

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

14 November 2019

Application No:	SMD/2018/0180	
Location	Land to the East of Froghall Road and North of Ayr Road, and Cheltenham Avenue, Cheadle.	
Proposal	Hybrid planning application on land east of Froghall Road and north of Ayr Road / Cheltenham Avenue, Cheadle seeking 1) full permission for 125 dwellings and access to proposed primary school and 2) outline permission for up to 135 dwellings and primary school with all matters reserved.	
Applicant	Persimmon Homes (North West) Ltd	
Agent	-	
Parish/ward	Cheadle	Date registered: 22/03/18
If you have a question about this report please contact: Rachael Simpkin tel: 01538 395400 ex 4122 rachael.simpkin@staffsmoorlands.gov.uk		

REFERRAL

This is a large scale major application for residential development and a new primary school site.

1. SUMMARY OF RECOMMENDATION

APPROVE, subject to conditions and the completion of a s106 planning obligation securing matters of onsite affordable housing provision, education contributions and off site play / playing field contributions by the 29th November 2019 (the determination date in the event of an otherwise suitable and agreed time extension with the Council).

The time extension agreement accounts for scheme negotiations in relation to ecology, flood risk, highways, layout / design and viability matters.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The 12.55 ha (hectare) greenfield application site is located c.1km northeast of Cheadle town centre. It is utilised as farm grazing land and is broadly divided into four field parcels defined by hedgerows along field boundaries. The field boundary Ash tree located within the central area of the site is subject to a TPO (Tree Preservation Order) (SM182T00). Land levels fall from Broad Heyes Holiday Park (north) in the direction of the Cecily Brook (south) from 167m AOD to 162m AOD.

2.2 The Cecily Brook defines the southeast boundary of the site, which further adjoins open countryside and together with its vegetated corridor falls within

Environment Agency Flood Zones 2 and 3. Outside of these zones, the remainder of the application site is confined to Flood Zone 1. The north-eastern field boundary also adjoins open countryside accommodating a Grade II listed farmhouse 'Broad Haye' further to the north.

2.3 Nearby development is predominantly residential, other than a transport depot on the southeast (opposing) side of Froghall Road. There is an established enclave of residential development and a playground to the north of Donkey Lane. Of note, the northern boundary of The Gables property protrudes into the site to the south of Donkey Lane. Sheltered housing accommodation on Weaver Close leads to the Broad Heyes Holiday Park bordering the north and east edges of the site. To the south boundary sits a more modern residential estate with properties backing onto the site belonging to Ayr Road, Ness Grove, Wetherby Close, Cheltenham Avenue and Sandringham Close.

2.4 A PROW (Public Right of Way) (Cheadle 38) crosses the site south from Donkey Lane, then travels along the rear garden boundaries to the south of the site to cross the Cecily Brook and out towards Woodhead Hall Farm to the east. A further PROW (Cheadle 40) from Froghall Road along Hammersley Hayes Road bypasses the northern tip of the site to Broad Haye then crosses to Thornbury Hall to the northeast.

2.5 The application site is affected by two disused mining shafts. These are located within the proposed area of public open space (Phase 1) and school site (Phase 2). Within Phase 1, overhead cables traverse the site from Donkey Lane to Ness Grove.

2.6 The proximity of local services within a 2km pedestrian catchment area includes: The Alton Arms Public House, Iceland, Boots Pharmacy, Morrisons, Cheadle Police Station, ASDA, Cheadle Methodist Church and the Post Office. There are also bus stops close to the site linking to the town centre, Uttoxeter, Hanley and Leek.

2.7 The town and village development boundaries on the 1998 Staffordshire Moorlands Local Plan Proposals Map currently remain in force until they are superseded when the new development plan for the district is adopted. Accordingly, Phase 1 and part of Phase 2 of the scheme falls within the Cheadle settlement boundary with the remaining part of Phase 2 located within designated open countryside. These scheme phases are described in more detail below. The application site further falls within the minerals safeguarding area, Radon Zones 1 to 3 and the Cheadle Composite Signals Organisation Station.

3. DESCRIPTION OF THE PROPOSAL

3.1 The application is 'hybrid' in form and seeks a combination of detailed approval (full planning permission) and approval in principle (outline permission) for the site to be delivered in three distinct phases: Phase 1 (125 residential units), Phase 2a ('up to 135' residential units) and Phase 2b (primary school with playing field).

3.2 'Phase 1' (full) comprises of a single residential phase totalling 125 units on a 4.96 ha site area. The primary site access to Phase 1 would be from Froghall Road

via a priority controlled junction and would require the relocation of the existing bus stop. In addition, there would be two secondary accesses proposed for Phase 1 from a continuation of both Ayr Road and Cheltenham Avenue. Access to the school site within Phase 2b would be available from the new spine road provided within Phase 1 so that it could be delivered as a stand-alone project. These routes into the site would lead to a series of cul-de-sacs and private driveways to form outward facing perimeter blocks accommodating mainly frontage parking and rear gardens within the area to the southwest of the central POS (Public Open Space) and south of the proposed school site.

3.3 Phase 1 would consist of a range of two-storey properties expressed as 1, 2 and 3-bedroom terraced, detached and semi-detached house types as follows:

- Alnmouth – 1b2p x 6 (affordable social rent)
- Danbury – 2b4p x 35 (23 x affordable social rent and 12 affordable intermediate)
- Danbury – 2b3p x 6
- Chedworth – 3b4p x 3
- Clayton – 2b3p x 2
- Clayton Corner – 2b3p x 4
- Hatfield – 3b4p x 4
- Hatfield – 3b4p x 8
- Kendal – 4b6p x 18
- Longthorne – 4b5p x 20
- Stafford – 3b4p x 19

3.4 The Affordable Housing Statement sets out that for Phase 1, 33% (41 dwellings) would be provided as affordable housing. This would equate to 70% (29 units) for social rent and 30% (12 units) for intermediate homes as a mix of 1 and 2-bedroom homes as is set out above. No details of a registered provider have yet been forwarded by the applicant.

3.5 Phase 1 also includes a LEAP (Local Equipped Area for Play) within the proposed POS to the northeast of the site area for this phase, which is to be delivered as part of the full scheme. The former mine shaft and the existing public right of way would be accommodated within the central POS area. The northeast boundary hedging would be reinforced by additional planting as well as general landscaping within the POS itself. The Froghall Road entrance would lead into a landscaped visual amenity area, which would accommodate the proposed sub station for the site. Further in-plot frontage tree planting is proposed as part of the wider landscaping strategy for this part of the scheme.

3.6 For Phase 2, outline planning permission is sought for 'up to' 135 dwellings and a primary school with all matters reserved on a 7.49 ha site area. Points of access are shown in the form of the continuation of the spine road from Phase 1 and the continuation of Cheltenham Avenue into Phase 2. Whilst layout is a reserved matter, the revised Illustrative Plan identifies the location of the school site with playing field within a suggested layout. This shows the school building centrally located within the wider site as Phase 2B on a 1.13 ha plot.

3.7 The undeveloped and widened corridor to the Cecilly Brook would incorporate a balancing pond for sustainable drainage (however, this would be implemented as part of the Phase 1 drainage strategy), a pumping station and an ecological enhancement pond. This area leads to a substantive buffer with pedestrian access to the northeast boundary adjoining open countryside. The residential aspect of the outline scheme for up to 135 dwellings would be contained by such buffer areas and would also adjoin the existing residential development / holiday park and school site to its northwest and west boundaries.

3.8 The application is not considered to be development requiring an EIA (Environmental Impact Assessment).

3.9 Scheme revisions are summarised as follows:-

1. Detailed Proposed Planning Layout (Phase 1) (Ref: ARCH/PL/PH1 Rev Z) – this revision has removed a private drive serving plots 121-125 and instead would serve these plots directly off an extension of Cheltenham Avenue. Revision Z2 includes the provision of a further sub station within the site. Revision Z3 has revised the 'affordable' Danbury house type drawing to allow for dual occupancy as a 2b4p unit. The open market house types will remain as 2 bed 3 person with study.
2. All house types of 2.5 storeys have been removed and all proposed dwellings are two storeys;
3. Proposed Access Arrangement (Ref: 2002-F03 Rev A) – Updated to show a further site access arrangement via Cheltenham Avenue;
4. Location Plan (Ref: ARC/LP/01 Rev A) – Updated to reflect the above revisions to the Phase 1 scheme;
5. Updated Illustrative Masterplan (Ref: 8060-L-07 Rev L) – updated to show required landscape and ecology buffers and reduced site density. Illustrative Masterplan (Rev M) has been further revised to incorporate the 30m buffer zone from the Brook as requested by the Council's ecologist;
6. Outline Density Parameters Plan (Ref: 8060-SK-01 Rev B) – Accompanying plan to the above to demonstrate the gradual reduction in density across the site;
7. Flood Risk Assessment – to reflect previous discussions and developable land being moved away from the Flood Zone. This has been further supplemented by correspondence to address both the Environment Agency and Lead Local Flood Authority concerns;
8. House type Assessment – Assessment of house types against National Described Space Standards and Part M4(2) of Building Regulations as further updated;

9. Affordable Housing Statement Revision A. Has revised the 'affordable' Danbury house type drawing to allow for dual occupancy as a 2b4p unit; and,

10. Updated Air Quality Assessment and supporting Memorandum.

3.10 The applicant has confirmed Heads of Terms in the table below:

	Full Application	Outline Application
Affordable Housing	41 no. Affordable Homes (33% of site total):- 29 (70%) are Social Rent and 12 (30%) are intermediate	33% of all houses on any phase(s) of development to be affordable homes. Such details, including tenure to be agreed as part of any future RM application(s).
Highways	£0.00 – no contribution required as confirmed in highways authority consultation response	As part of any future Reserved Matters consent(s), the developer will make a financial contribution of £1,052.63 per plot for that phase of development (up to a maximum of £142,105.49) towards Cheadle Town Centre Improvements.
Travel Plan	£6,895.00	
Public Open Space	The developer will provide a Locally Equipped Area of Play on the land forming part of the full planning application.	As part of any future Reserved Matters consent(s), the developer will make a financial contribution of £517.72 per bedroom for that phase of development.
Playing Pitch Contribution	The Developer will pay a financial contribution of £196,390.08 towards the improvement of Playing Pitches within Cheadle.	As part of any future Reserved Matters consent(s), the developer will make a financial contribution of £646.02 per bedroom, for that phase of development.
Education	The Developer will pay a financial contribution of £532,031.25 towards education improvements in Cheadle (less Double	As part of any future Reserved Matters consent(s), the developer will make a financial contribution of £4,256.25

	ALV) (to be confirmed)	per bedroom (up to a maximum of £574,593.75), for that phase of development.
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3.11 The application and details attached to it, including the plans, supporting documents, representations and consultee responses can be found on the Council's website at:

<http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=121818>

3.12 Members are advised to consider all of these documents prior to the meeting.

4. RELEVANT PLANNING HISTORY

4.1 No recent or site history recorded.

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The Development Plan comprises of:

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

Staffordshire Moorlands Local Plan (1998)

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

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

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

- SS1 Development Principles
- SS2 Future Provision of Development
- SS3 Distribution of Development
- SS1a Presumption in Favour of Sustainable Development
- SS5 Towns
- SS5c Cheadle Area Strategy
- SS7 Churnet Valley Area Strategy
- SD1 Sustainable Use of Resources
- SD3 Carbon-saving Measures in Development
- SD4 Pollution and Flood Risk
- H1 New Housing Development
- H2 Affordable and Local Needs Housing
- DC1 Design Considerations

- DC2 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

Emerging Local Plan

5.4 The existing development plan document for the Staffordshire Moorlands does not include any allocations for housing and other types of land uses. The new Local Plan will include sites for developments and boundaries. It will be a single document that will take a fresh look at the development needs of the district for the next 14 years to 2031. As well as early public engagement, the Council have undertaken public consultations on the draft plan site allocation options during 2015, preferred options and boundaries in 2016 and preferred options in 2017. The comments received in response have been used to prepare, publish and consult upon the final Local Plan draft 'submission' version, which was examined by the Inspector during sessions held in October 2018.

5.5 A full schedule of main modifications to the Local Plan has been subject to consultation this autumn. The schedule consisted of modifications that the Inspector has so far deemed necessary to make the Local Plan sound. Following the consultation, the Inspector is expected to consider the responses before issuing his final report. Depending on the recommendations in the report, the Council may then be in a position to adopt the Local Plan.

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:

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

Emerging Policies

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

- SS1 Development Principles (Moderate)
- SS1 a Presumption in Favour of Sustainable Development (Significant)
- SS2 Settlement Hierarchy (Limited)
- SS3 Future Provision and Distribution of Development (Limited)
- SS4 Strategic Housing and Employment Land Supply (Limited)
- SS7 Cheadle Area Strategy (Limited)

- SS10 Other Rural Areas Strategy (Limited)
- SS11 Churnet Valley Area Strategy (Limited)
- SS12 Planning Obligations and Community Infrastructure Levy (Limited)
- SD1 Sustainable Use of Resources (Limited)
- SD3 Carbon-saving Measures in Development (Moderate)
- SD4 Pollution and Water Quality (Significant)
- SD5 Flood Risk (Significant)
- H1 New Housing Development (Limited)
- H3 Affordable Housing (Limited)
- DC1 Design Considerations (Moderate)
- DC2 Historic Environment (Significant)
- DC3 Landscape and Settlement Setting (Significant)
- C1 Creating Sustainable Communities (Moderate)
- C2 Sport, Recreation and Open Space (Moderate)
- NE1 Biodiversity and Geological Resources (Moderate)
- NE2 Trees, Woodlands and Hedgerows (Significant)
- T1 Development and Sustainable Transport (Moderate)
- T2 Other Sustainable Transport Measures (Moderate)

Supplementary Planning Document

Space about Dwellings (1996)

Supplementary Planning Guidance

Staffordshire Moorlands Design Guide (2018)

National Planning Policy Framework (NPPF) revised.

National Planning Policy Guidance

6. CONSULTATIONS

- 6.1 Press Notice: 9th May 2018
 Site Notice: Expired
 Neighbours (revised): 15th August 2019
 Consultees (revised): 15th August 2019

A total of 38 representations have been received, which are summarised as follows:

Principle of Development

- Brownfield land should be prioritised for development.
- Lack of facilities and infrastructure to support further housing.
- Overcrowded and overpopulated environment to live within.

Highway Safety

- The proposed development would adversely impact highway and traffic related issues in the area.

- With a potential 500 plus new cars which could come alongside the development, the point is made that key road infrastructure would be put under stress, exacerbating traffic volumes and noise pollution.
- Current congestion caused by on-street parking of residents renders roads to being single lane (for example Froghall Road) and creating a reduction in visibility at junctions (for example at the Ayr Road junction). Additional vehicles will make this more problematic.
- The proposed access points cannot serve the considerable amount of additional traffic (including that created by the addition of the primary school) and on-street parking which the proposed development would accumulate in the area.
- Possible accidents could occur due to narrow pavements, limited visibility at junctions and high traffic volumes.
- Uneasiness about the safety of children using school route in the area.
- Width restrictions on junctions raise apprehension regarding access for emergency vehicles onto streets in the area.
- Uncertainty regarding the traffic flow through the one way traffic system in Cheadle town centre. Abundance of additional vehicles would add strain to traffic system.

Pressure on Infrastructure

- Pressure on the limited essential businesses in the area such as doctors and dentists will exceed already strained resources.
- Long waits for an appointment with a doctor would increase and schools would struggle to fit the capacity of extra children in, creating an unsustainable social impact on quality of life in the area.
- Concern over increased pressure on the sewer system in the area.

Ground Stability

- Apprehension regarding the ground stability of the proposed development site and the surrounding area. The ground is unpredictable and dangerous due to historical mining activity.
- Events of ground subsidence could occur, similar to that at Woodhead Yard in the past. Woodhead Yard was built on top of a mine shaft. A large hole formed in the ground years later, creating fears that severe damage to and subsidence of housing would occur.
- A number of mining shafts comprise the land where the proposed development would be situated.
- A children's playing field would be located above a mining shaft.
- Known and unknown mining shafts under the proposed development are high risk for existing and potential new residents.

Risk of Flooding

- Flooding issues could be exacerbated by the addition of the new dwellings.
- In the occurrence of heavy rainfall, the sloped topography of the South West corner of the fields to the rear of properties on Ness Grove often floods, creating an increase in surface water.
- Surface water run off currently flows towards a small brook, which acts as a prevention of any problematic flooding. Hard landscaping comprising the new

development would intensify surface run off from the slope, causing flooding further downstream.

Ecological Impact

- The proposed development would cause a detrimental impact to the undeveloped agricultural land where it would be situated.
- Further assessments need to be carried out regarding the various species which inhabit the land in order to understand its ecological importance.
- Species inhabiting the land of the proposed development include newts, bats and hedgehogs, as well as uncommon rare bird species such as Barn Owls and Curlews.
- Old established hedgerows, wetland and streams on the land support the flora and fauna.
- Rough grassland currently there should be protected.

Heritage

- The land of the proposed development is an area of 'regional importance' and therefore should be treated with historical respect.
- Assets of heritage are incorporated through the land, including 'Stone Sleepers', comprised of repurposed archaeological artefacts to form a wall which runs parallel with Froghall Road. Heritage assets of the area like this should be protected.

Design Issues

- The design of the proposed dwellings would not be in keeping with the smaller, cottage style neighbouring dwellings.
- The proposed 2.5 and 3 storey dwellings are considered by many to be overbearing and intrusive over existing neighbouring dwellings, not showing any sensitivity towards the character of the area.
- The design of the proposed dwellings is neither appropriate nor complimentary towards the area.

Amenity Issues

- Loss of privacy and light, high hedge disputes and loss of green open space.
- The overbearing design of the proposed dwellings will cause distress to residents, in the sense that they will be living in a more enclosed environment.
- The loss of a view and green, open surrounding land is a concern to people as they believe that it will devalue existing residents' properties, as well as detract from the reason they originally purchased them in this area.
- The land where the development has been proposed is currently used for recreational and health purposes, as well as being used for public footpaths. The construction of this large scale development here would remove the purposes of the land which are valued.
- The noise of the wagons importing materials to the site would diminish the tranquillity in the area if the application was approved.
- The development would cause mass disruption to the area over a long period of time.

Cheadle Town Council

Date Received: 04.09.19

The Council had already provided observations and objections on this application. It was resolved that the Council has the following additional concerns with the revised plans;

Accessibility – it appears that the House Type Assessment (May 2019) details that only 32.8% of the proposed properties as built meet M4 Category 2 accessibility standards, an additional 21.6% can be made compliant through modification leaving 45.6 that cannot be made compliant. This creates a long term concern for anyone in their later years or who needs to support parents who may need care, where nearly half the proposed properties cannot be made M4 Category 2 compliant. Cheadle has an elderly demographic.

Flood Risk - it appears that the Environment Agency have still not received a suitable Flood Risk Assessment (as of 14th August 2019).

Council would like confirmation that both of these additional issues would be resolved prior to approval of the plans.

Proposed site for school - Although there is within the revised plans a proposed site for a school, Council would welcome assurances that the site for a school form a condition of the approval for this development.

Date Received: 18.05.18

It was resolved that the Council unanimously objected to this application based on the following;

Infrastructure/road network - The Council were extremely concerned that traffic would increase significantly as more traffic would be travelling through the centre of the town and that the infrastructure is not suitable and therefore would increase the already congested road network.

Flood risks – Council were concerned that there was already considerable flooding in the Ness Grove area of Cheadle and there could be a substantial risk of increased flooding all the way into Tean. The Developers would need to provide a detailed assessment (not provided) of how they would overcome the significant high risk of further flooding in the immediate area and beyond.

Public Footpath 39 – The Council has a dedicated Footpaths Committee and they are concerned that the proposed developments would impact on the public right of way and particularly public footpath 39. This footpath is well used and they would strongly object to any application to divert this footpath.

Mining – Council are very concerned that the Coal Authority has provided a response of a ‘substantive concern’ due to the application falling within a defined

high risk area, stating that there is significant risk to both ground stability and public safety in the site of the proposed application.

Coal Authority

Revised comments awaited.

Date received 28.08.18

NO OBJECTIONS SUBJECT TO RECOMMENDED CONDITIONS

The application site falls within the defined Development High Risk Area.

The Coal Authority records indicate that within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application, specifically a thick coal outcrop and likely historic unrecorded underground coal mining at shallow depth. Our records also indicate the presence of three recorded mine entries within, or within 20m of the planning boundary (shafts).

Protecting the public and the environment in mining areas

The Coal Authority has previously objected to this planning application on more than one occasion. In terms of the Phase I and Phase II Geo-Environment Site Assessment Report (July 2016, prepared by E3P Ltd) that supported the full element of the application, on the basis that it was able to discount any risks posed by both the off-site shaft and potential unrecorded shallow coal mine workings and confirmed the location of the shaft within the planning boundary, The Coal Authority had no objections to the full element subject to the imposition of a condition to ensure the stabilisation of the shaft, to which the development layout had been designed around. Notwithstanding the above and whilst the submitted Coal Mining Risk Assessment (November 2017, prepared by E3P Ltd) recommended the investigation of potential shallow coal mine workings and identified the two recorded mine entries, confirming their risk to the development as 'HIGH', on the basis that there appeared no commitment to investigate these coal mining hazards, The Coal Authority again objected.

Whilst the applicant then submitted a revised Coal Mining Risk Assessment (June 2018, prepared by E3P Ltd), the content of which confirmed the undertaking of intrusive site investigations within the outline area, the results of which disprove the presence of any shallow coal mine workings, on the basis that the report still failed to address the situation with regard to the recorded mine entries, The Coal Authority again maintained its objection.

On account of the above, in considering both elements of the proposal, together with all of the supporting information submitted to date, it can now be confirmed that potential unrecorded shallow coal mine workings pose no undue risks to ground stability. On the basis that a condition could be imposed by the LPA to ensure the stabilisation of mine entry (104344-004) within the planning boundary where full planning permission is sought, the only outstanding issue relates to mine entry 401344-003, within the outline area.

The Coal Authority now notes the revised Coal Mining Desk Based Assessment (11-156-L3, dated June 2018) the content of which confirms that shaft 104344-004 is proposed to be stabilised, but that shaft 401344-003 requires no further mitigation. In terms of the latter shaft, and whilst The Coal Authority considers that the commentary within the final paragraph of page 13 represents insufficient information to provide a full assessment of the risks posed by the shaft and whether the treatment applied to it would be reflective of the land use now proposed, it is considered that a planning condition imposed on the outline permission could ensure that appropriate remedial measures are applied it.

The Coal Authority concurs with the recommendations of the Coal Mining Desk Based Assessment (11-156-L3, dated June 2018); that mine entry 104344-004 poses a risk to the proposed development and that remedial works to treat the mine entry to ensure the safety and stability of the proposed development are required. These remedial works should be undertaken prior to commencement of the development and The Coal Authority considers that a condition should also be imposed on the outline permission to ensure the remediation of mine entry 104344-003.

Protecting the public and the environment in mining areas
FULL

With reference to the full element proposed, a condition should require, prior to the commencement of development:

The submission of a scheme of remedial works for mine entry 104344-004 for approval; and The implementation of those remedial works.

OUTLINE

With reference to the outline development proposed, a condition should require as part of the reserved matters application:

The submission of a layout plan which identifies an appropriate zone of influence for mine entry 104344-003 on site, and the definition of suitable 'no-build' zone, for the mine entry;

The submission of a scheme of remedial measures for the mine entry for approval;

Finally the condition should require prior to the commencement of development:

The implementation of those remedial works.

The Coal Authority considers that the application site can be made safe and stable for the proposed development. The Coal Authority therefore withdraws its objection to the proposed development subject to the imposition of conditions to secure the above.

Environment Agency

NO OBJECTIONS SUBJECT TO A RECOMMENDED CONDITION

Date received 10.09.19

We have reviewed the information submitted and are now in a position to withdraw our objection. The letter by RSK dated 29 August 2019 accompanied with the

revised Flood Risk Assessment (FRA) by RSK, Rev. 03, dated 19 February 2019, addresses the concerns raised in our previous responses.

Flood Risk

We are satisfied that the FRA has demonstrated that all of the development lies within Flood Zone 1 and therefore we consider this application to be low risk. The proposed development will only meet the requirements of the NPPF if the following planning condition is included.

Condition

The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA), Rev 03, ref. 881287-R1(03)-FRA, dated February 2019 undertaken by RSK Ltd and letter ref. 881287_L01_K dated 29 August 2019 and the following mitigation measures it details:

- All development shall be located outside of the food plain.
- There must be no new buildings, structures (including gates, walls and fences) or raised ground levels within 8 metres of the top of any bank of watercourses, unless agreed otherwise in writing by the Local Planning Authority.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reasons

To reduce the risk of flooding to the proposed development and future occupants. To maintain access to the watercourse for maintenance or improvements to provide for overland flood flows and to avoid adverse impact on flood storage.

Natural England

NO OBJECTIONS

Date Received 09.08.19

Standing advice given.

Severn Trent Water

NO OBJECTIONS SUBJECT TO A RECOMMENDED CONDITION

Date Received 09.09.19

I can advise, having discussed this site with Senior Evaluation Technician of this office, we have no objections to the discharge of the drainage related condition, based upon the proposals as outlined in the FRA (ref: 881287-R1 (02) FRA).

Please note for the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website

(www.stwater.co.uk) or by contact our Development Services Team (Tel: 0800 707 6600). Please provide a copy of this email when making your application.

Sport England

NO OBJECTIONS

Date Received 13.08.19

Ramblers Association

Date Received 12.04.18

I note that there are 2 public rights of way at the edge of the development, these should remain open and usable during development and after the development is completed.

SCC Archaeology

NO OBJECTIONS, SUBJECT TO A RECOMMENDED CONDITION

Date Received: 17.12.18

This application is supported by a number of historic environment/archaeology related documents, including a comprehensive Heritage Statement (HS) and a Visual Impact Assessment (VIA), both of which have made use of the Staffordshire Historic Environment Record (HER), which have provided a useful understanding of the indirect and direct impacts of the proposed development on above and below-ground heritage assets within and in the vicinity of the proposed development area. This understanding is further ameliorated by an archaeological desk-based assessment (DBA), the results of geotechnical trial trenching, and a geophysical survey of portions of the site undertaken to support previous proposals relating to the proposal site.

The conclusions reached in the VIA regarding the indirect impact of the proposed development on heritage assets in the area are supported. However, it is recommended that Staffordshire Moorlands District Council Conservation Officer is consulted for their opinion on this, in particular in relation to the impact on the Grade II listed buildings identified within the study area of the report.

From an archaeological perspective the aforementioned documents provide a valuable insight into the development history of the site, particularly from the Post Medieval period, when it may have been the location of the Cheadle Copper and Brass Company's works (1767-1792, the exact location of this is unknown and the HS casts some doubt on this being located in the proposal site), before part of the land played host to the Woodhead Colliery from the late 18th/early 19th century. Very little of this colliery complex survives above ground, although some stone sleepers, which formed part of one of the former tramways which serviced the colliery, along the right of way on the southern boundary of the proposal site, were identified as being in situ by the author of the DBA. The aforementioned non-invasive

and invasive studies also identified below ground remains which may relate to the former industrial works on the site, although no evidence of in situ industrial buildings were revealed. It is noted and supported that the HS notes that although no in situ foundations were discovered, these may yet survive in places. The HS has utilised historic mapping to trace the lines of the historic tramways within the proposed development site and it is welcomed that the proposed scheme will retain the earliest tramway alignments, which were identified by the above studies as being of regional significance. However, it is noted that later tramway routes within the site will be impacted by the proposals. It is also welcomed that much of the surviving historic field boundaries/hedgerows will be retained as part of the proposed development scheme.

The HS, VIA, and earlier reports provide some clarity with regards to developmental history of the proposal site, although there still remains some uncertainty regarding the location of the 18th century brassworks and the nature and extent of survival of below ground remains relating to the former colliery and its associated tramways.

Taking the above into consideration it is considered that, should permission be granted, further geophysical survey, trial trenching, or indeed detailed archaeological excavation, will not be appropriate in this instance. Instead it is advised that an archaeological watching brief be maintained on all groundwork aspects in specific areas of the proposed scheme, namely the area to the east and southeast of the western portion of the site i.e. the location of the former colliery buildings and potential site of the former brassworks; the line of any former tramway, as identified in the HS, which will be impacted by groundworks associated with the development; any sections of the retained early tramway which will be impacted by construction works (specific location details to be agreed by this office with the applicant's appointed archaeological organisation). This work should be undertaken by a suitably experienced archaeologist working to the Chartered Institute for Archaeologists code of conduct and 'Standards and guidance for an archaeological watching brief' (Revised October 2014). This approach is supported by National Planning Policy Framework (NPPF) para 199 which states that '... they [Local Planning Authorities] should also require developers to record and advance understanding of significance of any heritage asset to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.'

This work would most appropriately be secured via a condition being attached to any permission issued.

SCC Education

NO OBJECTIONS, SUBJECT TO A S106 AGREEMENT.

Date Received 05.09.19

The £10,000 figure quoted in our response is the ALV per acre figure, it is not double ALV. As this development will generate 55 primary aged children (and therefore will require 55 primary places out of a 210 place school), the applicants proportion will be 55/210th of both the overall build cost and 55/210th of the land cost (26%) .

Date Received 04.09.19:

The School Organisation Team responded on the 25th April 2018 requesting a primary education contribution of £1,276,875 plus a 2 hectare primary school site to mitigate the impact of Planning Application SMD/2018/0180; 300 Dwelling Hybrid Development at Froghall Road (Land East of) and Ayr Road/Cheltenham Avenue, Cheadle.

This development is now proposed to provide up to 260 dwellings consisting of;

- full permission for 125 dwellings (including 41 affordable homes) and access to the proposed primary school site, and
- outline permission for up to 135 dwellings (with 33% affordable unless otherwise agreed with the Local Planning Authority) and a 1.13 hectare site for the location of the new primary school

Based on the housing mix outlined above, this development could generate 55 primary aged children, 26 secondary aged children and 5 6th form aged children (86 RSL dwellings have been discounted from the secondary and sixth form calculation). A new primary school is considered necessary to accommodate the level of development proposed in Cheadle. A fair, transparent and consistent approach must be taken across large developments proposed in the Cheadle area.

This development is therefore required to contribute proportionally to the cost of providing the new primary school. We have been advised that the cost of a new 210 place primary school (1 form entry) would be £4,256,250 (excluding acquisition of the necessary land).

A primary education contribution of £1,106,625.00 is therefore required towards the provision of the new primary school.

It is noted that this development includes all of the land necessary (1.13 hectare site) for the construction of the primary school that is required for the planned growth in housing in Cheadle. It is therefore recognised that consideration needs to be given to the value of the land in the planning obligation. It has been agreed that the value to be attributed to the school site should be double the local agricultural value which we have been advised is circa £10,000 per acre. A deduction in the Education Contribution to the value of the land minus the applicant's proportion is therefore considered appropriate.

Based on up to 260 houses we would therefore require the developer to enter into a Section 106 agreement to provide:

- A financial contribution towards the new primary school of £1,106,625.00, with a deduction to the education contribution of the value of the land minus the applicants proportion;
- Transfer of the 1.13 hectare site identified in the application for the new primary school.

As was outlined in our previous response, no high school education contribution is required.

This response is based on current demographics which can change over time and therefore we would wish to be consulted on any further applications for this site.

We reserve the right to amend the necessary education calculations at a later date if circumstances in the area materially change prior to determination of this planning application.

SCC Local Lead Flood Authority (LLFA)

NO OBJECTION SUBJECT TO RECOMMENDED CONDITIONS

Date Received 09.09.19

General observations/ local flooding information

Flood Zone

Majority of the site is Flood Zone 1. Flood Zone 2 and 3 along the eastern Boundary and within the boundary associated with the Kingsley Brook. The Environment Agency should also be consulted for bespoke comments where a development is in Flood Zones 2 or 3.

Surface water risk

Yes, updated Flood Map for Surface Water shows ponding in the centre of the development and flow routes running through the development in the north-eastern section. Also, areas of surface water risk on the northern boundary near Donkey Lane and the Southern boundary near Ness Grove.

Past flooding

Historic flooding to the eastern boundary associated with the Kingsley Brook. No other specific records. Our information about past flooding is based on data that the Flood Risk Management team holds. Where other authorities (such as LPAs) have been made aware of issues, we cannot guarantee they have passed this information on to us.

Watercourse within 5m of site

Yes, Kingsley Brook along eastern boundary.

Advice to LPA

We ask to be consulted on the details submitted for approval to your Authority to discharge this condition and on any subsequent amendments/alterations. Please also consult us again on any future major changes to the proposed development or drainage scheme.

Staffordshire County Council Flood Risk Management position

We consider that planning permission should only be granted to the proposed development if the following planning condition is imposed in its entirety as set out below.

Condition

No phase of the development shall commence until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:

- Surface water drainage system(s) designed in accordance with the Nonstatutory technical standards for sustainable drainage systems (DEFRA, March 2015).
- Limiting the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm to Qbar Greenfield Run-Off rates.
- Provision of surface water run-off attenuation storage in accordance with the requirements specified in 'Science Report SC030219 Rainfall Runoff Management for Developments'.
- The incorporation of adequate treatment trains where required in accordance with CIRIA C753 Simple Index Approach to help improve water quality;
- No residential buildings or critical drainage infrastructure to be located within the defined Flood Zone 2 and 3 areas as agreed with the Environment Agency.
- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Provision of site perimeter surface water capture and drainage measures to prevent flooding to 3rd party property outside of the development boundary.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water drainage systems shall be maintained and managed for the lifetime of the development.

SCC Local Highways Authority

NO OBJECTION SUBJECT TO RECOMMENDED CONDITIONS

Date Received 06.09.19

1. No development in relation to phase 2 shall be commenced until full details of the following relating to phase 2 have been submitted to and approved in writing by the Local Planning Authority:

- means of access;
- layout and disposition of roads and buildings;
- Provision of parking, turning and servicing within the site curtilage;
- Means of surface water drainage
- Surfacing materials

- details of pedestrian access to and through the site;

The development shall thereafter be implemented in accordance with the approved details and be completed prior to first use of the development.

2. Before the proposed development is commenced, details shall be first submitted to and approved in writing by the local planning authority indicating a revised, reduced length bus stop in its existing location. The revised, reduced length bus stop shall thereafter be provided in accordance with the approved details prior to the proposed development being brought into use.

3. The submitted and hereby approved Travel Plan shall be implemented in accordance with the timetable set out in the plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date planning consent to the Local Planning Authority for approval for a period of 5 years from first occupation of the development permitted by this consent.

4. Before the proposed development is brought into use, details shall be first submitted to and approved in writing by the local planning authority indicating full technical details of the proposed access off A521 Froghall Road. The access shall thereafter be provided in accordance with the approved details prior to the proposed development being brought into use.

5. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans. The parking, turning and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing areas for the life of the development.

6. The development hereby permitted shall not be brought into use until a surface water drainage interceptor, connected to a surface water outfall, has been provided across the access immediately to the rear of the highway boundary for any driveway which falls towards the potentially adoptable highway.

7. No development shall take place, until a Construction Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i) a site compound with associated temporary buildings;
- ii) the parking of vehicles of site operatives and visitors;
- iii) loading and unloading of plant and materials;
- iv) storage of plant and materials used in constructing the development;
- v) wheel wash facilities.
- vi) Routing of vehicles to and from the site
- vii) road sweepers

8. No mud or other deleterious material shall be deposited on the highway. Any that is shall be immediately removed.

Important Informatives to be included on Decision Notice

This Form X is issued on the assumption that the developer enters into a Section 106 Agreement to secure - Capital contribution towards transport improvements in line with the Cheadle Local Transport Strategy in the Staffordshire Moorlands Integrated Transport Strategy of £184210.53.

This Form X is issued on the assumption that the developer enters into a Section 106 Agreement to secure Travel Plan fee of £6895.00.

This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

The alteration to the bus stop and construction of the bellmouth shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an application form. Please complete and send to the address indicated on the application form or email to (nmu@staffordshire.gov.uk). The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales. <https://www.staffordshire.gov.uk/transport/staffshighways/highwayscontrol/HighwaysWorkAgreements.aspx>

Notes to Planning Officer

S106 contribution is based on previously used contributions for SMD/2016/0083 Thorley drive, Cheadle development. This was agreed at £63158 for 60 dwellings. For 135 dwellings this equates to £142105.05. The VISSIM shows an increase in journey time through Cheadle of 344secs. This is a significant increase, will be noticeable and will require mitigation through the S106 contribution.

This response is based on revised Transport Assessment received 11/01/2019 and revised Travel Plan received 12/02/2019 and revised layout received 05/08/2019. The revised layout alters the access arrangement to plots 121 to 125 addressing one of the recommended conditions on previous form X dated 16/04/2019.

SCC Minerals

NO OBJECTION

Date Received 05.09.19

SCC Rights of Way

NO OBJECTION

Date Received 09.08.19

The application plan 'Planning layout 30/05/2019' shows the existence of Public Footpath No. 39 Cheadle Parish which runs across the proposed development. The

plans do show it in its correct alignment and seem to indicate it will not be affected by the development.

The attention of the developer should be drawn to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path network. The path will need diverting as part of these proposals therefore the developer will need to apply to Staffordshire Moorlands District Council under section 257 of the Town and Country Planning Act 1990 to divert the rights of way to allow the development to commence. The County Council will need to be formally consulted on any proposal to divert the right of way.

The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the rights of way or their closure or diversion. For further information the applicant should be advised to read section 7 of DEFRA's Rights of Way Circular (1/09), in particular the recommendation that: "In considering potential revisions to an existing right of way that are necessary to accommodate planned development, but which are acceptable to the public, any alternative alignment should avoid the use of estate roads for the purpose wherever possible and preference should be given to the use of made up estate paths through landscaped or open space areas away from vehicular traffic".

It is important that users of the path network are still able to exercise their public rights safely and that the paths are reinstated if any damage to the surface occurs as a result of the proposed development.

We would ask that trees are not planted within 3 metres of the public right of way unless the developer and any subsequent landowners are informed that the maintenance of the trees is their responsibility. It is also unlikely that any new "linking" footways created through this development will be included on the Definitive Map of Public Rights of Way. Alternative arrangements will need to be made to ensure their maintenance in the future either by the developer or subsequent landowners. It may be possible for these footways to be adopted under Section 38 Highways Act 1980 but this will be the responsibility of the developer.

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.

Police Architectural Liaison Officer

NO OBJECTION

Date received: 14.08.19

With regard to the revisions referred to in the planning consultation letter dated 5th August 2019, Staffordshire Police have no comment to make aside from welcoming the revised layout to plots 105-125 in phase 1. This has dispensed with the undesirable rear parking court originally proposed, resulting in an improved security position all round with rear gardens backing onto one another, clearly defined space and high levels of natural surveillance out from the properties over their respective parking and the surrounding area.

As a supplementary comment, the indicative residential layout of phase 2 is extremely encouraging in terms of crime prevention and community safety with outward facing housing blocks shown which address the street and overlook public space. On the face of it, such a layout would respond well to the National Planning Practice Guidance to design out crime and design in community safety. The reserved matters DAS should build on this and explain how crime prevention and community safety measures have been considered in the design of the proposal, ideally with a specific section dedicated to this.

SMDC Aboricultural Officer

NO OBJECTION SUBJECT TO CONDITIONS

Date received: 04.09.19

Overview

The scheme has evolved to reduce the size of the school site by omitting the previously indicated community sports pitch, and also the proposed allotments are no longer shown.

The buffer strip along the north-east boundary of Phase 2 has been widened to now provide a minimum of 15m width, in line with previous discussions/requests, and the indicative structural screening planting along this buffer substantially increased accordingly. Similarly, the buffer strip along Cecilly Brook to the south-eastern edge of Phase 2 has also been widened following previous discussions, and now shows the requested potential to accommodate both substantially increased structural screening planting of minimum width 15m plus additional minimum width of 15m ecological buffer to accommodate rough grassland/scrub habitat enhancement along the watercourse. The area previously identified for allotments is now also part of the general buffer strip along the north-east boundary, indicated to accommodate further structural screening planting. These are clear and significant improvements to the overall layout, albeit they relate to the Phase 2 area which is indicative at this stage in terms of the layout shown, although these principles should be regarded as critical to the acceptability of the overall scheme (Phases 1 and 2 combined).

Phase 1 Planning Layout

The layout is broadly the same as previously considered/commented on. The northern section of the first existing mature north-south hedgerow is still shown retained within open space to the north of the main site road (in front of Plots 6, 7 & 8), with the remainder of this hedgerow (to the rear of Plots 12 – 22 and through

Plots 26, 53 & 54) to be removed – this is in accordance with long-standing agreement. The second existing mature north-south hedgerow is still shown retained on open space (other than the section to be removed to accommodate the main site road) as is the third existing mature hedgerow (rear of Wetherby Close).

The existing TPO-protected Ash tree is potentially retained within the hedgerow to the front of Plot 89, although the applicant's tree survey report identifies a major cavity in its stem and therefore its safe retention within the context of a residential development site must be given further careful consideration. However, retention or removal is not affected by, and does not affect, the proposed scheme.

The layout would still provide a good-sized open space area at the access off Froghall Road, which clearly has the spatial scope to provide an attractive landscaped main entrance to the development. The major central open space along Public Footpath 39 also still features, and would accommodate a good amount of new landscaping in addition to the indicated play area.

The latest Phase 1 Planning Layout now proposes 2 electricity sub-stations which would not have significant impact on existing trees or hedges. The first is shown in the entrance open space area off Froghall Road; given suitable landscaping this would not be unduly intrusive. The second is less prominently sited between the south-east corner of the school site and the adjacent retained hedgerow.

There has been some minor amendment to the layout along Public Footpath 39 to the rear of Wetherby Close and Cheltenham Avenue, but the consistent open corridor c.25m following the footpath and its defining mature hedgerow is usefully retained. Further to this, however, as an advanced comment it is noted that within the Phase 2 area on the opposite side of the new access road off Cheltenham Avenue the dwellings on the (indicative-only at this stage) Phase 2 layout step in and substantially narrow this corridor, to the point where there could also be direct encroachment conflict with the mature hedgerow – this will need further detailed assessment when the time comes.

The application includes a green infrastructure strategy and indicative landscaping provision across Phases 1 and 2; however a detailed landscaping scheme is not submitted at this stage and so would be required by condition in the event that planning permission is granted. However, it is worth noting at this stage that not all the indicated on-plot tree planting to Phase 1 would be realistically achievable in practice as, even for smaller ornamental trees the plot frontages are not of sufficient size to accommodate planting positions of minimum, say, 5m from dwellings and thus allow reasonable space for growth and natural development of trees without overbearing impact on the dwellings' frontages and outlook. I would also suggest that the (albeit indicative) tree planting to the school frontage is rather spread out (spacings generally >20m) and would have greater impact and contribution to streetscene if spacings were reduced (depending on species/ultimate mature size).

It is noted that the Illustrative Masterplan shows the potential retention of approximately half of the existing field hedgerow extending south-eastwards from the corner of Weaver Close. This hedgerow is in poor/gappy condition but given regenerating coppicing and/or supplementary/infill planting, it could still form the

basis of a green corridor/link within the layout. This again could be looked at in further detail at a subsequent reserved matters stage for Phase 2.

Landscape and Visual Impact Assessment

The applicant's LVIA suggests that existing field pattern would in theory be retained through retention of major parts of existing sub-dividing and peripheral field boundary hedges. In practice, however, given the replacement of pastoral fields with residential/school development, this field pattern would no longer be discernible on the ground, and, as acknowledged in the LVIA, there would be a fundamental change in landscape character within the site. This is of course inevitable with a proposal of this nature/scale on a greenfield site. Against this, it can be said that the existing landscape character of the site itself is not of notable quality, and suffers abrupt visual intrusion of existing urban development in many parts due to garden boundary fences and walls directly abutting open fields with little/no intervening vegetation or screening. The proposed development would provide an opportunity to create a much softer urban-rural interface by incorporating the indicated substantial buffer strips along the north-east and south-east boundaries, albeit along a line displaced eastwards into presently open countryside.

There would be greatest visual impact on occupants of existing dwellings at the Ness Grove and Hammersley Hayes developments adjacent to or close to the application site – again inevitable for this type of situation, and to be considered in the context that the application site is a proposed housing allocation site in the local plan submission version.

There would also be significant visual impact on users of Public Footpath 39 (in particular) which crosses the site; however, in mitigation this footpath is shown to be within the retained core open space area which would benefit from substantial new landscaping to create an attractive route from urban area out into open countryside.

Visual impact on receptor viewpoints on public rights of way to the north-east/east/south-east of the site would be less marked, but still notable. Whilst the development would be seen in the context of the existing urban area, and the Phase 1 part of the site in particular could be regarded as natural infill between the existing Ness Grove and Hammersley Hayes development areas, the Phase 2 area would nevertheless be seen as a notable projection of built form into the surrounding rural landscape. This therefore provides a justifying basis of the requirement for the substantial screening buffer strips along the north-east and south-east boundaries which, once established and developed, would fulfil an essential screening function to reduce visual impact on views from beyond the site in the medium to long term.

It is suggested that consideration be given to securing advanced planting of these screening buffer strips, perhaps linked to triggers of commencement/completion/occupation of an appropriate proportion of the Phase 1 development.

SMDC Conservation Officer

NO OBJECTION

Date received 05.09.19

Based on the existing raw edge to the development and the new scheme proposing a substantial level of buffering and planting I consider that there would be no harm to the setting of the Listed farmhouse.

The margins of the site adjoining the fields are now much more generous and proposed to be substantially planted. This will be a marked improvement on the existing arrangement and an improvement on the previous submission. The slight impact to peripheral views from the Listed Building highlighted in the Visual Impact Statement will be addressed through these improvements to the landscaping.

Date received 02.04.19

I have visited the site and looked back at the site from various viewpoints in the area in order to assess any potential impact from Broad Haye Farmhouse. The Grade II Listed Farmhouse is an early 19th century, three-storey building with its main aspect facing south-east. It is prominent in the area because of its elevated position, the height of the building and the fact that it is painted white brickwork. The Listed farmhouse is separated from the application site by a sizeable field which slopes down to the south and east, and a mature hedge at the boundary of the application site.

Potential Impact

There will be no detrimental impact on the setting of Broad Haye Farmhouse for the following reasons:

- The intervening distance across a field, the sloping topography and presence of the mature hedge marking the perimeter of the application site,
- The northern limb of the application site will not be developed, and,
- The Listed farmhouse faces south-east so its main aspect will not be in the line of site of the development. Whilst the development will impact more peripheral views from the farmhouse, the proposed development will be on lower ground, screened to some extent by the hedge and residential development is already the backdrop to these views. There is limited intervisibility between the Listed Building and application site and the rural setting of the farmhouse will not be harmed.

I would support the proposal to bolster the planting belt along the north-eastern boundary to soften the margins of the proposed development. The existing residential development in the area is poorly screened and landscaped so there is an opportunity to improve the edge of development. The northern limb of the application site will need careful landscaping and kept free from development as this is remote from the rest of the site.

I have reviewed the Heritage Statement and Visual Impact Statement and consider that these adequately assess significance of designated and non-designated heritage assets. The Assessment of Visual Impact and its Significance within the ZTV (Table 4) highlights the Significance of Effect on Broad Haye Farmhouse as 'Neutral/Slight Adverse'. I would agree with this statement and consider that the

slight impact to peripheral views from the Listed Building can be adequately addressed by improvements to the landscaping around the proposed development.

I note that there are archaeological remains on the site which are highlighted in the two reports. The County Archaeologist has made recommendations to record these and mitigate any impacts.

SMDC Ecology Officer

NO OBJECTIONS SUBJECT TO CONDITIONS.

Date: 13.09.19

No objection subject to the inclusion of appropriate conditions.

The illustrative master plan drawing 8060-L-07-L shows a buffer strip along the north-east boundary of Phase 2 providing a minimum of width of 15m. The buffer strip along Cecilly Brook to the south-eastern edge of Phase 2 has also been widened to accommodate adequate structural screening planting and provision as an ecological buffer to accommodate rough grassland/scrub habitat along the watercourse. These are significant improvements to the Phase 2 indicative landscaping in terms of ecology considerations.

Phase 1

Retention of the hedgerow within a buffer is welcome along the southern boundary of the site running east-west parallel with Wetherby Close. The hedge is large, species-poor and over mature. Details of how the hedge will be managed and enhanced to sustain and enhance its biodiversity value should be provided within an Ecological Management Plan. This should include the creation of a 2-3m wide species rich buffer grassland on the northern side of the hedgerow. Critically how the hedgerow running north-south through the area of public open space will be managed should be detailed. Management could include long-term phased coppicing and replanting to vary age structure and diversify the current predominantly hawthorn hedge.

Areas of open space within the development offer the potential to create species rich grassland. This will create stepping stones habitats linked to nearby species rich grassland at the Cecilly Brook Local Nature. The use of locally sourced green hay spread on a prepared low nutrient seedbed is a preferable method of habitat creation.

The removal of the path along the eastern side of the attenuation area is welcome and has allowed the potential to create a greater area of undisturbed grassland / scrub next to the watercourse.

No details are provided of how garden plots and building can be utilised to create features for biodiversity enhancement. This should include native species planting within gardens appropriate to shade, aspect and moisture to provide nectar sources, food and structural habitat features for native invertebrates. Provision of bat roosting sites and nest boxes for birds within buildings should also be specified. Hedgerows,

rather than close boarded fences should be prioritised between garden plots. Native climbing species to create further habitats against walls and fencing should also be considered.

Detailed landscaping to include an ecological management and enhancement plan for phase I should be provided as a condition of granting planning permission.

Phase 2

The phase 2 plan illustrates an undeveloped buffer strip around the east side of the development. Along the south-east boundary a 15m buffer strip is required for tree planting plus a 15m strip of occasional grassland and scrub along next to Cecilly Brook. A consistent minimum width of 30m buffer has not been achieved as shown on plan 8060-L-07-L, particularly at the northern and southern part of this buffer strip next to the stream. Slight changes to landscaping are advised to ensure a minimum 30m buffer strip for the combined objectives of an ecological buffer and tree screen.

The creation of a pond indicated in the buffer strip is a welcome ecological enhancement. Further consideration of how retained hedgerows will be managed for biodiversity will need to be provided as part of an ecological and management and enhancement plan as part of reserved matters relating to stage 2 of the development.

Opportunities within the school ground for enhancing the biodiversity should be provided. Consideration should be given to a pond and associated planting at the western boundary of school area effectively linked to the adjacent public open space on which species rich grassland is created.

No detailed landscaping plan is provided, and an ecological management and enhancement plan will be required as a condition of granting planning permission.

Conditions:

1. No development shall take until an Construction Environmental Management plan (CEMP) has been submitted to the local planning authority (LPA) this must include:

- Risk assessments of potentially damaging construction activities.
- Identification of biodiversity protection zones.
- Practical measures during construction to avoid or reduce impacts during construction (may be provided by method statements).
- The location and timing of sensitive works to avoid harm to biodiversity.
- No clearance of trees, shrubs, tall ruderal or brambles between 31st March and 31st August inclusive unless a competent ecologist has undertaken a careful detailed check of vegetation for active birds nests, immediately before vegetation removal, and provided written confirmation that no birds will be harmed and, or appropriate methods are in place to protect nesting bird interest on sites. Any such written confirmation should be submitted to the LPA.
- Lighting used during construction should minimise impacts on wildlife.
- Open excavations or pipes to be sealed at night. Ramps / planking to be installed to permit wildlife to escape being trapped in structures during construction.

- The role and responsibilities of an ecological clerk of works or similar competent person.
- Disposal of waste material on site.
- Use of protective fences, exclusion barriers and warning signs.

The CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with approved details, unless otherwise agreed in writing with the LPA.

2. No development shall take place until an Ecological Management Plan (EMP) addressing mitigation and enhancement has been submitted to an approved in writing by the LPA. The EMP should include:

- a) Purpose and conservation of objectives of the proposed enhancements.
- b) Detailed designs and or working methods to achieve stated objectives.
- c) Extent and location of proposed works on appropriate plans and scale maps
- d) Type and source of material used where appropriate e.g. native species of local provenance.
- e) Creation and enhancements of semi natural habitats linked to Staffordshire and UK Biodiversity Action Plan priorities prioritising the enhancement and creation of, hedgerows and ponds species rich grassland.
- f) Provision for linear wildlife corridors and stepping stone habitats linked into the surrounding landscape and Local Wildlife Site (LWS) promoting habitat connectivity.
- g) Timetable for the implementation of works demonstrating that works are aligned with the proposed phases of the development. This should include ten year plan detailing implementation, monitoring, remediation and habitat maintenance measures
- h) Creation of bird nesting features for bats, house martin and house sparrow within new buildings.
- i) Creation of species rich grassland areas to include soil preparation, seeding or creation using green hay, initial and long term maintenance including cutting regimes and protection from disturbance.
- j) Design and planting of attenuation areas to optimise benefits for biodiversity.
- k) A lighting design plan and technical specifications to minimise light spill into surrounding hedgerows and the adjacent countryside. Lighting must demonstrate acceptable impacts on foraging or commuting bats that may use adjacent hedgerows and allow birds species to exhibit undisturbed behaviour patterns.
- l) Persons responsible for implementing the proposed works.

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

Date: 22.05.18

The illustrative masterplan that includes the area scheduled outline and full application:

Outline application area

Additional comments relating to the hybrid application are provided on the attached annotated maps.

It is critical that a 10-20m buffer is maintained along the boundary of the site with Cecilly Brook to enhance habitats for potential colonisation or introduction of water voles. A riparian corridor engineered for biodiversity enhancement should be an integral feature of the layout, around which housing development is planned. Within this riparian buffer the following should be considered as part of an ecological management plan at the full application stage.

- Measures to ensure pollution, run off and flooding will not impact on Cecilly Brook
- Cutting and mowing regimes that will benefit water voles
- Control of Himalayan balsam adjacent to Cecilly brook
- Creation of species rich grassland
- Scrub management and control . The management of scrub at 20-30% along the brook to maximise habitat available for water voles.
- Creation of ponds and backwaters within the retained buffer strip along Cecilly Brook that will benefit water voles and other riparian wildlife
- Planting schemes

The aim should be to create habitats suitable for water vole to encourage colonisation from the nearby Cecilly Brook Local Nature Reserve.

Hedgerows within the development should be set within landscaped areas so that they can be effectively managed by hedge laying and coppicing on a long term basis. The aim should be to create green corridors and linked habitat that wildlife can move along and utilise through the development. An additional green corridor could be created by hedge planting along the boundary of the school / recreational area. Protected scrub area in the edge of recreational field should be a mix of species of local provenance managed on a rotational coppice to create additional wildlife habitat.

The boundary of the proposed allotment area offers the opportunity to provide hedgerow enhancement via hedge, tree planting and planting of the hedgerow base and a 1-2m buffer area with species-rich grassland. There may also be other opportunities within the design of the allotment to enhance the site for biodiversity such as the creation of a pond and associated tree and scrub planting.

Opportunities within the school ground for enhancing the ground for biodiversity and engagement with nature should be provided. In particular providing a pond and associated planting at the western boundary of school area effectively linked to the adjacent public open space on which species rich grassland is created. Habitats that are linked to create a bigger more joined up area can be more biodiverse. See the adjacent attached plan for further notes. Physical links to create areas of educational use / value by the new school should be created.

Full application area

Retention of the hedgerow within a 10m buffer is welcome along the southern boundary of the site. The hedge is large, species poor and over mature. Details of how the hedge will be managed and enhanced to sustain and enhance its biodiversity value should be provided within an Ecological Management Plan. This

should include the creation of a 2-3m wide species rich buffer grassland on the northern side of the hedgerow. Similarly how the hedgerow running north-south through the area of public open space will be managed should be detailed. Management could include long-term phased coppicing and replanting to vary age structure and diversify the current predominantly hawthorn hedge.

Areas of open space within the development offer the potential to create species rich grassland. This will compliment the creation of areas of species rich grassland on the nearby Cecilly Brook Local Nature Reserve by creating stepping stones to nearby habitats. The use of locally sourced green hay spread on a prepared low nutrient seedbed is a preferable method of habitat creation.

It would be preferable to remove the access along the eastern edge of the attenuation area. This would facilitate a greater area of undisturbed grassland. Adequate pedestrian access can be maintained by the paths on the western side of the attenuation pond.

Conditions:

1. No development shall take until an Construction Environmental Management Plan (CEMP) has been submitted to the Local Planning Authority (LPA) this must include:

- Risk assessments of potentially damaging construction activities.
- Identification of biodiversity protection zones.
- Practical measures during construction to avoid or reduce impacts during construction (may be provided by method statements).
- The location and timing of sensitive works to avoid harm to biodiversity.
- No clearance of trees, shrubs, tall ruderal or brambles between 31st March and 31st August inclusive unless a competent ecologist has undertaken a careful detailed check of vegetation for active birds nests, immediately before vegetation removal, and provided written confirmation that no birds will be harmed and, or appropriate methods are in place to protect nesting bird interest on sites. Any such written confirmation should be submitted to the LPA.
- Lighting used during construction should minimise impacts on wildlife.
- Open excavations or pipes to be sealed at night. Ramps / planking to be installed to permit wildlife to escape being trapped in structures during construction.
- The role and responsibilities of an ecological clerk of works or similar competent person.
- Disposal of waste material on site.
- Use of protective fences, exclusion barriers and warning signs.

The CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with approved details, unless otherwise agreed in writing with the LPA.

2. No development shall take place until an Ecological Management Plan (EMP) addressing mitigation and enhancement has been submitted to and approved in writing by the LPA. The EMP should include:

- a) Purpose and conservation of objectives of the proposed enhancements.
- b) Detailed designs and or working methods to achieve stated objectives.
- c) Extent and location of proposed works on appropriate plans and scale maps.
- d) Type and source of material used where appropriate e.g. native species of local provenance.
- e) Creation and enhancements of semi natural habitats linked to Staffordshire and UK Biodiversity Action Plan priorities prioritising the enhancement and creation of, hedgerows and ponds species rich grassland.
- f) Provision for linear wildlife corridors and stepping stone habitats linked into the surrounding landscape and Local Wildlife Site (LWS) promoting habitat connectivity.
- g) Timetable for the implementation of works demonstrating that works are aligned with the proposed phases of the development. This should include a ten year plan detailing implementation, monitoring and remediation and habitat maintenance measures.
- h) Creation of bird nesting features for bats, swift, house martin and house sparrow within new buildings.
- i) Creation of species rich grassland areas to include soil preparation, seeding or creation using green hay, initial and long term maintenance including cutting regimes and protection from disturbance.
- j) Design and planting of attenuation areas to optimise benefits for biodiversity.
- k) A lighting design plan and technical specifications to minimise light spill into surrounding hedgerows and the adjacent countryside. Lighting must demonstrate acceptable impacts on foraging or commuting bats that may use adjacent hedgerows and allow birds species to exhibit undisturbed behaviour patterns.
- l) Persons responsible for implementing the proposed works.

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

SMDC Environmental Health Officer

NO OBJECTION SUBJECT TO CONDITIONS

Date Received 09.09.19

Potential Areas of Environmental Concern

- Air Quality Impacts (Traffic)
- Noise (proposed development; pumping station)
- Light
- Contamination
- Waste

General Comments

Air Quality (update):

An Air Quality (AQ) report (REF: AQ105750R1 produced by REC) was undertaken in support of the application. The provisional scope of the report was agreed prior to

the assessment. In general the report is considered an appropriate assessment, though not all conclusions are agreed at this stage.

Summary:

The report looks at the AQ impacts on the development and receptors in Cheadle with and without the development.

- In 2022 (after Phase 1),
- In 2032 (after Phase 1 & 2).

The conclusions reached were:

a) “The dispersion modelling indicated that pollutant levels across the site were below the relevant air quality standards and, as such, the location is considered suitable for the proposed end-use without the inclusion of mitigation methods”.

Comment: This is agreed.

b) Phase 1 (2022) “the impacts across most of Cheadle are noted as being negligible”.

Comment: This is generally agreed, however, the impacts at some points on Leek Road (all in the same area) R4, R25 (moderate), R24 (substantial) are identified.

The consultant notes: Predicted “annual mean NO₂ concentrations did exceed the AQO at 3 sensitive receptor location (R4, R24, R25) during both the DM and DS scenarios. Critically, no new exceedances of the annual mean AQO for NO₂ are predicted to occur as a direct result of the proposed development”. Essentially indicating that exceedances are going to occur anyway (though they have not yet). Whilst this is possible, it can also be concluded that the impact caused by the development is likely to exacerbate the AQ issues at these locations and could certainly make it more likely that AQ objectives will be exceeded in the future.

Therefore, it would be pertinent that the applicant contributes to the understanding of this prediction and quantifies the AQ impacts at this location more readily by developing an action plan and quantifying the contribution of different sources to the issue and possible mitigation proposals. This plan can then be used by both the developer to adopt measures identified to mitigate the development (EV charging points / travel plans etc.) and aid the local authorities understanding of the predicted exceedance (without development) and help facilitate long term improvement strategies to avoid this predicted exceedance.

A condition is recommended.

c) Phase 1 & 2 (2031). The assessment also concluded “that overall impacts associated with Phase 1, and the cumulative Phase 1 & 2 assessment was determined to be not significant”. The use of robust assumptions, where necessary, was considered to provide sufficient results confidence for an assessment of this nature.

Comment

Whilst this is welcomed, it is not entirely clear how this has been achieved. The consultant indicates 2 reasons for this dramatic reduction:

“This is a direct result of reduction to traffic flow along specific road links. As confirmed by Crofts Transport Planning & Design, these reductions are the result of vehicles rerouting to avoid the congestion within the town centre network. This is likely to be a direct result of reduced emissions predicted in future years, specifically relating to reduction of diesel emissions”.

However, these conclusions do lack detail, and further information justifying this statement should be submitted (or a new AQ assessment undertaken if these factors are found to be inaccurate).

Certainly it is noted that a different Emission factors were used for each scenario:

“For the 2017 Verification, and Phase 1 (2022) scenarios, emission factors for each road link were calculated using the relevant traffic flows and Emissions Factor Toolkit (version 8.0.1) released in 2017, which incorporates updated COPERTv5 vehicle emissions factors for NO_x and vehicle fleet information.

For the Phase 1 & 2 (2031) scenario were calculated using the Calculator Using Realistic Emissions for Diesels (CURED, version V3A), developed by Air Quality Consultants Ltd. This calculator gives realistic, worst case emission factors for diesels for future years which utilise recent real-world emissions test data. This calculator was used exclusively for the future year 2031 Scenario for NO_x”.

The impacts of this choice, along with the predicated change traffic flows (and chosen flow rates) needed to be further clarified / presented. A requirement for this is included in the recommended condition.

Further to the above, an additional mechanism by which the developer could help offset the AQ impacts of the development (in addition to the submitted travel plan) would be to install Electric Vehicle (EV) charging points at the properties. This would allow new residents to more easily switch to low emission vehicles and that may help improve the future air quality in Cheadle. This does appear to fit with our current policies: ‘Policy T1 Development and Sustainable Transport’ “The Council will promote and support development which reduces reliance on the private car for travel journeys, reduces the need to travel generally and helps deliver the priorities of the Staffordshire Local Transport Plan”.

The main objectives taken from the SLTP Include: Reducing road transport emissions and their effects on the highway network

In addition it is stated in Policy T1 “Development which generates significant demand for travel or is likely to have significant transport implications (as identified within a Transport Assessment) will, where appropriate:

- Contribute to improved public transport provision
- Provide proactive facilities and measures to support sustainable transport modes including on-site features to encourage sustainable travel methods e.g. cycle path links, cycle storage facilities, bus stops etc”.

Therefore we would recommend that EV charging points are required to be installed at each suitable properties.

A condition is recommended.

Contamination

A Phase 1 and Phase 2 Environmental Site Assessment have been completed for the initial Phase of the application (Phase 1 – 125 houses) and an addendum report has been undertaken for the remainder of the site. Both reports are produced by EP3. The site has essentially been in agricultural use and so limited sources of contamination are likely to exist. The main areas being, areas of coal and surface measures, the former Little Hayes Farm and other former buildings. Issues concerning coal shafts have been identified and one of these will require capping. The scope of the investigation is considered fairly limited given the size of the development (regarding contamination) but indicates minimal contamination across the site. This is generally accepted but it is considered that further work is required in some of the identified 'sources of contamination' notably in the area of the former Little Hayes farm to ensure that this preliminary classification is accurate.

A condition is recommended.

Noise

The revised plan for the Ayr Road housing and school pose no significant noise concerns, the positioning of the school and play area is an improvement on that submitted during the pre-app stage. There is no reason that the school and pre-existing housing cannot co-exist with appropriate noise mitigation measures. We recommend that conditions be placed on plant and machinery operation (school and electric sub-station), lighting (school) and construction timings so reasonable amenity can be maintained for existing residential neighbours. The noise assessment sets out sound insulation measures which prior to construction should be clarified in an updated site specific scheme to address noise impacts from the road, school and sub-station.

A condition should be imposed requiring that all plant and machinery installed into the development takes account of prevailing sound levels and do not increase noise levels in the area. A condition should also be imposed to require the site specific sound insulation scheme be submitted on final construction plan.

Lighting

All lighting for the school development should be installed to prevent light spillage and glare into existing and new residential properties.

Nuisance

The proposed development is near to existing properties so care needs to be taken during the construction phase to ensure these activities do not cause unreasonably disruption to the neighbour's enjoyment of their properties.

Recommended Conditions

1. Construction & Demolition: Construction Method Statement

No development, including demolition hereby permitted shall 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:-

- 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 method and duration of any pile driving operations (expected starting date and completion date);
- Pile driving shall not take place outside 09:00 to 16:00 hours Mondays to Fridays, nor at any time on Saturdays, Sundays or Bank Holidays;
- The arrangements for prior notification to the occupiers of potentially affected properties;
- 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.
- Details of wheel washing facilities. All demolition/construction vehicles shall have their wheels cleaned before leaving the site;
- A scheme for recycling/disposal of waste resulting from the demolition/construction works;
- The responsible person (e.g. site manager / office) who could be contacted in the event of complaint;

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.

2. Contamination

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

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

3. Validation

Prior to bringing the development into first use, a validation report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved validation plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the validation plan, and for the reporting of this to the local planning authority.

Unexpected Contamination

4. 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. Development shall not commence any further until an initial investigation and risk assessment has been completed in accordance with a scheme to be first agreed in writing by the Local Planning Authority, which shall 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 further 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 shall be subject to the written approval of the Local Planning Authority. Development shall thereafter be undertaken in accordance with the approved details.

5. Importation of soil/ fill

No top soil / fill material 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 shall be submitted to and agreed in writing by the Local Planning Authority prior to the soils being imported onto site. The methodology shall 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 by the Local Planning Authority.

6. Waste Management

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.

7. Plant and machinery Noise (Sub-Station and School)

The machinery, plant or equipment including installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [15 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:2014. The details and location

of any plant or machinery to be installed under this permission should be submitted to and approved of in writing by the Local Planning Authority.

8. Sound Insulation (Residential)

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 35 dB LAeq in bedrooms, less than 40 dBLAeq in living areas and 55dB LAeq in outside living areas. A report shall be produced containing all raw data and showing how calculations have been made. A copy of such report shall be submitted to the Local Planning Authority for its approval.

Lighting

9. The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance at the adjoining light sensitive locations when the light (s) is (are) in operation. Details of all artificial lighting to be installed under this permission should be submitted to and approved by the Local Planning Authority prior to development commencing.

Air Quality

10. No development shall be commenced until:

a) An updated Air Quality assessment or further information to demonstrate that the adopted emission factors and transport data used in the submitted air quality assessment (AQ105750R1) for the 2031 prediction scenario are accurate and represent a worst case scenario, and,

B) An Air Quality Action Plan detailing all possible mitigation measures to improve air quality at the locations identified in the report AQ105750R1 (and /or any other locations identified by an updated assessment required by [a]) to be impacted by the proposed development in 2022 (Receptors; R4, R24, R25) has been submitted too and approved in writing by the Local Planning Authority.

The full scope of the action plan shall be first agreed in writing with the Local Planning Authority but shall be so designed to quantify the source contributions (e.g. HGVs, buses, taxis, cars etc.) responsible for the exceedance of the relevant objective in 2022 and detail possible mitigation measures to improve air quality in that location that could be adopted by both the developer and the local authority.

The development shall thereafter, be carried out strictly in with any accordance with all requirements identified in the approved Air Quality Action Plan to be under developer control.

11. No development shall be commenced until a scheme for the provision of electric vehicle charging points has been submitted to and agreed in writing by the Local Planning Authority. No property shall be occupied until any approved electric vehicle charging infrastructure associated with that dwelling has been installed.

SMDC Projects Officer

NO OBJECTION SUBJECT TO A S106 AGREEMENT

Date received: 05.09.18

With regard to Phase 2, we would like to see the inclusion of the allotments as previously shown on the plan (attached). We know there is only one allotment site located in the south west of the town, which is managed by the Town Council and already has a waiting list. Provision in the north will increase access to allotments for those residents living on the new development.

From the last plan we would be happy with the number of allotments provided which is about 20 half size plots. If they cannot be accommodated I do not consider that we would be able to ask for an off site contribution towards allotments because unfortunately we can only ask for play and playing pitches currently.

We would also request an off site play contribution and an off site playing pitch contribution which has already been calculated by Persimmon. The play contribution will be targeted towards enhancing play provision within a 2km radius of the site and the playing pitch contribution will go towards enhancing sports facilities within Cheadle.

Date received 21.08.19

With regard to Phase 1 we are requesting that a LEAP (Local Equipped Area for Play) is provided on site and that off site contributions are provided towards playing pitch enhancements. Applying the current formula, the amount requested will be £196,390.08. With regard to Phase 2, we are seeking off site contributions for both play and playing pitches. Applying the current formula, the amount requested for both contributions will be as follows: Play @ £172,400.76 and Playing pitches @ £220,292.82.

SMDC Regeneration

Date received: 07.08.19

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 up to 260 dwellings 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 260 units this is calculated at £2,440,880 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 278 direct jobs and 37 indirect jobs.
- The development will also generate approximately £47,764 council tax for the area per annum

SMDC Waste

NO OBJECTION

Date received: 13.08.19

Note: that the refuse vehicles will not travel over block paving so residents will have to present their bins at the edge of the highway.

7. OFFICER COMMENT

Policy

7.1 The determination of a planning application should be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990. Section 38(6) requires the Local Planning Authority to determine planning applications in accordance with the development plan, unless there are material considerations which 'indicate otherwise'. Section 70(2) provides that in determining applications the Local Planning Authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan currently consists of the Adopted Staffordshire Moorlands Core Strategy 2014.

7.2 The NPPF (National Planning Policy Framework) as revised was issued in February 2019 and has subsequently been updated. The NPPF is a mandatory material consideration in decision making. The applicable contents of the NPPF will be referenced within the relevant sections of the officer report as detailed below.

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

- a) *an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of the present and future generations; and by fostering a well designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well being; and,*
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making the effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

7.4 CS (Core Strategy) Policy S1a establishes a presumption in favour of sustainable development as contained within NPPF. Paragraph 11 of the NPPF requires decision makers to apply a presumption in favour of sustainable development. This means that when considering development proposals which accord with the development plan they should be approved without delay or where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless:-

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

7.5 It is acknowledged that the Council cannot demonstrate a five year supply of deliverable housing land and as at 31st March 2018 the figure was 1.8 years. Case law has established that the application of the test in NPPF paragraph 11 is a ‘tilted balance’ which is predisposed in favour of granting planning permission unless NPPF policies protecting areas or assets of particular importance provide a clear reason for refusal (11di) or adverse scheme impacts are outweighed by scheme benefits (11ii).

7.6 The policies contained in the NPPF are supplemented by the National Planning Practice Guidance (NPPG), which is also a material consideration in the determination of planning applications. A list of key policies, guidance and other material considerations is provided in Section 5 above.

Principle of Development

7.7 The large scale major scheme constitutes a ‘hybrid application’. Phase 1 seeks full planning permission for a total of 125 units, play area and POS (Public Open Space). Phase 2 forms an outline planning application for a total of up to 135 residential units and a primary school site with all matters reserved i.e. access, scale, appearance, layout and landscaping for future consideration should outline planning permission be granted. As such, the outline planning permission is being

sought only for the principle of residential with POS and school development at this stage as defined by the redline location plan with identified access points.

7.8 The town and village development boundaries on the 1998 Staffordshire Moorlands Local Plan Proposals Map currently remain in force until they are superseded when the new development plan for the district is adopted. As a consequence, Phase 1 and part of Phase 2 of the scheme falls within the Cheadle settlement boundary whereas the remaining part of Phase 2 would be located within designated open countryside.

7.9 CS (Core Strategy) Policy SS5c Cheadle Area Strategy states that “The Council and its partners will seek to expand the role of Cheadle as a significant service centre and a market town ... Sites on land adjacent to the urban area shall be in locations which relate well to the urban area, can be assimilated into the landscape, and would help secure infrastructure improvements for the benefit of that part of the town”. This policy refers to sites for new housing which will be identified and brought forward through the Site Allocations Development Plan Document and in the “following broad location and in the following priority order depending on the need for sites to be brought forward”: (1) within the urban area, (2) extension of the urban area to the north (Area 1) and (3) small urban extensions. The supplementary text to Policy SS5c refers to an anticipated housing provision for Cheadle. For new allocations within the urban area this was given as 400 dwellings whilst for the North of Cheadle (Area 1) the figure was 240.

7.10 CS Policy SS5c also highlights the need for more community facilities whereby a potential need has been identified by the County Council for a new primary school to serve the north and east of the town. The policy further refers to the need to increase and improve the provision and accessibility of open space, sport and recreational facilities.

7.11 For the emerging Staffordshire Moorlands LP (Local Plan) 2018, the site has been allocated as ‘Cheadle North Strategic Development Area’ for 320 dwellings under LP Policy H2. Emerging LP Policy DSC1 is the accompanying site-specific policy and states “Land amounting to 11.2 ha is allocated for residential development of approximately 320 dwellings, including a new County Primary School and school / community playing pitches (approximately 2ha) and associated public open space”. Other policies of relevance are concerned with the amount and distribution of development, including emerging LP Policy SS3 Cheadle Area Strategy which seeks to expand the role of Cheadle as a significant service centre and a market town. This takes forward LP Policy SS4 which proposes that 25% of the authority’s housing development should be within the town. Despite the fact that the emerging Local Plan has reached an advanced stage, only limited weight can be attached to the proposed allocation currently given outstanding objections. Notwithstanding this, the residential and primary school allocation within the emerging local plan indicates a clear direction of travel and continued policy support for such development to the north of Cheadle.

7.12 In principle, the scheme would achieve broad compliance with CS Policies SS5c ‘Cheadle Area Strategy’ and H1 ‘New Housing Development’ in that it would: expand the housing market area and community provision by increasing the range of

available and affordable housing for both first time buyers and families ; the majority of the scheme would be delivered on land within the urban area with a small residential element located on designated countryside adjacent to the urban area, which could be assimilated into the landscape; the provision of a primary school would help to secure infrastructure benefits for the town and overall the scheme would be delivered within a location that would have good accessibility to services and facilities within Cheadle Town Centre. There would be further scheme compliance with CS Policies C1 'Creating Sustainable Communities' and C2 'Sport Recreation and Open Space' regarding the proposed school provision with junior pitch, as well as children's play area and wider public open space to serve the scheme. In these regards, the scheme would be broadly acceptable in policy terms excepting its conflict with CS Policy SS6C 'Other Rural Area Areas Strategy' in view of the outer part of the site, which falls on land designated as open countryside. The overall site, however, is considered to be acceptable in spatial planning terms and proposes key community infrastructure benefits as supported by the emerging site allocation and those Adopted CS Policies as are set out above. Matters of associated landscape impact as a result of the development of a greenfield site will be discussed below. There are also a number of general development management policies which are relevant to the application and will be referred to where applicable.

7.13 Clearly, the provision of much needed housing, including affordable provision carries significant material weight in the planning balance as a result of the district's chronic housing undersupply and the 'tilted balance' is engaged. These matters will be returned to in the planning balance section below.

House Type & Mix

7.14 CS Policy H1 'New Housing Development' requires residential schemes to provide a mix of housing sizes, types and tenure as informed by the SHMA (Strategic Housing Market Assessment). A proportion of affordable housing as set out in CS Policy H2 'Affordable Housing and Local Needs Housing' should be included and where appropriate housing for special groups to meet the needs and aspirations of the current and future population. Specifically all new dwellings must be of a sufficient size to provide satisfactory levels of amenity for future occupiers whilst respecting the privacy and amenity of existing occupiers. Generally, residential sites need to achieve a balanced mix of 1b2p, 2b4p and 3b5p properties taking into account site location and viability matters.

7.15 In these regards, the summary conclusions on housing mix from the SHMA (Strategic Housing Market Assessment) Update are set out as follows. An assessment has been undertaken of the split required between affordable / market housing type and size over the Plan period. Such housing targets are a policy decision to be made through the Local Plan. The following percentage targets, however, are suggested for Staffordshire Moorlands with the intention of rebalancing the stock away from small terraced properties towards better quality, aspirational property types designed to reduce the high levels of net out-migration to adjoining areas. There is also a need for more good quality accommodation designed specifically for the growing elderly population. As a consequence, a 60/40 split is given as guidance for property sizes as: 60% 1/2-bed and 40% 3/4-bed dwellings overall. No specific need for bungalows is identified, however, the requirement for 1,

2 and 3 bed properties could include flats / houses or bungalows. It is recommended that Officers take a flexible approach to applying this advice when dealing with housing applications in the District, as relatively lower levels of housing viability in urbanised parts of the District could be compromised by an unsuitable housing mix.

7.16 In addition, NPPF paragraph 127 states that planning policies and decisions should ensure that developments amongst other matters should: “f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users ... Footnote 46 states ... Planning policies for housing should make use of the Government’s optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties. Policies may also make use of the national described space standard, where the need for an internal space standard can be justified”. Emerging LP Policy H1 states that all new dwellings should aim to provide flexible accommodation, which is capable of future adaption to achieve adequate internal space for the intended number of occupants in accordance with the NDSS (National Described Space Standards) and be delivered to meet accessibility standards as set out in the Optional Requirement M4(2) of Part M of the Building Regulations. The policy states that the assessment should be determined on a site by site basis subject to considerations such as viability and design. The NPPG also requires LPAs to provide justification for such policies taking account of need, viability and timing. The extent to which these standards are applied, however, as a number of compliant units on a site wide basis has not yet been concluded by the emerging Local Plan for LP Policy H1 to carry more limited weight in these circumstances.

7.17 With this in mind, the submitted plans for Phase 1 show that the majority of house types would meet NDSS when assessed against overall GIA (Gross Internal Area) minimum floor space standards and provide for appropriately sized bedroom accommodation. All house types excepting the revised Danbury affordable provision propose a study at the first floor level as they would fail to meet the minimum single bedroom GIA (Gross Internal Area) of 7.5sqm. The revised 2b4p Danbury affordable unit would, however, fall below NDSS standards by 4.0sqm.

7.18 In turn, the scheme has been compared against the SHMA, which recommends the following property size and type mix for both market and affordable dwellings and illustrates that a more balanced scheme property mix would be achieved as follows:

	Scheme Units	Scheme %	SMHA %
1-bed	6	4.8	60%
2-bed	77	61.6	
3-bed	42	33.6	40%
4-bed	0	0	

7.19 In respect of future proofing accommodation for accessibility and wheelchair housing standards, the optional requirements within Part M4 (2) of the Building Regulations 2010 ‘Access to and use of buildings’ (2015 Edition) sets out that the optional requirement M4 (2) would be met where a new dwelling makes reasonable provision for most people to access the dwelling and incorporates features that make it potentially suitable for a wide range of occupants, including older people, those

with reduced mobility and some wheelchair users. The applicant has demonstrated that 32.8% (41 units) of scheme dwellings within Phase 1 would achieve Part M4 (2) compliance. A further 21.6% (27 units) of scheme dwellings could be made Part M4 (2) compliant with minor adaptation e.g. the replacement of the family bath with a standalone shower. Within the context of the emerging local plan and national planning policy guidance, Phase 1 would provide for an acceptable provision of suitably flexible accommodation for current and future needs.

7.20 For the outline residential element of the scheme, planning conditions are proposed which would secure a SMHA compliant mix and NDSS minimum GIA for any reserved matters phase coming forward.

7.21 The revised Affordable Housing Statement sets out that for Phase 1, 33% (41 dwellings) would be provided as affordable housing. This would equate to 70% (29 units) for social rent and 30% (12 units) for intermediate 2-bedroom homes. The applicant contends that the SHMA is clear that the prevalent need for affordable homes is for smaller 1 and 2 bedroom properties and therefore the proposed mix accords with this need. A wider range of affordable property types, however, including 3 bed units should be provided as justified by the SMHA. As well, recent lettings data for a new development in Cheadle also found demand for such larger family accommodation. In order to maximise the lettings potential of each unit, bed spaces should be a combination of 2b4p and 3b5p units to accommodate larger families with more children. The applicant has amended the affordable Danbury house type to create a 2b4p unit without a study, which is shown pepper potted across the site area for Phase 1. The unit, however, would fall below the minimum NDSS GIA by 4.0sqm. Furthermore, the applicant has declined to include any 3b5p affordable units within Phase 1 despite officer requests to do so and is considered as a negative aspect of the scheme. In terms of the affordable housing offer for Phase 1, the applicant has been requested to provide evidence that it would be acceptable to a RSL (Registered Social Landlord). In these respects, Members will be updated in the Late Representations Report. The applicant has also proposed 33% of all houses on any reserved matters phase(s) of development to be affordable homes. Such details, including property size and tenure would need to be agreed as part of the s106 agreement for the full and outline aspects of the scheme.

7.22 The scheme broadly offers an overall acceptable property mix whereby house types would meet with the NDSS and offers a fair degree of adaptable accommodation. Against this, on matters of specialist accommodation, it is regrettable that the scheme does not offer such provision. As well, the scheme does not provide for a good mix of house types for affordable housing social rent provision, particularly in respect of the 2b4p Danbury, which falls below the NDSS minimum GIA and the lack of any 3b5p units. These are not matters, however, which would form an individual reason for refusal in their own right. In these respects, the proposal would cause some modest friction with CS Policies H1 and H2 in particular and the NPPF. The scheme, however, proposes to deliver a 33% policy compliant affordable provision scheme, the details of which are subject to confirmation by the RSL to attract significant weight in the planning balance. These matters will be returned to in the balance section below.

Development Density

7.23 The NPPF at para 122 requires development to make an efficient use of land by taking into account a number of factors. These include (a) the identified need for different types of housing, which has been discussed in the section above and (b) site viability is no longer being contested by the applicant with regard to seeking reduced planning obligations. Importantly at NPPF para 123, it is discussed that “Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances: ... c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework.” In these respects, for Phase 1, the applicant has confirmed the developable area as 3.27ha, which would equate to 38.2 dph (dwelling per hectare). For Phase 2 and based on a scheme of up to 135 units, the indicated quantum of development sought would result in a scheme density of 31.9 dph on a 4.23ha developable site area. In these circumstances, the scheme has demonstrated an optimal use of land to comply with this aspect of the NPPF for achieving appropriate density, particularly in the context of a chronic district housing undersupply and delivery and this weighs favourably in the planning balance.

Character and Appearance

7.24 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 ...’. CS Policy DC3 ‘Landscape and Settlement Setting’ sets out measures to protect and enhance the local landscape and setting of its settlement by resisting development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement, including important views into and out of the settlement. The policy is applicable to the outer edge of the application site falling within Phase 2, which is designated open countryside and categorised as a landscape character area ‘Ancient Slope and Valley Farmlands’.

7.25 The applicant’s LVIA (Landscape and Visual Impact Assessment) has been assessed by the Council’s Arboricultural Officer. He considers that the replacement of pastoral fields with residential/school development would no longer be discernible on the ground as acknowledged by the LVIA. As a result, there would be a fundamental change in landscape character within the site, which would be an inevitable consequence of the large scale development of a greenfield site. In detail, the greatest visual impact would be on occupants of existing dwellings at the Ness Grove and Hammersley Hayes properties adjacent to or close to the application site. As well, there would also be significant visual impact on users of Public Footpath 39, which crosses the site. This impact, however, would be somewhat mitigated through its routing within the retained core open space area and substantial new landscaping, which could create an attractive route from the urban area out into open countryside. The officer also notes visual impacts on receptor viewpoints on public

rights of way to the north-east/east/south-east of the site, however, these would be less marked. Against this, the existing landscape character of the site itself is not considered to be of notable quality, which suffers from abrupt visual intrusion of existing urban development adjoining it. He considers that the proposed development would provide for an opportunity to create a much softer urban-rural interface by incorporating the indicated substantial buffer strips along the north-east and south-east boundaries albeit along a line displaced eastwards into presently open countryside.

7.26 Overall, Phase 1 of the scheme would be seen in the context of the existing urban area and as natural infill between the existing Ness Grove and Hammersley Hayes development areas. The Phase 2 area would nevertheless be seen as a notable projection of built form into the surrounding rural landscape as discussed by the Council's Aboricultural Officer. In these circumstances, the indicative substantial screening buffer strips along the north-east and south-east boundaries of the site, which, once established and developed, would fulfil an essential screening function to reduce visual impact on views from beyond the site in the medium to long term. As a consequence, he advises that consideration be given to securing advanced planting of these screening buffer strips and linked to triggers of commencement/completion/occupation of an appropriate proportion of the Phase 1 development. Clearly, the development of Phase 2 would require substantial landscaping to make it acceptable in landscape impact terms. The Phase 1 site edges would also require consideration should Phase 2 not come forward concerning appropriate buffer planting to an otherwise hard edge. Clearly, these are matters for a site-wide landscaping masterplan and phasing condition to be secured should planning permission be granted.

7.27 The scheme has evolved to reduce the size of the school site by omitting the previously indicated community sports pitch and the proposed allotments as requested by officers. Furthermore, the applicant has widened the proposed buffer strip to a minimum of 15.0m along the north-east boundary of Phase 2 and substantially increased the indicative structural screening planting along this buffer to address the concerns of the Council's Aboricultural Officer. Similarly, the buffer strip along Cecilly Brook to the south-eastern edge of Phase 2 has also been widened following discussions and now shows the requested potential minimum width to accommodate both substantially increased structural screening planting of a 15.0m minimum width plus an additional 15.0m minimum width ecological buffer to accommodate rough grassland/scrub habitat enhancement along the watercourse. The Council's Aboricultural Officer considers that these revisions are clear and significant improvements to the overall site layout.

7.28 The Phase 1 planning layout would provide for a good-sized open space area at the access off Froghall Road, which has the spatial scope to provide for an attractive landscaped gateway entrance into the scheme. The main central open space along Public Footpath 39 would also accommodate a good amount of new landscaping to be secured in detail via a planning condition as confirmed by the Council's Aboricultural Officer. The proposed LEAP (Local Equipped Area for Play) is shown within the north of the open space in close proximity to the existing recreational facilities and is acceptable in principle subject to a detailed scheme to be agreed. The layout seeks to retain the mature hedgerows within the site albeit a

section would be removed to accommodate to the rear of Plots 12 – 22 and through to Plots 26, 53 & 54 as previously agreed with officers. A section of hedgerow would also be removed to accommodate the main site road to the rear of Wetherby Close. In addition, the existing TPO-protected Ash tree would be potentially retained within the hedgerow to the front of Plot 89. The Council's Arboricultural Officer discusses, however, that the applicant's tree survey report identifies a major cavity in its stem and therefore its safe retention within the context of a residential development site must be given further careful consideration.

7.29 The proposed two electricity sub-stations positioned at the entrance of the site and southeast corner of the proposed school site are confirmed as having no significant impact on existing trees or hedges. Furthermore, suitable landscaping would prevent any adverse visual intrusion. Public Footpath 39 to the rear of Wetherby Close and Cheltenham Avenue would be given a consistent open corridor of c.25m defined by the retention of the mature hedgerow to the north. The site wide indicative landscaping strategy would require a detailed landscaping scheme and phasing plan to be secured by planning condition to be dealt with at any reserved matters stage.

7.30 Overall, once the peripheral landscape buffer trees and shrubs have matured, the visual impact of development on Phase 2 of the site could be acceptably mitigated for. The Phase 1 site edges would also require consideration should Phase 2 not come forward concerning appropriate buffer planting to an otherwise hard edge. Clearly, these are condition matters should planning permission be granted. As a consequence, this would limit the conflict with CS Policy DC3 in particular and the NPPF. This matter will be return to in the planning balance section below.

7.31 CS Policy H1 'New Housing Development' states that "all development will be assessed according to the extent to which it provides for high quality, sustainable housing ... and the strategy for the area having regard to the location of the development, the characteristics of the site ... All housing should be the most appropriate density compatible with the site and its location, with the character of the surrounding area ...". CS Policy DC1 sets out design criteria relating to new development to reinforce local distinctiveness and positively contribute to the area. NPPF para 130 states that "permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary documents". In these regards, the Staffordshire Moorlands Design Guide (2018) is confirmed as an appropriate supplementary planning document.

7.32 Phase 1 of the scheme has broadly achieved an appropriate density given the surrounding development context. There is an over reliance on frontage car parking owing to the close positioning of properties to result in a car dominate environment within some street scenes. Ideally the development form should be loosened in such areas to allow for a greater degree of side of dwelling parking. Nevertheless, in plot soft landscaping would mitigate this impact to a degree. Phase 2 proposes a looser residential form to accommodate both the change in levels, which fall from the north

of the site towards the Cecily Brook and to allow for a lower density of development towards the rural edge.

7.33 The revised illustrative plan identifies the location of the school site with playing field within a suggested layout. This shows the school building centrally located within the wider site as Phase 2B on a 1.13 ha plot with junior pitch and associated car parking. It is found to be acceptable in principle subject to further detail to be assessed at the reserved matters stage should planning permission be granted.

7.34 The layout achieves outward facing housing blocks of development. As set out above, Staffordshire Police support the revised layout omitting the undesirable rear parking court. As a result, the scheme would deliver an overall improved security position with rear gardens backing onto one another, clearly defined space and high levels of natural surveillance from the properties over their respective parking and the surrounding area. Similarly, they consider the indicative residential layout of Phase 2 to be encouraging in terms of crime prevention and community safety. This is also with reference to outward facing housing blocks shown which address the street and overlook public space. In these circumstances, the scheme would design out crime and design in community safety for both phases.

7.35 The applicant has now submitted a range of two-storey pitched roof house types to be incorporated into Phase 1 of the scheme. Positively, these would follow a consistent design theme whilst some variation in design would avoid any uniformity within the street scene. A scheme of chimney provision would need to be secured across the site to achieve a traditional roofscape for this edge of settlement more rural location. In terms of facing materials, the pallet comprises of predominantly red brick with some render beneath a grey roofing tile. Good quality materials should be secured to achieve high quality design. Furthermore, a revised boundary scheme would be required to avoid an open plan style of development and to reinforce corner plots to aid site legibility. Overall, the design philosophy respects the largely traditional form of Cheadle whilst incorporating more contemporary render elements. The development scheme proposing a primary school at its heart augmented by public open space with play area would provide for both an individual and distinctive character and sense of place. For the outline aspect of the scheme, it is considered that a high quality design could be achieved at the reserved matters stage.

7.36 In these regards, the scheme would achieve broad compliance with CS Policies SS1, H1, SS5c and DC1 in particular as well as the NPPF. This matter will be returned to in the planning balance section below.

Heritage Assets

7.37 CS Policy DC2 'Historic Environment' seeks to protect the historic environment and landscape. This policy, however, is inconsistent with NPPF paras 195 to 196 as it does not allow the weighing of any public benefits against any less than substantial harm. In addition, it makes no distinction between the approach to be taken depending on the importance of the heritage asset, i.e. designated or non-designated heritage assets. As a consequence, only limited weight can be attached to this policy in accordance with NPPF para 213.

7.38 The views of the Council's Conservation Officer have been sought and are set out in full in the relevant section above. It is confirmed that the Heritage Statement and Visual Impact Statement have adequately assessed the significance of designated and non-designated heritage assets to comply with NPPF policy. Furthermore, the Assessment of Visual Impact and its Significance within the ZTV (Table 4) highlights the Significance of Effect on Broad Haye Farmhouse as 'Neutral/Slight Adverse'. The Conservation Officer agrees with this statement and considers that the slight impact to peripheral views from the Listed Building can be adequately addressed by the presence of landscaping around the proposed development. In respect of Phase 2 revisions, the margins of the site adjoining the fields are more generous and proposed to be substantially planted. This is considered to be a marked improvement on the existing arrangement consisting of a raw edge and an improvement on the previous submission. Overall, it is concluded that based on the existing raw edge to the development and the new scheme proposing a substantial level of buffering and planting there would be no harm to the setting of the Listed farmhouse as confirmed by the Council's Conservation Officer.

7.39 It is also noted that there are archaeological remains on the site which are highlighted in the two reports. The County Archaeologist has made recommendations to record these and mitigate any impacts in the form of a recommended planning condition.

7.40 Accordingly, the scheme would achieve broad compliance with CS Policy SS1, H1, SS5c and DC2 in particular as well as the NPPF. This matter will be returned to in the planning balance section below. Furthermore, the Local Planning Authority has discharged its statutory duty to consider the scheme's effect on the listed building.

Residential Amenity

7.41 The NPPF at para 127 amongst other matters requires that decisions should achieve a high standard of amenity for existing and future users. Similarly, CS Policies H1 and DC1 require development to protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

7.42 The Council's 'Space about Dwellings' SPD (Supplementary Planning Document) sets out that in new residential developments, a distance of 21m between principal windows and 13m between a principal window and a flank elevation is required to maintain an adequate standard of privacy and amenity between residential properties. These standards are broadly achieved in respect of separation distances between the majority of proposed dwellings and the existing neighbouring properties. Within the site itself, there are some limited examples of a modestly reduced separate distance between dwelling frontages. This relationship is considered to be acceptable pursuant to good design and reducing road dominance as per the Manual for Streets guidance. As well, all dwellings would achieve a good area of private amenity space. On this basis, the scheme is considered to be acceptable by ensuring that privacy / sunlight standards are met as well as the provision of adequate private amenity space for existing and future users of the site.

7.43 For Phase 2, the amenity of existing and future occupiers would also fall within the scope of the reserved matters application(s), which would include the detailed assessment of the scheme's layout and design against the Council's 'Space out Dwellings' guidance. The future layout would need to ensure that privacy / sunlight standards are met as well as the provision of adequate private amenity space.

7.44 Officers are satisfied that the overall site can be developed in an appropriate manner which could achieve these amenity standards to accord with CS Policies DC1 and H1 in particular and the NPPF. These matters will be returned to in the balance section below.

Highway Safety

7.45 CS Policy T1 'Development and Sustainable Transport' seeks to ensure that all new development is located where the highway network can satisfactorily accommodate traffic generated by the development or can be improved as part of the development. Major development should be located in areas that are accessible by sustainable travel modes or can be made accessible as part of the proposal. Appropriate parking standards should be achieved and where appropriate all new development should facilitate walking and cycling opportunities. NPPF para 109 states that: "Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe". The site is considered to be in a sustainable location as is discussed in the principle section above.

7.46 The primary site access to Phase 1 would be from Froghall Road via a priority controlled junction requiring the relocation of the existing bus stop. In addition, there would be two secondary accesses proposed for Phase 1 from a continuation of both Ayr Road and Cheltenham Avenue. Access to the school site within Phase 2b would be available from the new spine road provided within Phase 1 so that it could be delivered as a stand-alone project. These routes into the site would lead to a series of cul-de-sacs and private driveways serving individual dwelling plots with off street parking provision. The County Highways Officer confirms no objection to this aspect of the scheme subject to recommended conditions as contained within the relevant consultee section above.

7.47 For Phase 2, outline planning permission is sought for 'up to' 135 dwellings and a primary school with all matters reserved. Points of access are shown in the form of the continuation of the spine road from Phase 1 and the continuation of Cheltenham Avenue into Phase 2. Detailed highway matters would be assessed at the 'access' reserved matters stage. The Highways Officer, however, discusses that traffic modelling data submitted in support of the scheme shows an increase in journey time through Cheadle of 344 seconds as a result of this aspect of the proposal. This is confirmed to be a significant increase and would require mitigation through a s106 contribution from Phase 2 of the scheme for the capital contribution towards Cheadle town centre improvements. The County Council have calculated the contribution based on the recent Thorley Drive scheme and for 135 dwellings, the sum sought would equate to £142,105.05. The scheme would also be required to secure a Travel Plan monitoring fee of £6985.00 to be secured via a s106. Such planning obligations are considered to be both necessary in planning terms and reasonably

related in scale and kind to the development as proposed. With a Section 106 Agreement in place to secure the above contributions, the scheme would achieve compliance with CS Policy T1 and the NPPF.

7.48 Accordingly, there would be no resultant conflict with CS Policy T1 subject to the imposition of suitable conditions and the satisfactory completion of a s106 agreement. These matters will be returned to in the planning balance section below.

Environmental Matters

7.49 CS Policy SD4 'Pollution and Flood Risk' states that the Council will ensure that the effects of pollution (air, land, noise, water, light) are avoided or mitigated by refusing schemes which are deemed to be (individually or cumulatively) environmentally unacceptable. NPPF para 170 e) states that decisions should prevent "new and existing development from existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability".

7.50 The Coal Authority has confirmed that the application site falls within a defined High Risk Development Area and highlights that within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. This is specifically a thick coal outcrop and likely historic unrecorded underground coal mining at shallow depth. Coal Authority records also indicate the presence of three recorded mine entries within, or within 20m of the planning boundary (shafts). The Coal Authority has considered the Phase I and Phase II Geo-Environment Site Assessment Report (July 2016) and subsequent later revisions that support both phases of the wider site. On this basis, the Coal Authority are now able to confirm that the reports are able to discount any risks posed by both the off-site shaft and potential unrecorded shallow coal mine workings. This recommendation, however, is subject to the imposition of conditions to ensure the stabilisation of the shafts, to which the development layout had been designed around for the full aspect of the scheme.

7.51 The LLFA (Lead Local Flood Authority) confirms that the majority of the site is contained within Flood Zone 1 except the eastern and Kingsley brook boundaries of the site, which fall within zones 2 or 3 necessitating consultation with the EA (Environment Agency). In terms of surface water risk, it is stated that the updated Flood Map for Surface Water shows ponding in the centre of the development and flow routes running through the development in the north-eastern section. There are also areas of surface water risk on the northern boundary near Donkey Lane and the southern boundary near Ness Grove. In terms of past flooding, the LLFA confirm that there has been some historic flooding associated with the Kingsley Brook.

7.52 Following objections raised, the applicant has submitted a revised FRA (Flood Risk Assessment) to address both the EA and LLFAs flood risk concerns as a result of the development scheme. Accordingly, matters of flood risk are considered to be acceptable in principle subject to the imposition of conditions securing a satisfactory surface water design as well as those principles and mitigation matters as outlined in the FRA. In addition, Severn Trent Water requires matters of foul and surface detail

to be approved in a similar manner. The Council therefore considers that Grampian style negatively worded conditions would be acceptable in these circumstances. As a result, drainage matters would not be a technical constraint to the residential and school development of the site.

7.53 Given the location of the application site close to existing properties, care needs to be taken during the construction phase to ensure site related activities do not cause unreasonable disruption to the neighbour's enjoyment of their properties. Accordingly, the Council's Environmental Health Team has recommended a Construction and Demolition Works and Construction Method Statement condition. Conditions are also recommended to address further contamination work, importation of soil / material and waste management. In relation to noise impacts, it is confirmed that the revised plan for the residential area in relation to the school would pose no significant noise concerns and could co-exist with appropriate noise mitigation measures. Conditions are recommended in relation to plant and machinery operation for the school and electric sub-station, school lighting. Furthermore, the noise assessment sets out sound insulation measures which prior to construction should be clarified in an updated site specific scheme to address noise impacts from the road, school and sub-station. Officers are currently discussing the imposition of conditions relating to matters of air quality and Members will be updated within the Late Letters Representation Report, however, this matter alone would be unlikely to lead to the refusal of the scheme.

7.54 With the imposition of suitable conditions where reasonable and necessary, the proposal scheme would comply with the relevant parts of CS Policies DC1 and SD4 and the NPPF. These matters will be returned to in the balance section below.

Biodiversity

7.55 CS Policy NE1 'Biodiversity and Geological Resources' seeks to ensure development where appropriate, produces a net gain in biodiversity and ensuring that any unavoidable impacts are appropriately mitigated for. Similarly, NPPF paras 170b) d) and 175a also seek to ensure that development recognises the wider benefits from ecosystems and conserves and does not significantly harm biodiversity. In these regards, the applicant has submitted an Ecological Assessment, which is to be read in conjunction with the revised illustrative master plan drawing 8060-L-07-M in support of the hybrid application.

7.56 The Council's Ecology Officer has been consulted in respect of both Phases 1 and 2 of the scheme. For the full aspect of the scheme, it is commented that the retention of the hedgerow within a buffer is welcome along the southern boundary of the site running east-west parallel with Wetherby Close. Details of how the hedge would be managed and improved to sustain and enhance its biodiversity value should be provided within an Ecological Management Plan, which should also include proposals for the hedgerow running north-south through the area of public open space. It is also commented that the areas of open space within the development offer the potential to create species rich grassland, which would in turn create stepping stones habitats linked to nearby species rich grassland at the Cecilly Brook Local Nature Reserve.

7.57 In addition, details would be required of how garden plots and buildings can be utilised to create features for biodiversity enhancement. This should include native species planting within gardens appropriate to shade, aspect and moisture to provide nectar sources, food and structural habitat features for native invertebrates. As well, the provision of bat roosting sites and nest boxes for birds within buildings should also be specified. Hedgerows rather than close boarded fences should be prioritised between garden plots and native climbing species to create further habitats against walls and fencing should also be considered. As a consequence, a detailed landscaping scheme to include an ecological management and enhancement plan for Phase 1 has been recommended as a condition of granting planning permission. The scheme would also be subject to a recommended condition to ensure appropriate plot boundary treatments across the site. In conjunction with the landscaping condition, this condition would assist in securing garden hedgerow boundary planting and therefore limit the use of close boarded fencing where this is possible.

7.58 For Phase 2, the illustrative masterplan shows a substantive undeveloped buffer strip around the eastern side of the development and rural edge. Along the south-east boundary a 15.0m buffer strip is required for tree planting plus a 15.0m strip of occasional grassland and scrub along the Cecilly Brook. Positively, a consistent minimum 30.0m wide buffer has now been achieved as shown on the latest revised illustrative plan to meet with these requirements. The Council's Ecological Officer states that the widened buffer strip along the Cecilly Brook should accommodate rough grassland/scrub habitat along the watercourse and represents significant improvements to the Phase 2 indicative landscaping in terms of ecology considerations. Furthermore, the creation of a pond indicated in the southern buffer strip is a welcome ecological enhancement. The Ecology Officer has highlighted that the retention, enhancement and management of hedgerows would require further consideration as part of any reserved matters scheme relating to Phase 2. As well, opportunities within the school ground for enhancing biodiversity should be provided. In these regards, it is suggested that consideration should be given to the creation of a pond and associated planting at the western boundary of the school area. This would provide a linked habitat to the adjoining public open space within Phase 1 of the scheme, which proposes species rich grassland. In these circumstances, an Ecological Management and Enhancement Plan is recommended as a condition of granting planning permission.

7.59 With the imposition of suitable conditions where reasonable and necessary, the proposed scheme has demonstrated that it would not have a harmful effect on biodiversity interests. Consequently, the proposal would meet with the requirements of CS Policies DC1, NE1 and the NPPF.

Developer Contributions

7.60 To create sustainable communities, CS Policy C1 requires that the impact of development on existing infrastructure particularly local open space provision and local school capacity should be mitigated where necessary. The County Council LEA (Local Education Authority) requires an education contribution of £1,106,625 towards the provision of the new primary school. It is noted that this development includes all of the land necessary (1.13ha site) for the construction of the primary

school to accommodate the planned housing growth in Cheadle. In these circumstances, consideration needs to be given to the value of the land in the planning obligation. The LEA have agreed with the applicant that the value to be attributed to the school site should be double the local agricultural value advised at c.£10,000 per acre. A deduction in the Education Contribution to the value of the land minus the applicant's proportion is therefore considered appropriate.

7.61 With regard to public open space provision, Phase 1 requires that a LEAP (Local Equipped Area for Play) is provided on site and that an off site financial contribution of £196,390.08 is provided towards playing pitch enhancements. For Phase 2, off site contributions are required for both play and playing pitches. Applying the current formula, the amount requested for both contributions would be as follows: play at £172,400.76 and playing pitches at £220,292.82.

7.62 Such planning obligations are considered to be both necessary in planning terms and reasonably related in scale and kind to the development as proposed. With a Section 106 Agreement in place to secure the above contributions, the scheme would achieve compliance with CS Policies C1 and C2 and NPPF.

Other Matters

7.63 Devaluation of property or a loss of view is generally not viewed as a material consideration to be weighed in the planning balance.

8. PLANNING BALANCE & CONCLUSION

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The statutory primacy of the development plan is reinforced within the NPPF. The NPPF is a material consideration to which substantial weight should be attached.

8.2 In this case, in the absence of a deliverable five year housing land supply, the provision of dwellings, including affordable housing in line with the requirements of the NPPF, would make a substantial contribution towards the very significant shortfall in housing supply. The delivery of affordable housing and an appropriate mix of housing would meet the social threat of sustainability along with the provision of land for community infrastructure and the delivery of the primary school to serve the north/east of Cheadle. Furthermore, the scheme is considered to represent the optimal use of land without impacting on the prevailing character of the area in the context of chronic housing undersupply within the district.

8.3 The town of Cheadle does offer alternatives to car travel. Walking and cycling opportunities are available and there is a regular bus service which all offer opportunities for sustainable travel modes with key services and facilities provided within the town centre. The development proposals have demonstrated that a safe and suitable access can be achieved and that there would be no significant impacts on the transport network or highway safety. With the imposition of suitable planning

conditions and securing contributions towards the Cheadle town centre improvements, any residual impact on the local road network can be mitigated.

8.4 Economically, the development would create opportunities in the construction industry and the occupants of the dwellings would contribute towards the local economy and community. Furthermore, the proposal would not harm biodiversity interests, heritage consideration and residential amenity.

8.5 It is acknowledged that there would be some harm to the landscape in respect of Phase 2, which is designated as a landscape character area outside of the settlement boundary. This harm, however, has to some degree been mitigated by the significant landscape buffer proposed to prevent a raw and exposed edge to the scheme whilst preserving the setting of the Grade II listed Broad Heyes Farm. Despite this it is acknowledged that the proposal would be contrary to CS Policy SS6c as a result of development on the relevant part of Phase 2.

8.6 Officers are currently discussing the imposition of conditions relating to matters of air quality and Members will be updated within the Late Letters Representation Report, however, this matter alone would be unlikely to lead to the refusal of the scheme.

8.7 NPPF para 11 contains two alternative limbs in relation to decision-taking. The second limb requires a balance to be undertaken whereby planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole. Whilst there is conflict with Policy SS6c, it is acknowledged that there is a considerable and significant shortfall in the housing supply in the District. Moreover, despite the environmental harm as a result of the development of Phase 2, it is considered that the public benefits of the proposal would outweigh the less than substantial harm to landscape impact as a result of development. The dwellings and school would be located in an accessible location and would bring economic activity and other social benefits. All the harms and benefits which have been identified cover the three dimensions of sustainability, as set out in NPPF para 8 as referred to earlier and have been considered in the overall planning balance.

8.8 When all things are considered, it is concluded that the adverse impacts of the proposal do not significantly and demonstrably outweigh the scheme benefits. For the reasons given above and having regard to all matters raised, when assessed against the policies in the NPPF taken as a whole, the proposal would deliver sustainable development.

8.9 A recommendation of approval is therefore made in these circumstances..

9. RECOMMENDATION

A. That planning permission be APPROVED, subject to conditions and the completion of s106 planning obligation securing matters of 33% onsite affordable housing provision, education contributions / land, onsite LEAP, off site play and playing field contributions and highway contributions:

OUTLINE

Time Limits

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

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

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

- Location Plan, and,**
- The other access points as shown on Illustrative Masterplan (Revision M) with such other access points to be provided in accordance with the agreed phasing plan.**

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

- 5. A phasing plan, including matters of strategic landscaping for the whole development shall be submitted to and approved in writing by the Local Planning Authority as part of the first application for reserved matters within the application site. The development shall be carried out in accordance with the Phasing Plan approved under this condition.**

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

Levels

- 6. No phase of the development hereby permitted shall be commenced until detailed plans and sections showing existing and proposed site levels for that phase and showing the proposed relationship with**

adjacent phases have been submitted to and approved in writing by the Local Planning Authority and the development thereafter shall only be carried out as approved.

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

Dwelling Type and Size

7. The reserved matters application(s) shall be based on the Nationally Described Space Standards Technical Housing Standards.
Reason: - To ensure dwellings of adequate size in line with national policy.
8. The type / mix of units at the reserved matters stage shall reflect the Council's Strategic Housing Market Assessment (SMHA).
Reason: - To ensure an appropriate mix of units in line with national policy.
9. A detailed Arboricultural Method Statement to include a scheme for the retention and protection of trees and hedges on or adjacent to the site shall be submitted to and approved in writing by the Local Planning Authority with the first reserved matters application. Development shall be carried out in accordance with the approved Statement and protection scheme for the site and in particular:
 - a) No trees or hedgerows shall be cut down, uprooted or destroyed, cut back in any way or removed without the written approval of the Local Planning Authority;
 - b) If any tree, shrub or hedge plant is removed without such approval, or dies or becomes severely damaged or diseased within 5 years from completion of the development hereby permitted, it shall be replaced by another tree, shrub or hedge plant of similar size and species, planted at such time as may be specified in writing by the Local Planning Authority;
 - c) No operations shall commence on site (including soil moving, temporary access construction and/or widening or any operation involving the use of motorised vehicles or construction machinery) unless the protection works required by the approved protection scheme are in place;
 - d) No excavation for services, no storage of materials or machinery, no parking of vehicles, no deposit or excavation of soil or rubble, no lighting of fires and no disposal of liquids shall take place on the site within any area designated as being fenced off or otherwise protected in the approved protection scheme, and,
 - e) All protective fencing erected in accordance with the approved scheme shall be retained intact for the full duration of the construction of the development for that phase of the site hereby permitted and shall not be moved or repositioned, without the prior written approval of the Local Planning Authority.

Reason:- To retain important existing trees and hedgerows in the interests of the character and appearance of the area.

- 10.No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the approved development, unless otherwise approved by the LPA. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (nominally March to August inclusive), unless otherwise agreed by the LPA and in this case only following careful inspection by a competent person to establish that such trees, shrubs or hedgerow are not in active use by nesting wild birds. The existing hedgerows including hedgerow trees along the eastern boundary of the site with public footpath IR/2575, including that part along the proposed new access road shall be permanently retained.**

Reason:- To protect existing trees and hedgerows during construction in the interests of the character and appearance of the area.

- 11.Prior to the commencement of development, (including any site clearance, site stripping, site establishment, formation of new access or installation of any drainage infrastructure) temporary tree protection barriers and advisory notices shall be erected for the protection of the existing trees to be retained, in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations, and this shall be retained in position for the duration of the period that development takes place, unless otherwise agreed by the LPA. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed by the LPA.**

Reason:- To protect existing trees and hedgerows during construction in the interests of the character and appearance of the area.

Biodiversity/Ecology

- 12.No development including site clearance shall take place until a Construction Environmental Management plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority (LPA). This must include:**

- Risk assessments of potentially damaging construction activities.**
- Identification of biodiversity protection zones.**
- Practical measures during construction to avoid or reduce impacts during construction (may be provided by method statements).**
- The location and timing of sensitive works to avoid harm to biodiversity.**
- Confirmation that there will be no clearance of trees, shrubs, tall ruderal or brambles between 31st March and 31st August inclusive unless a competent ecologist has undertaken a careful detailed check of vegetation for active birds nests, immediately before**

vegetation removal, and provided written confirmation that no birds will be harmed and/or appropriate methods are in place to protect nesting bird interest on sites. Any such written confirmation should be submitted to the LPA for its written approval before any clearance of trees, shrubs, tall ruderal or brambles.

- Suitable methodology for the removal of Japanese Rose before any work is undertaken on the hedgerows.
- Lighting used during construction to minimise impacts on wildlife.
- Open excavations or pipes to be sealed at night. Ramps / planking to be installed to permit wildlife to escape being trapped in structures during construction.
- The role and responsibilities of an ecological clerk of works or similar competent person.
- Disposal of waste material on site.
- Use of protective fences, exclusion barriers and warning signs.

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

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

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

- Purpose and conservation objectives of the proposed enhancements.
- Detailed designs and/or working methods to achieve stated objectives.
- Extent and location of proposed works on appropriate plans and scale maps.
- Type and source of material used where appropriate e.g. native species of local provenance.
- Creation and enhancements of semi natural habitats linked to Staffordshire and UK biodiversity Action Plan priorities prioritising the enhancement and creation of hedgerows and associated buffer strip (up to 2m from hedgerows).
- Timetable for the implementation of works demonstrating that works are aligned with the proposed phases of the development. This should include a ten year plan detailing implementation, monitoring and remediation and habitat maintenance measures
- Creation of bird nesting features for bats, house martin and house sparrow within new buildings.
- A lighting design plan and technical specifications to minimise light spill into surrounding hedgerows and the adjacent countryside. Lighting must demonstrate acceptable impacts on foraging or commuting bats that may use adjacent hedgerows and allow birds species to exhibit undisturbed behaviour patterns.
- Garden planting to benefit pollinating insects including climbing species to create green infrastructure.
- Persons responsible for implementing the proposed works.

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

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

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

Reason:- In the interests of nature conservation.

Drainage / Flood Risk

- 15. The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA), Rev 03, ref. 881287-R1(03)-FRA, dated February 2019 undertaken by RSK Ltd and letter ref. 881287_L01_K dated 29 August 2019 and the following mitigation measures it details:**

- **All development shall be located outside of the food plain.**
- **There must be no new buildings, structures (including gates, walls and fences) or raised ground levels within 8 metres of the top of any bank of watercourses, unless agreed otherwise in writing by the Local Planning Authority.**

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reasons:- To reduce the risk of flooding to the proposed development and future occupants. To maintain access to the watercourse for maintenance or improvements to provide for overland flood flows and to avoid adverse impact on flood storage.

- 16. No development shall commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The development shall subsequently be implemented in accordance with the approved details before the development is first brought into use.**

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

- 17. No development shall commence until such time as the details of a satisfactory surface water design has been submitted to and approved in writing by, the Local Planning Authority. Including:**

- **The results of ground investigation and percolation tests to determine the viability of Soakaways.**
- **Surface water drainage system(s) designed in accordance with the Non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).**

- Limiting the discharge rate generated by all rainfall events up to the 100 year plus 30% (for climate change) critical rain storm to existing greenfield rates.
- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water drainage systems shall be maintained and managed for the lifetime of the development.

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

Construction/Demolition

- 18.No development (including site clearance or ground works) hereby permitted shall take place until a Demolition and Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-**
- i. the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;
 - ii. the arrangements for prior notification to the occupiers of potentially affected properties;
 - iii. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
 - iv. a scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction phase;
 - v. a scheme for recycling/disposal of waste resulting from the construction works;
 - vi. the parking of vehicles of site operatives and visitors;
 - vii. the loading and unloading of plant and materials;
 - viii. the storage of plant and materials used in constructing the development;
 - ix. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - x. details of measures to protect the public footpaths and amenity of

users of the public footpaths crossing the site during the construction works.

All works shall be carried out in accordance with the approved details.

Reason:- To protect the amenities of the area.

Contamination

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

a) A site investigation scheme, based on the information already provided to support a detailed assessment of risks to all receptors that may be affected, including those off site.

b) The results of the site investigation and the detailed risk assessment referred to in (a) and, based on these, an options appraisal and a remediation strategy giving full details of remediation objectives and remediation criteria

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

d) The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

20. Prior to bringing the development into first use, a validation report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved validation plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the validation plan, and for the reporting of this to the local planning authority.

21. 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. Development shall not commence any further until an initial investigation and risk assessment has been completed in accordance with a scheme to be first agreed in writing by the Local Planning Authority, which shall assess the nature and extent of any contamination on the site. If the initial site risk assessment

indicates that potential risks exists to any identified receptors, development shall not commence further 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 shall be subject to the written approval of the Local Planning Authority. Development shall thereafter be undertaken in accordance with the approved details.

22. No top soil / fill material 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 shall be submitted to and agreed in writing by the Local Planning Authority prior to the soils being imported onto site. The methodology shall 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 by the Local Planning Authority.

Reasons:- 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.

23. 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.

24. The machinery, plant or equipment including installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [15 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:2014. The details and location of any plant or machinery to be installed under this permission should be submitted to and approved of in writing by the Local Planning Authority.

Reason:- To protect the amenities of the area.

25. 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 35 dB LAeq in bedrooms, less than 40 dBLAeq in living areas and 55dB LAeq in outside living areas. A report shall be produced containing all raw data and showing how calculations have been made. A copy of such report shall be submitted to the Local Planning Authority for its approval.

Reason:- To protect the amenities of the area.

26. The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance at the adjoining light sensitive locations when the light (s) is (are) in operation. Details of all artificial lighting to be installed under this permission should be submitted to and approved by the Local Planning Authority prior to development commencing.

Reason:- To protect the amenities of the area.

Coal Authority

27. As part of the submission of first reserved matters, no development shall commence until the submission of a layout plan which identifies an appropriate zone of influence for mine entry 104344-003 on site and the definition of suitable 'no-build' zone for the mine entry, together with a scheme of remedial measures for the mine entry for approval and the implementation timescales of those remedial works has been submitted to and approved in writing by the Local Planning Authority. The scheme be carried out in accordance with the approved details.

Reason:- The Coal Authority considers that the application site can be made safe and stable for the proposed development. The Coal Authority therefore withdraws its objection to the proposed development subject to the imposition of conditions to secure the above.

FULL conditions to be provided within the Late Representations Report.

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.

Informative(s)

1. It is considered that the proposals comprise sustainable development and therefore conform to the provisions of the NPPF.

Location Plan

