

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

30 May 2019

Application No:	SMD/2018/400	
Location	Land off Sytch Road, Brown Edge	
Proposal	Outline planning application for residential development and wildlife pond and habitat	
Applicant	Mr Evans	
Agent	WW Planning	
Parish/ward	Brown Edge	Date registered 4 th July 2018
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 which is locally contentious

1. SUMMARY OF RECOMMENDATION

APPROVE

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 This is a greenfield site situated within the Development boundary of Brown Edge. It consists of open but overgrown land extending to approximately 1 hectare. The topography is such that the land rises south west to north west and again south east to north west. Across the length of the site the level change is up to 8 metres approximately and across the site 7 metres approx. depending of course where the measurements are actually taken from. The site is bound to the south and east by the rear gardens of the houses on High Lane and Sytch Road itself, to the east by a public park/playing fields, to the north by the dwelling known as Park View and to the north west by Bank End Road and an associated area of open space.

2.2 The site appears to have been largely unmanaged for many years, with a resultant coverage of tall ruderal herb vegetation, patchy scrub and a few scattered and boundary trees; there is also a marshy/tussocky area in the southern part of the site, associated with an adjacent wet ditch/watercourse running along the southeast boundary. There has recently been some clearance of existing trees within the site. None of the trees are subject of a Tree Preservation Order.

3. DESCRIPTION OF THE PROPOSAL

This is an outline application with all matters reserved for subsequent approval. The application includes the creation of a wildlife pond and habitat. Access is shown from Sytch Road.

This is a resubmission of a previous application which was refused in November 2017 (SMD/2016/0523).

The application is accompanied by a Flood Risk Assessment, Preliminary ecological appraisal including Reptile and Terrestrial amphibian surveys, Bat survey, Harvest mouse survey Tree report and an Ecological Protection and Enhancement Overview Report.

4. RELEVANT PLANNING HISTORY

SMD/2016/0523 Outline application (all matters reserved) for development of 3 detached and 22 semi detached houses including the infrastructure . Refused.

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
- DC2 Heritage
- 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.

5.5 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 was held in November 2018 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 2019. At this point, it will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

5.6 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:

5.7 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

5.8 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

5.9 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

SS2 Settlement Hierarchy

SD4 Pollution and Water quality

SD5 Flood Risk

H1 New Housing Development

DC 1 Design Considerations

DC 3 Landscape and Settlement Setting

NE1 Biodiversity and Geological Resources

T1 Development and Sustainable Transport

National Planning Policy NPPF

National Planning Policy Guidance

6. CONSULTATIONS CARRIED OUT

Press Notice expiry date: 15th August 2018

Site Notice expiry date: 27th August 2018

Local residents have been notified by letter and the following objections have been received:

1. The site is used by much wildlife throughout the year
2. The site is of natural beauty from which many people benefit
3. Its development for housing would be a tragic loss to Brown Edge
4. A wildlife pond will reduce the traditional aspects

5. Overlooking and loss of privacy
6. Noise and fume pollution during construction
7. Pond will create a health and safety issue
8. This land is unique
9. The village needs valuable open space such as this more than it needs housing
10. The majority of local residents do not want the area developed
11. The land provides a natural soakaway
12. The proposed access is dangerous – its in a dip and almost oppsoute The Dingle and near a blind bend
13. Risk of flooding
14. Development of the site for houses would harm the character and appearance of the area
15. Loss of historic footpath
16. Should be preserved as Visual Open space
17. The local schools, doctors etc are already over stretched
18. This is very difficult terrain
19. Policy seeks to protect wildlife corridors such as this
20. Increase pollution once built from cars, heating, noise, dust

Parish Council

Object most strongly on the following grounds:-

1. SMDC Landscape and Character assessment undertaken by Wardle Armstrong in 2008 identified this site as appropriate Visual Open Space, stating that this is an important space in the centre and largely open part of the village. It acts as a visual link between two different types of open space in the village and the residential development along Sytch Road. It recommends that this open space be extended to include common land adjoining. This is part of the emerging Local Plan. Furthermore it also states
 - a. Area BE01.
 1. Character etc.
 2. Also classified an "Open Space" which was contained in an agreement between this Council and SMDC to protect this site on the understanding that the Parish Council would purchase the land if it became available.
 3. Have met with Staffordshire Wildlife Trust and it asked the Parish Council to object as the land being significant as it is
 - a. unimproved land, b. contains a floating bog, c. contains Tussock Grass, d. has an open water course, e. worthy of wildlife appraisal.
 4. Source of water for Sytch Road trough is located in the field.
 5. Any excavation of bedrock or the proposed drainage would lower the water table and dry up the source.
 6. Consultations for the merging Brown Edge Neighbourhood Plan have shown that one aspect most valued is the unusual open nature of the village meaning that no house is more than 30 mtrs away from an open space and no house further than 50 mtrs away from fields.
 7. The War Moors (name of the site) at one edge is bounded by the Sytch Road Brook which, as its name suggests, is a Saxon boundary. The site requires an archaeological assessment before any development takes place.
 8. The field is a very important wildlife corridor bringing wildlife into the centre of the village. Deer have been reportedly sighted crossing Sytch Road into the field from the Dingle.
 9. The location of the proposed pond would create a potential danger to school children who pass in the vicinity of the site.
 10. The proposed pond and proposed drainage would destroy the floating bog.
 11. The proposed access from Sytch Road would create a dangerous situation being near to a blind bend and an adjacent junction, The Dingle.

Environmental Health Officer

No objection subject to conditions

Project Officer – open spaces

Advises that due to the size of the proposed development and the fact that it is adjacent to the existing playing field and play area on High Lane, requests that off-site contributions are made for both play and playing fields. District Council do not own any land in Brown Edge, but Brown Edge Parish Council own and manage High Lane Playing Field and without wishing to prejudice the impartiality of the Parish Council, we feel that off –site contributions for play and playing fields should be requested and targeted towards providing facilities for young people at this site. The proposed new development is well within the recommended 15 minute walk time. If young people's facilities could be enhanced and developed at this existing open space through off site contributions, this would directly benefit any new residents.

The current formula used for calculating contributions is as follows:-

Play - £502.65 per bedroom

Playing pitches - £627.21 per bedroom

Ecology Officer

Initially objected to the application. Following receipt of further surveys and additional information moved to a position of 'No Objection' subject to conditions. Advises that he is now satisfied that the protection of the fen habitat can be achieved with the imposition of appropriate conditions

Trees and Woodland Officer

Previously advised no objection subject to conditions

Local Highway Authority

No objection subject to conditions

Local Lead Flood Authority

Initially objected on the grounds that the submitted documents did not provide a suitable basis for assessment to be made of the flood issues arising from the proposal. After the receipt of further information from the applicant moved to a position of 'No objection' subject to conditions to secure flood prevention measures set out in the Flood Risk Assessment/Drainage Strategy

Regeneration Officer

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, we have relied upon the data supplied by the applicant and used the Council's approved multipliers to prepare these comments.

The proposal for development of 24 new homes at land off Sytch Road 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 24 units this is calculated at £225,312 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 26 direct jobs and 3.5 indirect jobs.
- The development will also generate approximately £4,409.28 council tax for the area per annum.

Education Authority SCC

This development falls within the catchments of St. Anne's CE (VC) Primary School, Brown Edge and Endon High School. The development is scheduled to provide 24 dwellings. A development of this size could add 5 Primary School aged pupils and 3 High School aged pupils. All schools are projected to have sufficient space to accommodate the likely demand from pupils generated by the development.

Severn Trent Water

No objection subject to condition to secure drainage plans for foul and surface water

Staffordshire Wildlife Trust

Object to the potential impacts to biodiversity and support the comments of the Councils Ecology Officer

7. OFFICER COMMENT AND PLANNING BALANCE

Principle of Development

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:-

- I. 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,
- II. Specific policies in within the NPPF indicate that development should be restricted

7.3 This site lies within the Development boundary of Brown Edge. It is a greenfield site. In the saved Proposals map the site is part of a larger area of land designated as Visual Open Space. However Visual Open Space is not recognised as a form of protected open space in the NPPF. In that respect the part of Policy DC3 which refers to VOS is not in conformity with the NPPF and attracts minimal weight. For this reason the Council has not carried forward any of the VOS designations into the emerging plan.

7.4. The NPPF does however support the designation of Local Green Space through Local and Neighbourhood Plans to allow communities to identify and protect green areas of particular importance to them (para 99). The criteria for LGS designation are specifically set out at para 100 of the Framework. The Council commissioned a Local Green Space and Heritage Impact Study, part of the remit of which was to assess areas previously protected as VOS in the Core Strategy against LGS criteria to see whether such sites should be carried forward as LGS designations in the emerging plan. The application site was considered as part of this process but was discounted. It did not meet the strict criteria for LGS designation.

7.5 Brown Edge is identified as a Larger village in the Core Strategy. Policy SS6A says that such settlements shall 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 it will meet local housing need by allocating a range of deliverable housing sites primarily within the built up area in locations across the village with good accessibility to services and facilities. This site is within the built up area, albeit open at present with good access to services and facilities.

7.6 In addition to the above assessment, 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 but for the reasons outlined above, it is concluded that the principle of housing development is now acceptable. There is no conflict with SS6A. Any conflict with that part of DC3 relating to VOS can only be given very limited weight for the reasons expressed above.

Access

7.7 Although approval of access is not sought at this stage the indicative plan submitted with the application shows a potential access from Sytch Road. The Highway Authority is satisfied that, subject to detail, it would be technically possible to provide an access at this point. Although the LHA has recommended a number of conditions, these are not relevant to this outline submission and have not therefore been included below.

7.8 The site is in a sustainable location near to services and facilities. It is close to bus routes and there is the opportunity at reserved matters to ensure good pedestrian connectivity within the site and linking externally to facilitate walking and indeed cycling as a mode of travel.

7.9 Subject to these matters there is compliance with Policies DC 1 and T 1 and the NPPF.

Affordable housing

7.10 Policy H2 requires that 33% of the total number of dwellings shall be affordable, to be secured as usual through a Section 106 Agreement. The applicant has confirmed that he is willing to accept this and has suggested a tenure split of 70% rent to 30% shared ownership. With this secured there is compliance with Policy H2 and the NPPF.

Biodiversity

7.11 The application was accompanied by a Preliminary Ecological Appraisal (PEA) (21st May 2018), a Bat survey (2018), a Reptile and Amphibian Terrestrial survey (2018) and an Ecological Protection and Enhancement Overview Report. During the processing of the application and in response to concerns/requests from the Ecology Officer further information was provided as follows; Harvest Mouse survey (2018), updated Ecological Protection and Enhancement Overview Report (2018), SBI Criteria Assessment Report, Hydrology report. The PEA describes the site as consisting of various habitats, tall ruderal (90% of the site) marshy grassland, (10% of the site) together with scattered trees and a ditch.

7.12 There have been considerable discussions/negotiations between the applicant, Case Officer and Ecology Officer during the processing of the application. These have related in part to lack of survey data (which has subsequently been provided) but more particularly concern about the impact of development on the fen vegetation/ marshy grassland to the south of the site. This is the main ecological interest in the site. It is a habitat of principal importance under the NERC Act 2006 and an irreplaceable habitat under the NPPF. The Ecology Officer advised that it may be of such quality to qualify as a Local Wildlife Site (LWS) and that a more detailed assessment (mapping and survey) against LWS designation was needed of this area and its hydrology to establish its quality and value before any decision was made on the application.

7.13 The applicant subsequently commissioned a Site of Biological Importance Criteria Assessment Report. This detailed survey and appraisal of the fenland/marshy grassland concluded that the site is too small to merit designation as an SBI or as a Biological Alert Site (BAS). The Ecology Officer was satisfied with the appraisal and agreed with its conclusion. He advised that the Report does confirm that the site has biodiversity value by virtue of the fen community present. The more detailed information in the Report provides greater clarity of the size, scale and relative importance of the fen community. On this basis the Ecology Officer advises that a planning condition would be appropriate and proportionate to ensure protection and enhancement of this biodiversity interest. An Ecological Design Strategy is therefore recommended to agree methods to avoid, mitigate, compensate and enhance habitats on the site and key species known to use the site.

7.14 In respect of protected species the Ecology Officer advises that the survey for Harvest mice found no evidence of harvest mice. It indicated that the site was of negligible value for the species and provided no recommendations.

7.15 In the case of Reptiles and Amphibians, the survey revealed that the application site is not currently in use by either reptiles or great crested newts. However the site was found to support a small population of common frogs and common toads. As the numbers were minimal the site is not considered to be critical to their survival within the local landscape. Having said this mitigation and enhancement measures are recommended to avoid impact and provide a net gain in biodiversity. These are set out in the updated Ecological Protection and Enhancement Overview Report and need to be secured through a suitable condition. The creation of the pond will, for example provide frog and toad breeding opportunities.

7.16 In respect of breeding birds, a condition to control vegetation clearance to avoid the bird breeding season is recommended.

7.17 In respect of Bats, the results from three activity surveys revealed that the site is currently in use by a small number of common pipistrelle bats. No features on the site were found suitable to support roosting bats but the site does have good foraging and commuting value. No significant impact is thus anticipated on the local bat population although there are

opportunities to enhance the site for bats. Again the updated Ecological Protection and Enhancement Overview Report sets out mitigation and enhancement measures for bats and these need to be secured through a suitable condition.

7.18 The updated Ecological Protection and Enhancement Overview Report proposes various mitigation and compensation measures, for example, fencing off the marshland during construction, creation of a pond, incorporation of bird and bat nesting features into the fabric of new buildings, landscaping scheme to incorporate suitable plants to benefit wildlife, clearance of vegetation by hand to avoid impact on amphibians, relocation of any recorded amphibians to the marshland habitat, creation of a hibernacula (hibernation facilities). These measures would be picked up in the Ecological Design Strategy

7.19 Many of the letters of representation refer to concerns about loss of wildlife using the site and the loss of habitats. As advised above, matters of biodiversity have been subject to extensive discussions and negotiations between the applicant and the Ecology Officer. Officers are now satisfied that the evidential information submitted with the application together with the mitigation and compensation measures proposed will ensure biodiversity interests can be protected and enhanced. With conditions as suggested above, compliance with Policy NE1 and the NPPF is achieved.

Drainage

7.20 The site lies within Flood Zone 1 which is land least at risk of flooding albeit that the site is currently a greenfield site and there is an existing watercourse running along the south eastern boundary of the site. A Flood Risk Assessment/Drainage Strategy was provided with the application.

7.21 The Local Lead Flood Authority (LLFA) initially objected to the application on grounds that the submitted documents did not provide a suitable basis for an assessment to be made of the flood risks arising from the proposed development.

7.22 Further information was provided by the applicant which has clarified the proposed drainage strategy. It is confirmed that it will involve cleaning out and re establishing the watercourse as a clearly defined route together with a surface water attenuation pond with restricted outflow to 5 l/s to mimic greenfield run off. The LLFA accepts the further information and has moved to a position of 'No objection' subject to securing the flood prevention measures set out in the application documents by way of condition. With this in place there is compliance with Policy SD 4 and the NPPF.

Preliminary Site Layout

7.23 The applicant has not sought permission for a specific number of dwellings or an upper limit. The application is simply a red line round the site. If approved, the principle of some form of housing would be given. The actual number, siting etc. of units would be determined at reserved matters. This application has not committed the Council to a specific number of dwellings.

7.24 An indicative Preliminary Site Layout is provided with the application which shows possible access off Stych Road, areas retained as open space, area retained as wildlife and indicative house positions. As a general concept it is considered to be a good starting point. As noted above there are some appreciable level changes across the site. The applicant has provided some indicative longitudinal and cross sections to demonstrate likely treatment of these levels. Officers are satisfied that with careful treatment of levels and positioning of roads and dwellings it should be possible to develop the site in a sensitive manner. Level changes within sites is a characteristic feature of the immediate area – note the adjacent

properties on High Lane and nearby at The Dingle for example. Conditions to broadly work with the Preliminary site plan and to control mix and size of unit in accordance with national and local policy are recommended at this stage.

Developer Contributions

7.25 Policy C1 and the adopted SPG Developer Contributions require that the impact of development on existing infrastructure particularly local open space provision and local school capacity should be mitigated where necessary.

7.26 Open space - Off site contributions are requested towards play and playing fields. Although the Council do not own any land in Brown Edge, it is known that the Parish Council own and manage High Lane Playing Field. This site is close to the application site and improvements to facilities here would be beneficial. The applicant accepts in principle a contribution towards public open space. This needs to be secured in a 106 Agreement.

7.27 Education - the County Schools Organisation team advise that both St Anne's CE (VC) Primary School, Brown Edge and Endon High School are both projected to have sufficient space to accommodate the likely demand from pupils generated by this development and because of this do not require a contribution in this case.

7.28 With a Section 106 Agreement in place to secure the Public open space contribution there is compliance with Policy C1

Other issues

7.29 The Environmental Health Officer recommends a Risk Assessment be required by condition to assess the nature and extent of any contamination on the site due to some limited evidence of historical contamination (landfill and bus depot). He advises that the presence of surface coal measure should not be discounted either although the site is within a Low risk area in terms of coal mining. Conditions are also recommended to control hours of work during construction and seek a Construction Method Statement due to proximity to existing residential homes and to protect amenity as far as is possible. With these in place no adverse amenity impacts from contamination or noise are anticipated and there is compliance with Policy SD 4 and the NPPF.

. 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 that part of Policy DC3 relating to Visual Open space but only limited weight can be attached to this because it is not in conformity with the NPPF.

8.3 The NPPF is a material consideration of weight in the determination of this application. 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.

8.4 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 quantified some of the economic benefits 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. These are weighty social benefits to the scheme. The site is in a sustainable location and is served by a bus route. Walking and cycling both offer realistic alternative modes of travel. As noted above there is some conflict with Policy DC3 however only limited weight can be ascribed to this as detailed in the Officer comment section below.

8.4 Weighing all matters into the balance and applying the paragraph 11 test, the judgement reached is that the very limited harm identified is not significant and demonstrable; it is clearly outweighed in this case 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.

8. 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 subject to the following conditions:-

- 1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters.
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 access, appearance, landscaping, layout, and scale, (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:- Drawing 5647:001 Location Plan**

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

- 5. The reserved matters application (s) shall be broadly based on the Preliminary Site Allocation drawing 5647-002E albiet that the road and turning head should avoid extending into the far north west corner of the site.**

Reason:- In the interests of the character and appearance of the area

Mix and size

- 6. 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

- 7. The mix of units at reserved matters shall reflect the Council's Strategic Housing Market Assessment**

Reason: - To ensure an appropriate mix of units

Noise

- 8. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations.**

- 08:00 - 18:00 hours (Monday to Friday);**
- 08:00 - 13:00 hours (Saturday)**
- No working is permitted on Sundays or Bank Holidays.**

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

- 9. 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 dBLAeq in living areas and 50dB LAeq in outside living areas..

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

Amenity

- 10. The development hereby approved, including site clearance shall not take place until a Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction Method statement should include the following details:-**

- I. A scheme to minimise dust emissions arising from demolition/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.
- II. Details of wheel washing facilities. All demolition/construction vehicles shall have their wheels cleaned before leaving the site;
- III. a scheme for recycling/disposal of waste resulting from the demolition/construction works;
- IV. The arrangements for prior notification to the occupiers of potentially affected properties;
- V. The responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- VI. 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.

Once approved, all relevant activities on the site should be carried out in accordance with Construction and Environmental Method Statement throughout the course of the development. 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 from dust

Contamination

11.No development including site clearance shall take place until a site risk assessment has been undertaken to assess the nature and extent of any contamination on the site, in accordance with a scheme to be agreed with the Local Planning Authority. Once completed, a written report of the findings and recommendations shall be submitted and approved in writing by the Local Planning Authority.

If the site risk assessment (i) indicates that potential risks exist, development shall not commence, until a detailed remediation strategy to mitigate the identified risks and ensure the site is remediated to a condition suitable for the intended use has been submitted and approved in writing by the Local Planning Authority.

The agreed remediation strategy (ii) shall be adhered to throughout the development.

Following completion of the site remediation and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted and approved in writing 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.

12. In the event that contamination, including surface coal measures, is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exist to any identified 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 human health, buildings and other property, and the natural and historical environment has been prepared, and 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.

13. No top soil is to 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 submitted to and agreed 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

14. 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.

Flood risk/Drainage

15. The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

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, to minimise the risk of pollution and in the interests of highway safety

16. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA)/Drainage Strategy and the following mitigation measures detailed within the FRA and email of the 3/8/18 from Keytech Development Design Ltd.

- Limiting the surface water run-off generated by the site to 5l/s so that it will not exceed the run-off from the undeveloped site and will not increase the risk of flooding off-site.
- Provision of an appropriate calculated volume of attenuation flood storage on the site to a 100 year + 30% standard.
- Demonstration that the improvement/redefining and adequate maintenance of the existing ditch course along the southern boundary will be provided.
- Confirmation that the developer will investigate the culverting of the southern watercourse and adoption by Severn Trent, as an alternative to the above.
- Finished floor levels are set no lower than 150 mm above local ground level.
- Confirm which responsible body will maintain the surface water system and watercourse over the lifetime of the development according to an acceptable maintenance schedule and that is achievable.

Reason:- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure adequate capacity is available in the southern watercourse thereby reducing the risk of flooding and to reduce the impact of flooding on the proposed development and future occupants.

Ecology/Biodiversity

17. The first reserved matters application shall be accompanied and informed by an Ecological Design Strategy (EDS) which shall first have been submitted to and approved in writing by the Local Planning Authority, addressing methods to avoid, mitigate, compensate and enhance habitats and key species.

The EDS shall be based on the submitted Ecological Protection and Enhancement Overview Report and shall include (but not be restricted to) the following:

Review of site potential and constraints

Detailed designs and methods to avoid and mitigate any impacts on existing fen vegetation communities.

Detailed designs and methods to increase the extent and enhance the fen vegetation communities.

Creation of habitat features that will be used by breeding birds including song thrush, dunnock throughout the development

Creation of artificial bat roosting features within each new building, plus habitat features of use to foraging bats throughout the development.

Creation of features that will benefit amphibians including hibernaculum.

Extent and location/ area of proposed work on appropriate scale maps and plans.

Type and source of material to be used e.g. native species of local provenance.

Timetable for implementation demonstrating that works are aligned with phases of the development.

Details of aftercare and long term maintenance.

Details for monitoring and remedial measures.

Details of disposal of waste to avoid impacts.

The EDS shall be implemented in accordance with the approved details and all features shall be retained as approved thereafter.

Reason:- In the interests of the protection and enhancement of biodiversity

18. There shall be no removal of trees, hedgerows or other vegetation during the breeding birds season i.e. timing vegetation clearance outside the bird breeding season 1st March to 31st August.

Reason:- In the interests of protected species.

19. No development, including site clearance shall commenced until full details of measures and methods to protect reptiles and amphibians before, during and post construction to include details of site supervision by a suitably qualified ecologist to undertake vegetation clearance by hand and the relocation of amphibians to the marshland habitat has been submitted to and approved in writing by the Local Planning Authority. The development, including site clearance shall thereafter only proceed in accordance with the approved details.

Reason:- In the interests of protected species

Informative

1. A sustainable development has been negotiated with the application which meets the provisions of the National Planning Policy Framework.

2. The applicant is advised that Approval of Landscaping should be supported by a statement to demonstrate how the scheme has been informed by the Ecological Protection and Enhancement Overview Report dated June 2018 to provide biodiversity enhancement at the site. The area of frontage hedgerow likely to be lost by the access road on the indicative plan can be compensated for by the creation of species rich hedgerow along the new visibility splay and 2-3m wide species rich grassland buffer strips around other site boundaries. This should be included in the landscaping proposals for the site.

3. The applicants attention is drawn to the following highway requirements which should be included as part of the detailed layout for the site.

- good internal and external pedestrian connectivity

-Footways only where necessary; use of 2m service strips and licence to plant where possible

- swept path analysis to cater for a 12m long refuse vehicle

4. The access, pedestrian and vehicular connections may require a Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a link to a Works Information Pack and an application form for the Works Agreement. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire ST16 2DH. (or email nmu@staffordshire.gov.uk)
<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>

This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 (for adoption) or section 219 exemption (to remain private) of the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

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 'Head of 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.