This is an important material consideration and indicates the direction of travel of local planning policy, acknowledging the unviable nature of the employment allocation, although, due to the level of objection one which can be afforded only limited weight.

7.6 Notwithstanding this, Phase 1 of the overall site development comprising 118 dwellings has already been approved (Application Ref. SMD/2017/0512). This approval includes the delivery of a junction and access road from the A521 Uttoxeter Road. In addition, reserved matters approval has been given for an access road submitted pursuant to an extant outline consent for employment use to serve a second phase of development on the site.

7.7 The current application is for a temporary haul road to allow construction work to begin on the approved residential scheme and access road, whilst the Section 278 Agreement,

pertaining to the site access off Uttoxeter Road approved under App Ref. SMD/2017/0512, goes through due process with the County Council. Whilst the s278 on course to be agreed by the end of February 2019. The Section 38 Agreement will then be sought over the months following this for the adoption of the approved estate roads. Given these timescales, the developer would ideally look for the temporary haul road to be in place for a minimal 12 month period. This should allow enough time for the S278 agreement to be reached, and for the construction of the site access approved under App Ref. SMD/2017/0512. A further 6 months would then be required to remove it. Staffordshire County Council have confirmed that their latest review report (2nd issue) was issued in December and they are awaiting the response from the developer. In the meantime they are also been working with the developer's designer in connection with the junction vertical design as some of the technical details are still not clear. Once this and all other outstanding design issues are addressed, the technical approval will be granted.

7.8 As such the proposed temporary haul road is in accordance with the adopted Core Strategy policy in principle as it will enable the development of the site in accordance with adopted and emerging policies and approvals and does not present an opportunity to re-consider the suitability in principle of the site for employment use or residential development of the area covered by Phase 1.

7.9 With regard to the Staffordshire Moorlands Local Plan Examination, these development proposals seek to act as a catalyst for the delivery of an allocated site. This will therefore support the Local Planning Authority's delivery position. Overall, therefore, the principle of the haul road is considered to be acceptable and in accordance with both adopted and emerging policy.

Contaminated land,

7.10 This is a reserved matters application and issues relating to contaminated land have been dealt with as part of other applications and therefore a full contaminated land report has not been submitted or required. Furthermore, a temporary haul road is not considered to be a sensitive end use. The Environmental Health Officer has been consulted on the application and no objection has been received subject to conditions to deal with any unexpected contamination. Accordingly the proposal would comply with CS Policy SD4 'Pollution and Flood Risk' in respect of contaminated land

Noise Impact and Air Quality

7.11 The application site lies adjacent to the A50 Stoke-on-Trent to Derby trunk road, and the A521 Uttoxeter Road. The application relates only to the construction of a haul road which is not a noise sensitive receptor and on this basis, it is not considered that there are any noise implications of the proposal. With regard to noise generated by the operation of the new road, the Environmental Health Officer has been consulted and raised no objection on these grounds. It is considered that the proposal also complies CS Policy SD4 'Pollution and Flood Risk' with regard to noise and air quality.

Drainage and Flooding

7.12 The applicant has submitted construction details for the road with the application, which includes drainage detail. Upon completion the haul road is proposed to cross-fall away from Woodlands Lane houses and toward the field. Any surface water run-off from the haul road will drain to the new filter trench/French drain running alongside the road. The

Lead Local Flood Authority, (Staffordshire County Council) has been consulted on these proposals and has not raised any concerns. However, given that the haul road is a temporary feature, detailed drainage proposals could be conditioned and subject to compliance with these, the proposal is considered to accord with CS Policy SD4 'Pollution and Flood Risk' and the NPPF, particularly Chapter 10.

Layout and Design

7.13 CS Policy SS1 'Development Principles' states that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvements of the Staffordshire Moorlands and 'development should be undertaken in such a way that protects and enhances the natural and historic environment of the District and its surroundings both now and for future generations ...'.

7.14 The specific design and conservation policies of the CS also seek to promote local distinctiveness by means of good design and the conservation, protection and enhancement of historic, environmental and cultural assets along with the District's landscape and the setting of its settlements. Policy DC1 sets out design criteria relating to new development to reinforce local distinctiveness and positively contribute to the area. Policy DC2 covers the protection and enhancement of the historic environment. However, in this case the proposal does not raise any heritage impact concerns.

7.15 With regard to the design of the road, the submitted construction details show that this would comprise a geotextile laid on the existing ground, which would be covered by 33mm of compacted stone and topped with 155mm of macadam binder course. Whilst the appearance of the road will be necessarily functional it is a temporary feature and has been designed in such a way that will facilitate easy removal and restoration. Accordingly it is considered that road complies with Policy DC1.

Trees & Landscape

7.16 Policy DC3 sets out measures to protect and enhance the local landscape and setting of settlement. In detail, Policy DC3 'Landscape and Settlement Setting' states 'The Council will protect and, where possible, enhance local landscape and the setting of settlements in the Staffordshire Moorlands by: 1. Resisting development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement and important views into and out of the settlement as identified in the Landscape and Settlement Character Assessment; 2. Supporting development which respects and enhances local landscape character and which reinforces and enhances the setting of the settlement as identified in the Landscape and Settlement Character Assessment ...'.

7.17 The current application site forms part of a much larger site which has previously been identified and granted outline planning permission for major employment development and therefore the principle of the development and the associated visual impact has already been accepted. Whilst a development of a piece of new road infrastructure will inevitably have some impact in the wider landscape, the existing landscape structure of on- and off-site field hedgerows, trees and substantial highway tree belts provides effective screening of the site from public and prominent viewpoints. Furthermore, as noted above, the road will be a temporary feature.

7.18 Turning to impacts on existing trees, the removal of a small number of trees and hedgerow sections is required to deliver the proposed access road and drainage works.

The Site Clearance Plan (Ref. 12629 - 203) and General Arrangement Plan and Construction Details (Ref. 12629 – 202C) provided in support of this application demonstrate the necessary minimal extent of tree and hedge removals, required at Point B shown on the General Arrangement Plan and Construction Details (Ref. 12629 – 202C).

An Arboricultural Assessment (J:\6200\6249\ARB\6249AA) and Tree Survey Plan (6249-A-02.1 C), covering an extent of the Site, have been undertaken previously as part of both the Phase 1 permission (App Ref. SMD/2017/0512) and permission for a Phase 2 access road (App Ref. SMD/2018/0443), and are provided again in support of this application. These surveys concluded that only Category U tree(s), those which are unsuitable for retention, will be removed as part of the proposed haul road development. Overall the haul road has been specifically routed so as to minimise tree removal as much as possible, and thus tree removal is considered negligible.

7.19 The Arboricultural Officer has been consulted on the application, but his comments had not been received at the time of report preparation. These will be reported to Members prior to their meeting. However, subject to him not raising any objections it is considered that the proposal would meet with the objectives of CS policy DC3, which seeks to resist development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement. It would also accord with CS Policies SS1, SS6c and S7 in respect of landscape and those CS policies relating to good design: H1 and DC1 and the relevant core principles of the NPPF in respect of always seeking to secure high quality design and taking account of the different roles and character of different areas as well as protecting trees of amenity value.

Ecology

7.20 The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places

(a) in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment, and provided that there is

(b) no satisfactory alternative and

(c) no detriment to the maintenance of the species population at favourable conservation status in their natural range

7.21 The UK has implemented the Directive in the Conservation (Natural Habitats etc.) Regulations 2010 (as amended) which contain two layers of protection (i) a requirement on Local Planning Authorities to have regard to the Directive's requirements above, and (ii) a licensing system administered by Natural England and supported by criminal sanctions.

7.22 The conservation and enhancement of the natural environment is a core principle of the NPPF where planning policies should promote the preservation, restoration and re-creation of priority habitats and ecological networks. In determining planning applications, permission should be refused if significant harm resulting from development cannot be avoided, adequately mitigated or, as a last resort, compensated for. Similarly, CS Policy DC1 promotes the maintenance, enhancement, restoration and re-creation of biodiversity and geological heritage, where appropriate, in accordance with CS Policy NE1 'Biodiversity and Geological Resources'.

7.23 Amongst other matters, Policy NE1 requires that development, where it is appropriate, produces a net gain in biodiversity and ensures that any unavoidable impacts are appropriately mitigated for whilst promoting the appropriate maintenance, enhancement, restoration and/or re-creation of biodiversity through its proposed nature, scale, location and design.

7.24 Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements

7.25 The NPPF advises LPAs to conserve and enhance biodiversity: if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) or adequately mitigated, or as a last resort, compensated for, planning permission should be refused.

7.26 Natural England's standing advice is that, if a (conditioned) development appears to fail the three tests in the Habitats Directive, then LPAs should consider whether Natural England is likely to grant a licence: if unlikely, then the LPA should refuse permission: if likely, then the LPA can conclude that no impediment to planning permission arises under the Directive and Regulations.

7.27 In this case the application is supported an ecological note which concludes:

- the completion of the temporary haul road will only result in the loss of a limited area which provides potential resting sites for the confirmed population of GCN. Consequently, this development will not affect the 'favorable conservation status' of GCN on site as there will be no loss of habitat. This conclusion is reached from assessment of the habitats present within the site against the definitions of 'resting places' provide in the EC guidance.
- Although during the site clearance / construction phase, a risk (albeit a remote risk) to GCN has been identified, with the application of appropriate avoidance techniques as outlined above, this risk could be avoided. The application of such methods is also in accordance to NE current guidance where the potential impact of a development to populations have been assessed as negligible.
- In summary, as the development will only affect any potential 'resting places' for GCN as defined in the Regulations and appropriate measures to avoid potential offences can be applied it is concluded that the development can be completed without the need for a derogation licence from Natural England.

7.28 The Council's ecologist has been consulted on the report and comments were awaited at the time of report preparation and a further update will be provided to Members on this issue.

Amenity

7.29 The only neighbouring properties which could be affected by the proposal are those in Woodlands Lane. It is considered that the main amenity impacts associated with the road are noise, dust and light pollution associated with the construction and operation of the road. However, the majority of the proposed road (other than that which lies within the existing carriageway of Woodlands Lane) is within the area of the Blythe Vale allocation and permissions and on this basis will be subject to construction activity in any event in the future. It is not considered that the impacts of the operation of the road would be any greater than

those associated generally with a major construction project of this nature. Moreover, the matter has been considered carefully by Environmental Health who have raised no objection subject to conditions. In the absence of any objection from Environmental Health it is not considered that a refusal on amenity grounds could be sustained. It is therefore concluded that the proposed development would be acceptable in amenity terms and would comply with the requirements of Policy DC.1 of the Core Strategy.

Archaeology

7.30 An Archaeological report has been submitted with the application. In summary it states that:

“The Centre of Archaeology was commissioned in August 2018 by St Modwen Homes to undertake an evaluation on land to the south-east of Blythe Bridge, adjacent to the A50 Blythe Bridge Bypass (NGR SJ 396575 340501), in advance of a proposed residential development. Twenty-one trenches were excavated, the purpose of which was to evaluate the presence of archaeological features within the proposed development site.

Geophysical investigations were undertaken across the site prior to invasive archaeological trenching being completed. A magnetometer survey was conducted over 5 hectares within the site boundary. The purpose of this was to lead the formulation of a strategy for further archaeological investigation. No definitive archaeological anomalies were identified during this survey. Evidence of agricultural activity could be seen across the site. This included ridge and furrow, plough effects, land drains and a former fence line. Trenches were located to target possible geophysical anomalies and to be equally distributed across the development site. The twenty-one trenches had comparable stratigraphic relationships and natural ground was reached in each trench. In every trench natural geology was covered by a layer of sterile subsoil and was sealed by a thin topsoil. Overall, the absence of artefacts and features across the site, combined with the known historic usage, suggests that the site has remained an open area, free from structures or development throughout its history.

No features of archaeological interest were identified within the trial trenches. Several cobble, ceramic horseshoe and cylindrical shaped field drains were present in the trenches. The backfilled packing material surrounding some of these drains included fragments of large pottery saggars and occasional waste ceramics. These were likely to have been purchased from a local pottery (Blythe Bridge/ Stoke-on-Trent) pottery in the late 19th or early 20th century specifically for the purpose of hardcore. The presence and frequency of the field drains was confirmation of the geophysical results. There were also numerous examples of areas of burnt natural geology, present as a result of past bonfires across the area. In addition, two shallow linear ditches were identified. These contained silted material and were also likely to have been field drainage trenches”

7.31 The County Archaeologist has commented in respect of previous applications that there is a moderate potential for the presence of unknown below ground archaeological remains surviving within this landscape. She notes the presence of the Roman road to the north of the site with a moderate potential for Roman activity in the area. It should also be noted that the site lies on rising land overlooking the River Blythe with minor valleys to the north west and north east; such sites elsewhere in the county have been associated with prehistoric activity.

7.32 Notwithstanding this, it is noted from the submitted construction drawings, that the haul road will be formed on top of the existing ground and no substantial excavation will be required in order to form the road itself. Excavation will be limited to the drainage trench alongside the road.

7.33 In respect of previous applications the County Archaeologist has been happy to deal with any outstanding archaeological issues by condition and it is considered that a similar condition could be applied to this consent. However, in view of the report which has now been submitted it may be possible to negate the need for further works to be secured by condition in this instance. A copy of the report has been sent to the County Archaeologist for consideration and his comments were awaited at the time of report preparation. An update on this issue will be provided to Members if any comments are received.

Highway Safety and Traffic Generation.

7.34 The Haul Road Operation Statement submitted with the application states that:

- Prior to the start of any haul road works SMH will provide notice to all local neighbours giving the intended start, duration and impact of the haul road works.
- Prior to any works along Woodlands Lane SMH will undertake a photographic survey of the roadway / verges to record the existing condition for defects/dilapidation.
- Haul road construction to be implemented in line with all traffic management, signage, security and drainage measures.
- Upon completion, the haul road will be inspected by a competent person to ensure it has been completed to a suitable standard and in line with the approved documents.
- A competent person will inspect the haul road / site setup measures at the start and end of each shift to ensure they are in a safe / suitable condition.
- The new haul road will be accessed off the existing junction of Woodlands Lane with Uttoxeter Road adjacent B&R Motors.
- Shared haul route / Woodlands Lane stretch, whilst in operation, will have constant banksman and stop sign management from both the Uttoxeter Road entrance and the proposed gate onto SMH land. This operation will provide 1-way / priority usage of the existing stretch of woodlands lane to ensure safe access/egress of all users. Banksman communication/coordination will be maintained via radio.
- Woodlands Lane residents will be given priority access / egress at all times, managed by the SMH banksmen.
- The existing public right of way, that utilises Woodlands Lane, will be maintained throughout the duration of works. Public Right of Way (PROW) users will be given priority by the SMH banksmen and will be escorted through the length of Woodlands Lane affected by the haul road works.

- Pedestrian refuges will be provided to the side of the haul road on Woodlands Lane to allow for safe standing areas should conflict with vehicles (errant drivers) occur.
- Site access into the site will be manned by a banksman and have site security / gates in place. Gates will be manned throughout the times of operation on site and will be made secure at the end of work shifts.
- Gates to the PROW will be surveilled throughout the times of operation on site to ensure any users are safely escorted along the haul route.
- At the end of work shifts the PROW will be left unobstructed and open to public use.
- Within the applicants land the haul road will operate under a 1-way priority system with waiting/passing bays provided to allow HGV (Articulated vehicle) waiting.
- The haul road geometry is straight through the site therefore visibility is not an issue. Communication along the haul road will be maintained between banksmen via the use of radios.
- 2A second pair of gates will be installed with a banksman where the haul route crosses Woodlands Lane again at the southern end. This will ensure access is retained to the farmers field.
- The operation/maintenance of the haul route will be monitored by SMH and improvements made where necessary.
- Site security will be monitored daily and repairs / improvements made where necessary.

7.35 The County Highway Engineer has examined the application and raised no objection subject to conditions. Subject to the recommended conditions therefore it is considered that the proposal complies with policies T1 and T2 of the Core Strategy in respect of highway safety, traffic generation, parking and sustainable transport.

Public Right of Way

7.36 A Public Right of Way (PROW) is located on part of Woodlands Lane, between Uttoxeter Road and Point B on drawing 1269-202 C. The PROW enters the field south east of Woodlands Lane at Point B shown drawing 1269-202 C. The PROW then heads east, running parallel to the hedgerow in this field.

7.37 The applicant states in the Haul Road Operation Statement (Ref. MC/12829 First Issue – 19 Oct 2018) and shown in the General Arrangement Plan and Construction Details (Ref. 12629 – 202C), PROW users and Woodlands Lane residents will be given priority over all vehicles. Pedestrian refuge points will be provided along Woodlands Lane, and Point B will be manned during hours of construction. It is only the length of PROW from Uttoxeter Road to the point of the PROW entering the field that will be affected by the proposed works. A stile and gate are currently in place between woodlands Lane and the field into which the PROW leads. These will be replaced once works are completed, and the stile replaced with an accessible form of entry.

7.38 The County Council Rights of Way Officer has raised no objection to the proposals provided that the PROW remains open and available for the public to use and that the safety of the public using it is maintained. Any obstruction of the Right of Way could be addressed through other legislation and if a temporary or permanent diversion is required, this would need to be considered under the appropriate application process. In the absence of any objection from the PROW officer, it is not considered that a refusal on the grounds of impact on the PROW could be sustained.

Other matters

7.39 A number of other issues have been raised in respect of third party consultations. These can be addressed as follows:

- the proposals do not involve any changes to the Uttoxeter Road frontage, and that the red line boundary here is simply to demonstrate that adequate visibility splays can be provided.
- any land ownership matters have been dealt with through the application process. Land owners given the notices, letters and publicity which accompanied the application in line with the Certificate D requirements. Any other land ownership issues are civil matters and are not material planning considerations.
- Blocking of private rights of way and issues of water / contamination running into neighbouring properties are also a civil matter.
- Issues of contractor parking and wheelwashing can be addressed through construction management plan conditions on this and the previous permissions for development of the site.

8. CONCLUSIONS & PLANNING BALANCE

8.1 Under the provisions of section 38(6) of the Planning and Compulsory Purchase Act 2004 planning applications and appeals must be determined "*in accordance with the plan unless material considerations indicate otherwise*". The site is allocated as a Regional Investment Site under Policy SS8 of the Core Strategy. The Policy strictly controls the use of the site to B1 (Office and Light Industrial Uses), and where appropriate, B2 (General Industry). There is an extant outline consent in place for employment development on the site and a reserved matters approval for the construction of an access road.

8.2 The Staffordshire Moorlands Local Plan Submission Version (February 2018) allocates approximately 300 homes within a wider, 48.5 hectare mixed use development on the site. This allocation is sought in conjunction with Policies H2 and DSR1, with the site referred to as 'Blythe Vale' or 'Blythe Bridge Regional Investment Site'. Accordingly, it has been put forward and currently supported by the Council, in principle, as an allocation in the emerging local plan. This is an important material consideration, although, due to the level of objection one which can be afforded only limited weight.

8.3 Notwithstanding this Phase 1 of the overall site development comprising 118 dwellings has already been approved (Application Ref. SMD/2017/0512). This approval includes the delivery of a junction and access road from the A521 Uttoxeter Road. The developer wishes to start work to implement this consent ahead of the S278 approval process for the new junction which is currently going through due process with the County Council. The haul road

would enable the development of the site in accordance with adopted and emerging local plan allocations and extant planning permissions and is thus acceptable in principle.

8.5 It is not considered that this application raises any significant issues of contaminated land, air quality and noise. Given the fact that the principle of major development on this site has been established by the previous planning permissions and the adopted and emerging allocations allocation coupled with the fact that any impacts arising from the construction and operation of the haul road will be temporary it is considered that an adequate standard of residential amenity is maintained. In the absence of any objection from Environmental Health it is not considered that a refusal on amenity grounds could be sustained. There are no drainage and flood risk objections to the proposal and the ability to use the PROW would be maintained.

8.6 Comments are awaited from relevant consultees with regard to trees, hedgerows, ecology, and archaeology and Members will be updated accordingly. Given the relatively good level of screening to the site and temporary nature of the development no landscape or design and appearance concerns are raised. The proposal will therefore comply with policies SS1, H1 and DC1 of the Core Strategy as well as NPPF advice in terms of design. The County Highways Officer also has no objection subject to conditions.

8.7 Overall, therefore the proposal complies with all relevant development plan policies, there are no significant and demonstrable adverse impacts to outweigh the substantial benefits arising from enabling the development and, subject to the receipt of the outstanding comments and confirmation of no objections from the consultees referred to above the application is recommended for approval.

9. RECOMMENDATION

A. APPROVE subject to no objection from consultees in respect of trees, hedgerows, ecology, and archaeology 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 the provisions of Section 51 of the Town & Country Planning, Planning and Compulsory Purchase Act, 2004.**
- 2. The development hereby approved shall be carried out in accordance with the following Approved Plans: TBC
Reason:- For the avoidance of doubt and in the interests of proper planning**
- 3. Before the proposed development is brought into use, details shall be first submitted to and approved in writing by the Local Planning Authority indicating wheel wash facilities and provision of road sweeper. The wheel wash facility and road sweeper shall thereafter be provided in accordance with the approved details and retained for the life of the haul road.
REASON To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.**
- 4. Prior to the commencement of any phase of the development hereby permitted, a written scheme of archaeological investigation ('the Scheme') for the site area within that phase shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall provide details of the**

programme of archaeological works to be carried out within the relevant phase of the site, including post-excavation reporting and appropriate publication. The development of each phase shall thereafter be implemented in full in accordance with the approved scheme for that phase and a report of the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To record likely below ground archaeological remains

5. No phase of the development 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:-

- 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;
- the arrangements for prior notification to the occupiers of potentially affected properties;
- the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- 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;
- a scheme for recycling/disposal of waste resulting from the construction works;
- the parking of vehicles of site operatives and visitors;
- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- 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 any deviation from it.

Reason: To protect the amenities of the area.

6. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. If after consultation with the Local Planning Authority the contamination is considered to pose a possible risk, to human health, buildings and other property and the natural and historical environment (receptors), development should not commence further until a site investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority. If the contamination investigation and risk assessment indicates that potential risks

exists to receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to the receptors has been prepared, and is subject to the approval in writing of the Local Planning Authority.
Reason: To protect the amenities of the area.

7. Use of the haul road hereby approved shall be discontinued, the haul road removed and the land restored to its former condition on or before 31st July 2020 in accordance with a scheme of work which shall first have been submitted to approved in writing by the Local Planning Authority.
Reason: To protect the amenities of the area and to ensure that the permanent access is via the approved traffic light junction

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.

