

# APPENDIX 1

## STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL PLANNING APPLICATIONS COMMITTEE

4 April 2019

<b>Application No:</b>	SMD/2018/0790	
<b>Location</b>	Land South East Of A521, A50 BLYTHE BRIDGE BYPASS BLYTHE BRIDGE, STAFFORDSHIRE	
<b>Proposal</b>	Development of 146 dwellings (Use Class C3), access and internal roads for vehicles, pedestrian and cycle linkages; car and cycle parking; associated play and open space, landscaping, ecological habitats; sustainable drainage measures, earthworks and all ancillary enabling works including the demolition of building and structures.	
<b>Applicant</b>	St. Modwen Homes	
<b>Agent</b>	Mr Peter Heyward, Turley Associates	
<b>Parish/ward</b>	Forsbrook	<b>Date registered</b> 08/01/2019
<b>If you have a question about this report please contact:</b> Ben Haywood tel: 01538 395400 ex 4924 ben.haywood@staffsmoorlands.gov.uk		

### REFERRAL

The Application has been referred to committee because it is a major development and a departure from the Development Plan.

#### 1. SUMMARY OF RECOMMENDATION

**APPROVE subject to Section 106 Agreement and Conditions**

#### 2. SITE DESCRIPTION

2.1 The Application Site is 5.53ha in area and forms part of a wider site controlled by St Modwen, which in turn forms a significant part of a site allocated in the adopted Development Plan (Core Strategy 2014) for employment development.

2.2 The Site is located north of the A50/south east of the A521 at Blythe Bridge, from where access will be achieved. The Application Site is south east of Blythe Bridge, located between this settlement and Forsbrook. To the north and primarily to the east of the Site, the land within the wider St Modwen control, forms land used for grazing purposes. The eastern boundary of the Site is flanked by a row of 6 detached properties located on Woodlands Lane. The rear gardens of these properties form the eastern boundary of the Site.

2.3 The Application Site comprises 6 fields in agricultural (grazing) use, with 2 former buildings known as Stone House Farm that were once associated with the use of the land for these purposes. These buildings are derelict / vacant and will be demolished as part of these proposals. The fields comprise grass, with trees and hedgerows predominantly forming the boundaries as opposed to being isolated within the fields themselves. Established tree and hedgerow boundaries in particular form the southern and western edges of the Site.

2.4 The site falls gently overall from the north and west, towards the south and east. An existing pond is present in the north east corner of the Site.

### **3 DETAILS OF PROPOSAL**

3.1 Members will recall that full planning permission was granted for the erection of 118 dwellings on the site in 2018. This is a revised application for the same site area but which seeks to increase the numbers of units on the site to 146 as well as seeking approval for various associated changes of housetype.

3.2 The key changes for which SMD/2018/0790 seeks consent, when compared back to the original permission (Ref. SMD/2017/0512) are:

- Increase of 28 no. dwellings in total, including an increase of 9 no. affordable dwellings (48 no. affordable dwellings in total);
- Improved and amended internal roads and pedestrian and cycle linkages, principally to incorporate the increased dwelling numbers;
- Increased car parking by 33 spaces (from 266 spaces approved to 299 spaces proposed), mostly resident spaces for the increased dwelling numbers and some visitor spaces, as well as increased cycle parking;
- Increased POS provision, including LEAP improvements by providing an equipped play area, and repositioning the SUDS away from the LEAP to provide more useable space
- Appropriately revised drainage strategy, with an enhanced SUDS now extending into the wider Phase 2 site area, as approved under App Ref. SMD/2018/0443; and
- Enhanced ecological habitats and landscaping, including increased tree and hedgerow planting.

3.3 In summary, many of the development principles approved under App Ref. SMD/2017/0512 remain largely unchanged, including site access. The development is arranged around a central spine road that provides access from the A521 Uttoxeter Road, which will also serve future phases of development (use as yet to be determined) beyond the current application site

3.4 The development includes a mix of accommodation types and sizes, ranging from 1 bed apartments (as part of the affordable housing component) and 2 bed market homes; through to larger market and affordable housing properties of 3,4 and 5 bedrooms. 98 of the 146 dwellings will be available as open market dwellings for sale and 48 dwellings will be affordable for social rent and shared ownership. This equates to 33%.

3.5 The dwellings are primarily 2 storey in height (with occasional 2.5 storey properties at

key corners and focal points) and take the form of detached, semi and terraced (rows of 3) properties, with the 18 proposed apartments forming three 3-storey -blocks and the other house types proposed, comprising 2 and 2 ½ storey dwellings

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

- SM.97-0216 Premium Employment Site Development 30th July 1997
- 03/00498/FUL\_MJ Variation of Condition 2(a) (b) (ii) of SM97-0216 to extend time limit. 15th July 2003
- 06/00984/FUL Variation of Condition 1 attached to planning permission 03/00498/FUL\_MJ dated 15th July 2003 to extend time period in which to submit reserved matters by a further 5 years to 15th July 2013. - 17th October 2006
- 01/00125/REM Provision of access to phase 1 development of employment site. 3rd April 2007
- 07/01532/REM\_MJ Development of commercial site of phase 1 for Class B1 use. 29th April 2008
- 11/00405/REM New Planning Permission to replace extant Planning Permission 06/00984/FUL, pursuant to the original Outline Planning Permission SM.97-0216 for a Premium Employment Site on land adjoining A50(T), Blythe Bridge, in order to extend the time for submission of reserved matters by 5 years to the 15th July 2018 and the implementation of the planning permission by 5 years to 15th July 2021. - 9th August 2011
- SMD/2017/0512 'Detailed Planning Application for the development of 118 dwellings (Use Class C3), new access and internal roads for vehicles, pedestrian and cycle linkages; car and cycle parking; associated play and open space, landscaping, ecological habitats; sustainable drainage measures, earthworks and all ancillary enabling works including the demolition of building and structures.' - Approved
- SMD/2018/0443 Reserved matters application for the phase 2 access road and associated infrastructure including drainage to serve the road, tree removal, levels, landscaping, safeguarding area, great crested newt mitigation pursuant to planning application 11/00405/REM – Approved
- SMD/2018/0696 Full planning application for a haul road to provide temporary construction access to Phase 1 (Ref. SMD/2017/0512) – Approved

#### **5. PLANNING POLICIES**

5.1 The Development Plan comprises of:

- Staffordshire Moorlands Local Plan (Adopted 1998)
- The Staffordshire Moorlands Local Development NPPF Core Strategy (Adopted March 2014)
- The Minerals Local Plan (Adopted December 1999) Saved Policies 2007

- Staffordshire & Stoke-in-Trent Joint Waste Core Strategy (Adopted March 2013)

#### Staffordshire Moorlands Local Plan (1998)

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

#### Adopted Staffordshire Moorlands Local Development Framework (LDF) (26<sup>th</sup> March 2014)

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

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

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS6c Other Rural Areas Area Strategy
- SS8 Blythe Bridge Regional Investment Site
- E2 Employment Sites
- SD4 Pollution and Flood Risk
- H1 New Housing Development
- H2 Affordable and Local Needs Housing
- DC1 Design Considerations
- DC2 The Historic Environment
- DC3 Landscape and Settlement Setting
- C1 Creating Sustainable Communities
- C2 Sport, Recreation and Open Space
- NE1 Biodiversity and Geological Resources
- T1 Development and Sustainable Transport
- T2 Other Sustainable Transport Measures

#### Local Plan process

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

5.5 In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public was held in November 2018 to determine whether the Local Plan is sound and legally compliant. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted

later in 2019. At this point, it will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

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

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question. The Officer Comments section of this report identifies the level of outstanding objections to each policy and recommends the amount of weight to be given to them at this stage in the process
- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

### Emerging Policies

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

- Policy SS1 Development Principles
- Policy 1a Presumption in favour of sustainable development
- SS2 Settlement Hierarchy
- SS10 Other Rural area strategy
- Policy H1 New Housing Development
- Policy H3 Affordable housing
- Policy DC3 Landscape and settlement setting character
- Policy DSR1 Blythe Vale

### *Supplementary Planning Guidance (SPG)*

- Developer/Landowner Contributions SPG (2004)
- Housing for Local People and Affordable Housing SPG (2005)
- Public Open Space (2004)
- Space about Dwellings (September 1998 – Appendix 3 Local Plan)

### *National Planning Policy NPPF*

### *National Planning Policy Guidance*

## **6. CONSULTATIONS CARRIED OUT**

<b>Site Notice Posted</b>	Expired.
<b>Press Notice Published</b>	Expired.
<b>Neighbour Notifications</b>	Expired

- The properties we note are to be increased to 146 dwellings which will increase the volume of traffic egressing and accessing the site on a daily basis.
- We are concerned regarding the speed of the traffic approaching the roundabout eastward along the A521. There have already been 3 fatalities within close proximity to the proposed access to the site within the last few months.
- Similarly, we are concerned about the current excessive speed limit when leaving the roundabout on the A50 and travelling west wards towards Draycott also on the A521. With the proposed new access arrangements, the current speed allowed will be extremely dangerous.
- The access to the site approaching from the ease is poor due to the curve in the road.
- The stretch of road in front of the access to the site is currently very congested during parts of the day and especially in the morning. The extra houses will exacerbate the situation. The congestion ensuing will make the crossing of the road in the proposed manner dangerous to children and young persons.
- The Toucan Crossing although a good method of crossing a busy road will also add to the congestion as the crossing is so close to the exit from the development and the A50 Round a bout.
- Ideally there should be a bridge over the dual carriageway for pedestrians.
- The increase in the number of dwellings should not be allowed on safety grounds.
- The Local Plan clearly states that it is the intention of the SMDC to preserve the rural nature of the Moorland village communities. Draycott- in -the - Moors, is acknowledged to be a village and yet is being subjected to these massive developments and their consequences. Clearly, traffic issues are a major part of these consequences. Any accidents ensuing from the poorly sited access to the new development which it is being proposed will have increased traffic from the extra properties will be the responsibility of SMDC.

### **Checkley Parish Council**

- No comments received at the time of report preparation.

### **County Archaeologist**

- This application is a revision of SMD/2017/0512. We recommended discharge of the archaeology condition (18) following a programme of archaeological trial trenching. As the site area hasn't changed our comments will be as previous but if the archaeological works have already been satisfactorily undertaken and no further mitigation works are required I'm not sure there is a need for a condition. But if you think there is I am happy for you to repurpose the condition used below.

*a) The site work shall be implemented in full in accordance with the approved written scheme of archaeological investigation.*

*b) A post-fieldwork assessment shall be completed following operations in accordance with the written scheme of archaeological investigation approved under condition (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured."*

*Reason: To record likely below ground archaeological remains.*

### **County Planning Officer**

- From the point of view of the Minerals Planning Authority, the situation is unchanged from when I wrote my letter of 1 September 2017 (ref. SMD/2017/0512 MSA).
- The site falls within a Minerals Safeguarding Area (MSA) for bedrock sand and superficial sand and gravel. Having regard to the policies, guidance and observations referred to above, it is reasonable to conclude that the proposed development would not lead to the sterilisation of important mineral resources. Therefore, the County Council, acting as Minerals and Waste Planning Authority, has no objection but draws attention to the requirements of the Waste Local Plan which states that Major developments should:
  - Use / Address waste as a resource;
  - Minimise waste as far as possible;
  - Demonstrate the use of sustainable design and construction techniques, i.e.: resource-efficiency in terms of sourcing of materials, construction methods, and demolition;
  - Enable the building to be easily decommissioned or reused for a new purpose; and enable the future recycling of the building fabric to be used for its constituent material;
  - Maximise on-site management of construction, demolition and excavation waste arising during construction;
  - Make provision for waste collection to facilitate, where practicable, separated waste collection systems; and,
  - Be supported by a site waste management plan / waste audit if the development is likely to generate significant volumes of waste

### **Staffordshire County Council Education**

- This development falls within the catchments of The William Amory Primary School and Blythe Bridge High School and Sixth Form. The development is scheduled to provide 146 dwellings. Excluding the 6 apartments and excluding the 34 RSL dwellings from secondary only, a development of 106 houses including 34 RSLs and 6 Flats could add 38 Primary School aged children and 16 Secondary School aged children. The catchment schools are projected to have a shortfall of places, even without the effect of proposed Local Plan housing. Blythe Bridge High School and Sixth Form is also projected to have a shortfall of places. We will therefore be requesting a contribution towards Primary School, Secondary and Sixth Form provision. We would seek an Education Contribution for 38 Primary School places (38 x £11,031 = £419,178), 16 High School places (16 x £16,622 = £265,952) and 3 Sixth Form places (3 x £18,027). This gives a total request of £739,211.

### **Severn Trent Water**

- I can confirm that we have no objections to the proposals subject to the inclusion of the following condition:
  - The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
  - The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

## Staffordshire Police

- No objection. The site will be bounded on two sides by major roads and by housing or open fields elsewhere. This isolating effect is likely to be generally pre-disposed to discourage negative interaction with the site in terms of crime and anti-social behaviour. It is encouraging to note a section (4.9) entitled 'Safety and Security' within the Design and Access Statement. This along with a number of other references elsewhere indicates that the applicant has given due consideration to crime prevention and community safety in accordance with the NPPG. This is borne out when reference is made to the layout proposals in the Proposed Site Plan drawing.
- There will be clearly defined space throughout and the creation of a development that gives the strong impression it is under the clear ownership and control of its residents thus offering a deterrent to crime and anti-social behaviour. Outward facing housing blocks will be provided with rear gardens backing onto one another to provide mutual security. Rear garden boundaries should offer a reasonable barrier to intrusion, in particular, the 2 metre high walls. The use of external defensive hedge planting could be considered to reinforce any boundaries that will abut public space rather than backing on to other gardens. This could have a softening aesthetic benefit as well as an ecological one. Unauthorised access from the front of the properties to the private rear gardens is generally prevented by fencing and gating positioned as close to the front of the building line as possible. Rear access paths are kept to a minimum. Where they will exist, lockable gating should be provided to restrict access, which currently would not appear to be the case.
- The importance of natural surveillance is recognised with dual-aspect corner plots and house elevations overlooking the site entrance, road network, pedestrian routes, retained pond and public open space. The LEAP is well-positioned and viewable by houses on two sides. Good open sightlines should be present throughout the development. Parking will either be garaged, in-curtilage or overlooked at the front of the property. The provision of visitor spaces scattered throughout the development will be beneficial and the absence of rear parking is another positive attribute.
- The applicant is advised that from the viewpoint of Staffordshire Police and undoubtedly for the long- term benefit of the future residents, it would be highly desirable for the properties to meet the minimum physical security standards contained within the Secured by Design Homes 2016 document. This includes external doorsets and ground floor/accessible windows which have been tested and possess third party certification to recognised physical attack-resistant standards. Incidentally, installing appropriately certified products would satisfy Building Regulation Approved Document Q (Security).

## Environmental Health

### Initial Comments

- The contamination, noise, construction plan can all be reworded in a positive fashion and are fine.
- The only issue is the AQ reports, in that they have not submitted an updated AQ assessment to reflect the new design of the scheme. Whilst, the increase in properties at the site not likely to alter the source, (minor increase in cars) the new design does

appear to bring the new apartments closer to the already existing source (the A50). It is not clear if the previous assessment submitted in support of this new application can be considered to reflect this, as it includes the following statement;

*“6.1 The EPUK/IAQM guidance advises that good design and best practice measures should be considered, whether or not more specific mitigation is required.*

*The proposed development incorporates the following good design and best practice measures:*

- *setting back of the development buildings from the A-road carriageways by at least 20 m; “*
- And the model used to predict concentrations at least 20m set back (possibly greater), K being the relevant receptor in this case. E.g. (from report).
- in the first instance we need to establish if this report could be considered applicable to the new scheme or should be updated;
- Therefore could we get clarification of:
  - The proposed distance (nearest façade) the new apartments will be from the A50,
  - The distance the distance the receptors (notably “K”) are assumed them to be in the submitted AQ report (based on previous scheme) .

#### Additional Comments

- Applicant has confirmed the distance (approx. 23m) which is encouraging but we seek confirmation of the second part.
- The distance the distance the receptors (notably “K”) are assumed them to be, in the submitted AQ report (based on previous scheme – AQ Consultants).
- Ideally we would be looking at a statement from their expert in this field (AQ Consultants) to demonstrate that this previous report is applicable to the new scheme. This would include the statement about the distances and reference to the above.
- As before under SMD/2017/0512, the developer have to undertake some post development AQ monitoring at the façade of the nearest property to the road (now the apartment block), to demonstrate the predicted levels are below action levels (in accordance with the already submitted methodology. If they are not they, will have to address this ( again in accordance with the proposed methodology). I do think it would beneficial to run this past the consultants, to ensure that their predicted levels are in keeping with the 23m distances and not possibly a bit further back (NO2 decrease fairly rapidly the further away you move from the source – the road), which could lead to issues with the validation.

#### Final Comments

- AQ Consultants have re-assessed the Air Quality position for App Ref. SMD/2018/0790, and confirm that the results determined under the previous report are applicable to the new scheme.

- Air Quality technical note produced by AQ Consultants, which confirms this position and appends the previous AQ Assessment.
- This will be acceptable to allow for the previous report to be used for the new scheme .

## **Network Rail**

- No comments at the time of report preparation. However, in respect of previous application Network Rail had no objection in principle to the development, but below are some requirements which must be met,
  - Given the size and proximity of the development in relation to the railway it is considered that there may be significant impacts on Blythe Bridge railway station (and the Travel Plan does mention that the station is within walking distance). It is therefore appropriate that a contribution is sought from the developer towards station facility improvements. This could include CCTV, new benches and improved cycle facilities at the station. We are happy to discuss possible improvements to the station with the council as part of any S106 package as the application is processed.
  - I trust full cognisance will be taken in respect of these comments. If you have any further queries or require clarification of any aspects, please do not hesitate to contact myself I would also be grateful if you could inform me of the outcome of this application, forwarding a copy of the Decision Notice to me in due course.

## **Environment Agency**

- We have reviewed the application and have no objections, in principle, to the proposed development but recommend if planning permission is granted the conditions are imposed. We have the following comments to make on this application (SMD/2018/0790) which relate solely to the protection of 'Controlled Waters'. Matters relating to Human Health should be directed to the relevant department of the local council.
- Reference to the 1:50,000 scale geological map indicates that the site is located on the bedrock of the Tarporley Siltstone Formation (siltstone and sandstone), which is designated as a 'Secondary (B)' Aquifer by the Environment Agency. Superficial deposits are indicated to be present in the form of Till deposits, designated as a Secondary Undifferentiated Aquifer. The site lies within the total catchment (Zone 3) of a Source Protection Zone, designated for public water supply boreholes, the closest located approximately 1.3km from the site. The SPZ is related to the deeper Sandstone Aquifer, beneath the Siltstone formation.
- We have reviewed the following report entitled 'Phase I and Phase II Geo-environmental Site Assessment – Land off Woodlands Lane, Blythe Bridge, Stoke-on-Trent' by E3P, ref. R9051-E3P-18-XX-RP-R-0001, dated August 2018, submitted in support of this application.
- We understand that the site to be developed has not been subject to any previous significant development and currently and historically has be utilised as grazing land. However, information provided in the above referenced report suggests that contamination was identified in previous site investigations. Some industrial development has occurred in proximity to the site, and an historic landfill is located approximately 100m from the site.

- A site investigation was subsequently conducted for the site. The investigation has included collection and analysis of soils against an appropriate analysis suite. Leachable analysis of soils, as well as analysis of groundwater samples, has also been conducted in order to provide an assessment of the risk to controlled waters posed by the contaminant concentrations identified.
- Significant concentrations of contaminants, with the potential to impact controlled waters receptors, have not been identified as part of the ground investigation conducted in support of this application. All concentrations of leachable of groundwater contaminants were below the relevant drinking water standard. As such, we have **no objections** in principle to the proposed development and no requirements into further works including remediation.

### **Lead Local Flood Authority**

- The proposed development will only be acceptable if the measures as detailed in the Flood Risk Assessment and Drainage Strategy submitted with this application are implemented and secured by way of a planning condition on any planning permission.
  - The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment 12629FRA dated Dec 2018 produced by Baynham Meikle Partnership LTD and Drainage Plan R9051-BMP-18-XX-DR-C-0301 Rev B and the following mitigation measures detailed within the those documents:
    - • Limiting the surface water run-off generated by the 100yr + 30%CC critical storm so that it will not exceed 27.6l/s and not increase the risk of flooding off-site.
    - Provision of appropriately sized attenuation flood storage on the site to the above standard
    - The utilisation of sustainable drainage techniques with the incorporation of surface water treatment to help improve water quality.
    - Confirm which responsible body will maintain the surface water system over the lifetime of the development according to an acceptable maintenance schedule and that is achievable.
    - Final Plans to include site levels illustrating flooded areas and flow paths in the event of exceedance or blockage of the drainage system.
- 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.

### **Ecology**

- No comments received at the time of report preparation.

### **Economic Development**

- The proposal is for outline development of 146 dwellings.
- 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 146 new homes at land South East Of A521 A50 Blythe Bridge Bye Pass 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 146 units this is calculated at £1,370,648 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 156 direct jobs and 20 indirect jobs.
  - The development will also generate approximately £26,821.66 council tax for the area per annum.

### **Trees and Woodlands Officer**

- Revised scheme now for 146 dwellings largely follows the previously approved scheme for 118 units, with each of the main development areas still corresponding to those of the previous application. The increase in the number of dwellings proposed is mainly achieved through increased densities within the development areas together with a larger number of smaller footprint units. Inevitably, however, the substantial increase in numbers has resulted in a slight expansion of overall built form in places, and a few additional pressures on the existing landscape structure.
- The shared drive to Plots 1/2/3/4 passes across the Root Protection Area (RPA) of tree T5 (mature Ash – retention Category B) whereas previously this RPA was contained within gardens. In theory, this can be accommodated by use of a no-dig cellular confinement load bearing system for the drive construction, and this is shown on the Tree Protection Plan Drg. No. 6249-A-05.3, although as ever the actual success of such measures would depend on adequate on-going arboricultural supervision during construction. In addition, this shared drive route would inevitably be used as construction access prior to installation of finished drive, and so would require suitable temporary ground protection measures provided prior to commencement and maintained for the duration of construction – this is not shown for this location on the Tree Protection Plan, although could be unnecessary if the no-dig cellular confinement system was actually provided from the outset of construction, rather than on completion.
- The existing pond to the rear (west) of Plot 32 is now shown to be reduced in area, and the layout appears to indicate fewer existing trees to be retained around it. However, those additional to be removed are not major mature trees, and arguably opening up around the southern side of the retained pond would be beneficial to the aquatic habitat in terms of increased light; it is also noted that there remains open space area around the pond which can accommodate new planting. This element is therefore considered acceptable from an arboricultural point of view.
- The relationship of new Plots 38/39/40 with trees T17 & T18 (both mature Ash) is similar to that of the correspondingly positioned plots in the previous scheme, with building footprints kept outside RPAs. Usefully, temporary ground protection measures around these trees for the construction period are now shown on Tree Protection Plan Drg. No. 6249-A-05.2.

- Development is now shown a little closer to tree T10 (mature Oak) although again building footprints are maintained outside RPAs, and again the use of no-dig cellular confinement load bearing system for open space footpath construction in this vicinity is appropriately shown, on Tree Protection Plan Drg. No. 6249-A-05.4.
- The final area where there is material change with regard to tree issues is along the southern part of the A50 boundary, where the now-proposed 3 apartment blocks together with Plots 77/78/79 are significantly closer to the boundary and its continuous early-mature tree screen along the dual carriageway verge than were the dwellings in this vicinity on the previous scheme. In addition, the southern-most apartment block appears very closely pushed in to the mature hedgeline/trees along the south-east boundary. Once again, actual building footprints and structures remain outside RPAs, but I consider this closer relationship will inevitably lead to greater subsequent pressure from residents due to issues of shading, restricted outlook, overbearing etc.
- Overall, differences from the previously approved scheme are not great and therefore not objectionable, but in places as noted above will require more rigorous temporary and permanent tree protection measures and will lead to a few more issues of trees affecting living environments for residents with consequential pressure for felling/reduction of trees.
- In addition to previously requested conditions (see attached) I would also request the following additional conditions in the event that planning permission is granted for the revised scheme:
  1. Before the commencement of development (including any demolition, site clearance, site stripping or site establishment) full details of all tree protection measures shall be submitted to and approved by the LPA. Such details shall include full construction specification for a no-dig cellular confinement system for the proposed driveways and paths within tree Root Protection Areas and temporary ground protection measures, as indicated on the FPCR Tree Protection Plans Drgs Nos. 6249-A-05.2, 3 & 4, together with an arboricultural method statement setting out working methods and special protection measures for the avoidance of harm to existing trees on and adjacent to the application site. Such method statement and protection measures shall specifically include details and timescales to ensure that appropriate measures are implemented to protect tree roots in the vicinity of the construction areas as indicated from the initial outset of any construction activity. Provision shall also be included for the implementation of temporary ground protection measures around tree T5 prior to the installation of the indicated no-dig cellular confinement system for the shared drive to Plots 1, 2, 3 & 4. Thereafter, the development shall be constructed only in full accordance with details approved under this condition.
- Finally, the new landscaping proposals have been amended to reflect the layout and house type changes, so the updated landscape plans submitted with the application need to be tied in to the permission if granted in any reference to these in the landscape implementation/maintenance conditions.

## **Open Space**

- With regard to the above application, I have previously been consulted on this site regarding the on site LEAP and had discussions with the Agent in terms of its location, layout and items. I realise that the layout has changed slightly in terms of this application, but have no concerns or comments about the changes.

## Staffordshire County Highways

### Initial Comments

#### Parking for affordable dwellings:

- Draft parking standards require 2 spaces for up to 3 bedrooms, 3 spaces for 4 bedrooms and above.
- Plots 17 – 21 – 8 spaces for 5 dwellings
- Plots 60 – 65 – 1 space per dwelling;
- Plots 66 – 71 – 1 space per dwelling;
- Plots 77 – 79 – 1 space per dwelling;
- Plots 80 – 85 – 10 spaces for 6 dwellings. There are three further visitor spaces in a layby opposite plots 87/88 but not clear that these would be for plots 80 – 85.
- Plots 93 – 95 – each has 1 space and a visitor space (therefore acceptable) but spaces are directly outside each dwelling. Surely only visitors to the specific dwellings would park in the 'visitor' spaces.
- Plots 117 – 118 – 3 spaces for 2 dwellings;
- Plots 123 – 125 - 5 spaces for 3 dwellings;
- Plots 128- 131 – 1 space each. There are 4 visitor spaces in laybys but not obviously connected to plot 128 in particular.

#### Other:

- Trees should be kept out of land proposed to be adopted as highway. Tree pits to prevent root spread under the highway may be required.
- Pedestrian access for plot 90 from garage to dwelling is not likely to encourage use of the garage and parking bays.
- There is no turning head on roads at plots 120 – 115; 121 - 127; 133 – 128. How do visitors, delivery vehicles etc turn?
- Parking bays in laybys may be adoptable, but commuted sum will be required. Ideally, such parking arrangements should be outside the adopted area.
- Bin collection points opposite plots 117, 124 and 131. These must be outside adoptable areas.

#### Transport Assessment

- Has the junction been modelled to take account of potential/likely maximum phase 2 trips? This was done for SMD/2017/0512 to ensure the junction design was adequate.

### Revised Comments

- Parking provision to certain plots is below the requirements of draft parking standards. However, this is only a very small number plots and will not have an overall adverse effect on the operation of the development.
- There are no objections on Highway grounds to the proposed development subject to the following conditions being included on any approval:-
  - The development hereby permitted shall not be brought into use until the off-site highway works broadly comprising junction, pedestrian crossing, footway connecting to existing, speed limit alteration, highway alterations, street lighting

- have been constructed generally in accordance with, but subject to technical approval of, the submitted plan 02523 A Sk912 A
- The development hereby permitted shall not be brought into use until the individual accesses, 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.
  - Any driveways or private drives that fall towards the proposed adopted highway shall be fitted with drainage interceptors immediately to the rear of the highway boundary outfalling to surface water drainage or drained to SUDS principles
  - No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement 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) mechanical road sweeper for existing carriageway;
  - The Travel Plan which is hereby approved shall be implemented in accordance with the timetable set out in that 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 of the planning consent to the Local Planning Authority for approval for a period of five years from first occupation of the development permitted by this consent.
- The developer should enter into a Section 106 Agreement to secure Travel Plan monitoring fee of £6430

### **Highways England**

- No comments received at the time of report preparation.

### **Alliance Environmental Services**

- AES waste collection service does have some concerns with the bin storage and collection for the apartments within the housing development.
- The location of the bin store appears to be too far away from where the refuse truck can get access. The full 1100 lt bins are heavy and have small wheels and not designed to be move far. The bin store needs to be located nearer to the access point and ensure that there are no kerbs or other raised areas which would hinder the movement of the bins.
- The bin capacity for each apartments block (assuming 6 flats per block): general refuse 1 x 1100 bin and recycling 1x 1280lt bin.
- The refuse truck will be able to get access to the rest of the development but please note the vehicle cannot cross block paving as they may damage it, so these residents will need to bring their bins to the roadside.

## Updated Comment

As long as the refuse truck is able to back into the parking manoeuvring area between the turning head and the bin store this would be acceptable distance in which to move the bins.

## **Third Parties**

1 objection has been received making the following points:

- I note that the application above is now under consultation. I believe that the following safety, social and environmental issues should be considered by Staffordshire Moorlands District Council (SMDC) before any application is approved:

## Road Safety and Capacity

- Local amenities, specifically access to health and educational services

## Pollution

- I believe that for the residents of Woodlands Lane, the impact of this proposed increase in housing development is significant and so would like to raise the following points and objections.
- I am fully aware of the previous application 118 houses on this site has been agreed in 2017, but I feel that the local situation has changed considerably since this application was approved, I will make these changes evident in the statements and views below.

## Road Safety

- The local highways are already managing a considerably increased number of vehicles on a daily basis. The local junction between the A50 and the A521 is already under considerable pressure. The roundabout already constantly displays warning signs of the risk of Heavy Goods Vehicles overturning, and there have been numerous accidents involving all types of vehicles, and in particular sensitive users, namely pedestrians and motorcycles.
- The Traffic Report states that the development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe
- This Transport Report has omitted that there have been 3 fatalities in the last 6 months and so is not accurate or reflective of the dangers associated with the A50/A521 roundabout and the stretch of the A521 directly adjacent to the entrance and exit site of the development. I consider 3 deaths in such a short space of time to represent an unacceptable impact on highway safety.

The statement in the traffic report below is inaccurate:

- '3.6.1 The Site is considered to be suitably located for residential development for the following reasons: • • A review of Personal Injury Collision data revealed no highway safety concerns that require further assessment'

- I believe this statement not to be true and accurate and so the recent 3 fatalities in 6 months does not reflect safety concerns of the local residents.
- My original objections to this development are still relevant and so I would like to reiterate the following points:
  - The A50 is already an extremely dangerous highway and a simple search identifies the following report:
  - A lorry driver has died after his vehicle overturned on the A50 this morning. The A50 is closed in one direction following a serious accident this morning. The westbound carriageway is shut between the A522 (Uttoxeter / Upper Tean) and A521 (Blythe Bridge Roundabout / Draycott) after the crash at around 10am this morning. A lane closure was in place until around 10:25 when a full closure was put into place to assist with the recovery. Traffic is queuing in the area - with motorists travelling from Uttoxeter and Derbyshire in the direction of Stoke-on-Trent affected.
  - 31st August 2017. - A lorry driver has been cut free from his vehicle after it overturned on the A50. The accident happened just before 11am - and the road is now closed. The air ambulance is at the scene after landing on the car park of the Bet365 stadium.
  - 14th August 2017. - Helmet-cam video shows the horrifying moment a teenage runs into fast moving traffic on A50.
  - 28th July 2017 - A 35-year-old woman has died in a crash on the A50 at Blythe Bridge. West Midlands Ambulance Service were called to the A50 near the Blythe Bridge roundabout, shortly after 9am on Monday, April 4. The woman, from Derbyshire, had been travelling in a car which collided with a stationary lorry. A West Midlands Ambulance Service spokesman said: "Crews arrived to find a car that had collided with a lorry. "The car passenger, a woman, had suffered serious injuries in the collision. "Unfortunately it quickly became apparent that nothing could be done to save her and she was confirmed dead at the scene." A man and an eight-year-old boy were also travelling with the woman.
  - April 4th 2016 - Sadly 2 drivers lost their lives in these accidents. Many more fatalities have occurred and lives tragically changed forever. This is an increasingly common report and increased traffic numbers will only add to the pressures already being encountered.
  - As part of the original planning application by St Modwen, their independent Transport Assessment identified that the development of the 118 homes would result in less traffic than the original planning application for Premium Employment (SM.97-0216) circa 2002. I would suggest that the number of vehicles using the A50/A521 has increased since this assessment and that given the significant dangers on this stretch of highway; it would be subject to further scrutiny and the potential for approval at this point in doubt. It is evident that after 10 years plus of attempting to market this area as a potential Premium Employment site, St Modwen has concluded that there are significant barriers to its development, mainly the poor transportation links and dangerous access routes.
  - The application process and transport assessment should take into account other significant changes in the housing provision for the local area and not be taken in isolation.

#### Car Parking within the Development

- Whilst the Report states:
  - ‘The development will provide 270 surface car parking spaces (252 allocated and 18 unallocated spaces). The parking demand has been developed using only the number of surface car parking spaces, thus assumes no garage parking. A total of 81 properties on Site will have at least one garage space, measuring 3.5x6m. Therefore, it is considered that the proposed level of parking is acceptable.’
- Issues with road parking as a result of the low numbers of unallocated parking spaces will result in cars parking on roadways and pavements. This will result in a high risk to pedestrians and cause congestion and issues within the housing development.

### Access and Egress

- Section 5.2.4 of the report suggest that an increase of 145 additional car trips is not significant. The addition of the 118 dwellings already pushed the junction to capacity so ANY additional usage should be seen as significant and cause additional disruption, noise and air pollution. The junction already has long delays in traffic heading towards Stoke or Derby. The roundabout is already dangerous and trying to leave the A521 is a very unnerving and hazardous journey.
- Section 6.6.10 states that the results of the traffic assessment indicates that the junction is approaching capacity in all scenarios.
- The report states that the A50/A521 roundabout and Cheadle Road crossroads junction are approaching capacity in all scenarios. I feel that the statement ‘however the impact of the development on the operation of the junction is negligible’ is false and is not a true reflection of the situation that is faced by motorists on a daily basis.

### Local Amenities

- The local health and education provision is currently stretched to capacity. The development of the 118 houses will already increase the population of Blythe Bridge by approximately 500 residents. The development proposal is aimed at families with a mix of affordable and privately owned properties. This additional number of residents will result in a significant burden onto an already stretched healthcare service in the area. There is only one doctors Practice within the village and this has c6200 patients. An additional 500 residents from this phase of proposed development would add significant pressure to an already heavily pressured healthcare system. The addition of further developments must be taken into consideration and the possibility of another 182 houses on this site plus the Cresswell proposal would result in an additional 2400 residents requiring a local General Practitioner. This represents an expansion of the current surgery or development of a new local healthcare facility within the new community. I do not believe that this has been taken into consideration by the developer or included in the plan for this site.
- The local schools are also at capacity and the local Primary school, William Amory Primary School, is a smaller than average school and has a role number of c151 (2013 Ofsted Report). Although standards at the school have improved since the 2011 inspection and are classed as Good the additional pressure that this and other planned housing developments may well result in a drop in the quality of services

being provided. Being a small school, this may lead to accommodation issues and class over-crowding. I do not believe that the local education services will adequately manage such a dramatic increase in pupil numbers.

### Pollution Issues

- I am extremely concerned that the impact of additional houses within such a close proximity to Woodlands Lane and the additional congestion that the A50 will witness will have a detrimental impact on air quality and the health and wellbeing of the local population and wildlife. Recent studies have linked increased prevalence of cancer that has been directly linked to air pollution and this must be a serious consideration when reviewing the impact this development will have on local residents.

### Impact on Local Residents

- The impact of this development is significant for the local residents and community, and in particular the residents of Woodlands Lane that whose property boundary will be directly affected by the proposed development. The phase 1 proposal of 118 houses will result in houses being built directly behind the bungalows on Woodlands Lane. The area directly behind Woodlands Lane will see an increase of 55% in the number of dwelling built within the same area of land. This will result in 2 and 2.5 storey houses being built directly behind bungalows. This will result in residents of the new development having a full view into residents' homes, and in particular bedrooms that are on the ground floor.
- The planning for Premium Employment on this site stipulated that the development should not 'extending more than 70 metres from the datum point of the hedgerow or beyond the ridge along the site nor encroaching on the existing residential development, taking only the minimum additional land to facilitate the most viable crossing across the A50 between the two parts of the site, the whole site to be accessed only from the existing A50 roundabout or modifications of that junction.'
- This stipulation was not adhered to when the development for 118 homes was approved and the increase in dwellings directly behind Woodlands Lane will result in a severe negative impact on the local residents.
- I am concerned for my own health and wellbeing and the impact of the proposed building of additional homes that will completely surround my home and neighbours' homes. Woodlands Lane residents will witness an increase in people using the Lane which is our responsibility to maintain. Litter, antisocial behaviour, crime, pollution to name but a few impacts on the local residents will severely impact on the quality of life of this small but important community.
- Since the site has undergone initial development, antisocial behaviour has already been witnessed and crimes have been committed in what was a quiet and safe place to live.

## **7. OFFICER COMMENT**

### **Principle of Development & Main Issues**

7.1 The principle of residential development on this site (including, implications for housing land supply, loss of the employment site, conflict with the employment allocation in the adopted Core Strategy and weight to be given to the housing allocation in the emerging

Local Plan as well as considerations of prematurity, sustainability of the location and mineral policy considerations,) was considered and established by the previous grant of planning permission on this site which is still extant and therefore represents a legitimate “fall-back position”. This application does not represent an opportunity to revisit that principle. The main issues in the consideration of this application are acceptability of the increase in density of development and associated design changes in terms of affordable housing, highway safety and traffic generation, contaminated land, air quality, noise impact, landscape impact, hedge and tree matters, ecology, amenity, open space, drainage and flooding and education.

## **Affordable Housing**

7.2 CS Policy H2 ‘Affordable and Local Needs Housing’ requires the application proposal to deliver 33% affordable housing on site. C1 ‘Creating Sustainable Communities’ states that the Council will ‘only permit new development where the utility, transport and community infrastructure necessary to serve it is either available, or will be made available by the time the development needs it. A 33% affordable contribution based on 146 dwellings would equate to 48 affordable dwellings, with 70% (34) rented and 30% (14) shared ownership. The affordable dwelling mix is proposed as follows:

- 12 no. 1 bed apartments
- 6 no. 2 bed apartments
- 22 no. 2 bed houses (House type AF2B830)
- 8 no. 3 bed houses (House type AF3B970)

7.3 The affordable housing will be delivered in a phased approach, consistent with the wider site. The following triggers have been agreed with officers as part of pre application discussions:

- 35% (16.8 = 17) of the affordable housing to be completed & transferred by 40% (39) completion of market sale dwellings
- 60% (28.8 = 29) of the affordable housing to be completed & transferred by 60% (59) completion of market sale dwellings.
- 100% (48) of the affordable housing to be completed and transferred by 80% (78) completion of market sale dwellings.

7.4 In summary, therefore the proposal will achieve the affordable housing requirements as set out in Policy H2.

Such a condition would state that the development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing set out in the Glossary to the National Planning Policy Framework. The scheme shall include:

- i) The numbers, type, and location on the site of the affordable housing provision which shall consist of not less than 33% of the dwellings. The affordable housing provision shall seek to achieve a target of 70% social rented or affordable rented accommodation with the balance being provided as intermediate housing.
- ii) Details of the location of the affordable dwellings within the site.
- iii) The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing to be in accordance with the phasing set out above
- iv) The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved.

- v) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing.
- vi) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

7.6 Advice within the National Planning Practice Guidance States that *“in exceptional circumstances a negatively worded condition requiring a planning obligation or other agreement to be entered into before certain development can commence may be appropriate in the case of more complex and strategically important development where there is clear evidence that the delivery of the development would otherwise be at serious risk.”*

7.7 It is agreed that in terms of delivery of the emerging local plan, and housing land supply, the Blythe Vale site is a “strategically important development”. The application site along with the rest of the existing employment allocation is proposed under Policy DSR1 of the Staffordshire Moorlands Local Plan Submission Verison as an allocation of land of approximately 48.5ha is allocated for mixed-use including employment, residential development of approximately 300 houses (approximately 1 year’s housing land supply) and supporting infrastructure. As noted at the time of the previous application which established the principle of residential development, the site has remained as an employment allocation in the various iterations of local and regional planning policy since that time and has been the subject of a number of outline and reserved matters planning approvals for those uses since 1997. However, despite being continually marketed the site has not been delivered. The marketing and viability evidence provided by the Applicant at the time clearly indicates that the site is not suitable or viable for an entirely employment led development and there is no reasonable prospect of it coming forward on that basis.

7.8 The proposal will clearly make a significant contribution towards addressing the chronic housing under-supply within the District as well as economic and social benefits associated with new housing development such as jobs and income for the construction industry and it’s supply chain, spending in local shops and services, New Homes Bonus and Council Tax revenue and provision of affordable housing. These have been quantified by the Economic Development Officer in her consultation response above.

7.9 Furthermore, securing the affordable housing by condition will enable Homes England grant funding to be secured for the delivery of affordable housing which will improve the viability of the scheme, secure delivery and help to avoid any future requests to reduce affordable housing provision on viability grounds.

7.10 Furthermore the developer has stated that they intend to provide additional information, to demonstrate the “exceptional circumstances” and why “the delivery of the development would otherwise be at serious risk”. Members will be updated on this point prior to the meeting but notwithstanding this it is important to point out that there is no intention to reduce the percentage of affordable housing or mix of types and tenures on the site. The overall number of affordable units has been increased pro-rata to reflect the uplift in overall numbers across the site. The scheme remains policy compliant the applicant is merely seeking to secure the affordable units by condition rather than Section 106 Agreement.

### **Contaminated land**

7.11 The developer submitted a Phase 1 desk study with the previous application. The Environmental Health Officer and the Environment Agency considered the report and raised

no objections subject to conditions requiring the additional investigation and any necessary remediation works to be carried out. This information has been provided as part of an application to discharge conditions on the previous consent. Both Environmental Health and the Environment Agency are satisfied with the information which has been provided with that application and therefore, subject to the imposition of “positively worded” conditions (which require the development to be carried out in accordance with the submitted and approved reports) have no objections or requirements for further work.

### **Noise Impact**

7.12 The application site lies adjacent to the A50 Stoke-on-Trent to Derby trunk road, and the A521 Uttoxeter Road. Similarly the developer submitted a report with the previous application which assesses the existing noise climate at the site with respect to guidance for new residential development. Recommendations are made for control measures where appropriate. This report was also considered by Environmental Health who ultimately concluded that they had no objection subject to the imposition of conditions to require further assessment and a revised scheme for sound insulation in the development. Subject to this it was felt that the site would be able to provide a reasonable level of housing, all of which could be secured by condition and accordingly the proposal would comply with CS Policy SD4 'Pollution and Flood Risk'.

7.13 As with the contaminated land, further work has been carried out by the developer to discharge those conditions, and again the Environmental Health Officer has no objection subject to positively worded conditions to ensure compliance with the pre-submitted reports.

### **Air Quality**

7.14 The revised scheme will result in properties being located closer to the A50 than had been the case with the previously approved application. As a result the Environmental Health Officer initially expressed concern that the developer had not submitted an updated Air Quality assessment to reflect the new design of the scheme. The applicants consultants have subsequently re-assessed the Air Quality position for the current proposals and confirmed that the results determined under the previous report are applicable to the new scheme. Environmental Health have confirmed that this will be acceptable to allow for the previous report to be used for the new scheme.

7.15 Subject to appropriate conditions it is considered that the proposal also complies with CS Policy SD4 'Pollution and Flood Risk' in respect of Air Quality.

### **Drainage and Flooding**

7.16 As initially submitted, the Lead Local Flood Authority, (Staffordshire County Council) raised some concerns due to lack of information. This has now been provided to them and they have confirmed that they have no objection to the revised proposals.

7.17 Severn Trent and the Environment Agency have also considered the report and raise no objections subject to the imposition of appropriate planning conditions. It is therefore concluded that the proposed development will not adversely affect onsite, neighbouring or downstream developments and their associated residual flood risk. Subject to SCC confirming that their objection on flood risk grounds can now be removed and subject to planning conditions being attached to any approval., the proposal complies with CS Policy SD4 'Pollution and Flood Risk' and the NPPF, particularly Chapter 10.

## Layout and Design

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

7.19 CS Policy H1 'New Housing Development' states '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 ...'.

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

7.21 The applicant has submitted a range of house types that would be incorporated into the development and these are acceptable. In terms of materials, the pallet comprises predominantly red brick, render and grey tiles which are characteristic of Blythe Bridge and the Moorlands generally. However, most designs do include an element of cladding which is not characteristic of the local area. The applicant argues that this is a unique selling point of their properties and a trademark of their brand. It is noted that it is not used as the predominant material in any house type and has been used to small accent elements. Whilst the designs are broadly traditional, with pitched roof forms, which is appropriate in the context of Blythe Bridge which is made up of traditional 20<sup>th</sup> century suburban development and older properties, they do include a number of contemporary features to the elevations including larger than normal window openings, lack of window heads and cills, squat ground floor windows and the cladding panels. Furthermore, it is noted that the site is separated from the majority of the existing suburban development in Blythe Bridge by the A521 and from most views, other than from Woodlands Lane, will not be seen in the context of existing development. Furthermore, the range of house types, including materials and architectural style is broadly similar to the approach adopted in the previously approved scheme. Overall therefore it is considered that the design philosophy respects the largely traditional existing of Blythe Bridge whilst incorporating contemporary elements which will give the new development its' own individual and distinctive character and sense of place.

7.22 The layout of the proposed development is broadly similar to the original approval, with development arranged in four "quarters" of the site which are divided by the retained field boundaries. Dwellings are arranged around perimeter blocks and where these front onto the main spine road, they are set back from the road with an intervening landscaped strip to protect residential amenity. This is a positive aspect of the scheme which has been retained. The size of the retained pond and area of public open space around it has been reduced slightly from the approved scheme but it remains well overlooked by surrounding properties, as does the proposed LEAP. Generally active frontage and natural surveillance are maintained throughout the site which are again positive aspects of the scheme.

7.23 Parking has been placed to the sides of dwellings where possible and where frontage parking is unavoidable, such as where there are long runs of terraced and small semidetached houses, parking has been broken up with reasonably generous areas of landscaping to avoid car dominated frontages.

7.24 There are a range of boundary details proposed including hedge, closed boarded fences (which is acceptable as they are not used in visible areas) railings, timber rails and a brick and fence combination. The latter would be used at visible points. This was proposed as part of the previous scheme and the Conservation and Design Officer stated that she would prefer the brick boundary wall as an alternative solution. The developer considered this and commented that they have used this design successfully across number of St Modwen Homes schemes and provided an image of this 'as built', which demonstrates the high build quality and finish of the treatment. Having considered this, it was acknowledged that whilst a brick wall would be better from a visual amenity and longevity point of view it is preferable to closed boarded fencing and achieves a balance between quality and economy. In addition, the timber panels do "soften" the boundary and add relief. Accordingly, it was not considered that an objection to this element of the scheme could be sustained and this continues to apply in respect of the current proposal.

7.25 Having carefully assessed all of the above, overall the scheme is considered to represent a high quality design which will create a distinctive development and which will comply with policies SS1, H1 and DC1 of the Core Strategy as well as NPPF advice in terms of design.

## **Amenity**

7.26 The only neighbouring properties which could be affected by the proposal are those in Woodlands Lane. The Council's adopted Supplementary Planning Guidance relating to space about dwellings 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 will continue to be achieved in respect of separation distances between the proposed dwellings and the existing neighbouring properties.

7.27 Turning to amenity standards within the site, the development has been laid out to respect the minimum separation distances as set out above, with the exception of some areas of the site, for example in the north west corner, where the distance between properties across the street has been reduced in order to create a more tightly knit street pattern. This is considered to be good urban design practice as it helps to define those particular character areas and create variety in the street scene throughout the development and it should be noted that although distances between properties are reduced, they are sufficient to maintain adequate light to all habitable windows. From a privacy perspective, distances between properties have only been reduced on street frontages where properties are already overlooked by users of the road itself. There has been no reduction between the backs of properties.

7.28 According to the Council's Space about dwellings, minimum private amenity space of 65sq.m is considered to be appropriate for new housing of 3 or more bedrooms. The majority of dwellings in the scheme benefit from this amount of with the exception of the mews properties, all of which however have at least 50sqm, and the majority of which are two bedroom units. Such units are likely to be occupied by smaller families or those without

children. On this basis the level of private amenity space provision is considered to be acceptable and commensurate with the properties which it serves.

7.29 The layout and design of the site are considered to be acceptable, and taking into account the relatively small number of properties bounding onto the site it is considered that the dwellings could be accommodated on the site, whilst maintaining these minimum distances between existing and proposed dwellings. It is also considered that the same standards can be achieved between proposed dwellings within the new estate and adequate amenity space can be provided for each new dwelling. It is therefore concluded that the proposed development would be acceptable in amenity terms and would comply with the requirements of Policy DC.1 of the Core Strategy.

## **Trees & Landscape**

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

7.31 The previous application was considered by the Council's Arboricultural Officer who has commented that the current application site forms part of a much larger site which has previously been identified and granted planning permission for major employment development, and his comments relating to the impact on trees/hedges, new landscaping and visual impact are made in that context. Whilst a major development of new dwellings will inevitably have some impact in the wider landscape, the existing landscape structure of on- and off-site field hedgerows, trees and substantial highway tree belts provides effective screening of the site from public and prominent viewpoints. In conjunction with proposed new structural landscape planting, this would result in the new development not being of substantial adverse visual impact given its scale. Inevitably, the proposal would have greatest impact on adjacent residential properties at Woodlands Lane, where the likely visual impact is judged initially moderate/major adverse during and immediately after construction, becoming moderate adverse once new landscaping has established. For other receptor locations, the visual impact is assessed as ranging from moderate adverse through minor adverse to negligible, and again reducing over time with establishment of mitigation landscaping. The context of major development proposals already having been granted planning permission on this and much wider site should also be taken into account and on this basis the Arboricultural officer concluded that the visual impacts were acceptable. Given that the site area remains the same it is considered that the same conclusion can be reached in respect of this application.

7.32 As was the case with the previous approval, the proposed development reflects the existing field structure allowing the majority of trees and hedgerows, except those which need to be removed for safety reasons, to be retained except where access is required. However, losses are limited to medium and low quality trees. Hedges and trees are retained predominantly in areas of public open space rather than private gardens which are preferable. The access point from the A521 requires the removal of a hedgerow where there

is a lack of trees, as well as some pruning and removal for visibility splays. However the principle of this has been established by previous consents.

7.33 The Arboricultural Officer's has considered the revised layout and concluded that overall, differences from the previously approved scheme are not great and therefore not objectionable, but in places will require more rigorous temporary and permanent tree protection measures and will lead to a few more issues of trees affecting living environments for residents with consequential pressure for felling/reduction of trees. He has also considered the proposed landscaping scheme and raised no concerns although he has commented that previously imposed conditions will need to be updated to reflect the latest proposals.

7.34 Subject to the conditions suggested by the Arboricultural Officer, the proposal would meet with the objectives of CS policy DC3, which seeks to resist development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement. It would also accord with CS Policies SS1, SS6c and S7 in respect of landscape and those CS policies relating to good design: H1 and DC1 and the relevant core principles of the NPPF in respect of always seeking to secure high quality design and taking account of the different roles and character of different areas. This matter will be returned to within the planning balance as set out below.

## **Education**

7.35 The County Council's Education Officer has examined the application and concluded that the development will generate 38 primary and 16 secondary aged pupils and 3 Sixth Form aged pupils.

7.36 A contribution will be required for every primary, secondary and sixth form aged pupil generated by the development as the local schools are forecast to be oversubscribed. This would equate to £419,178 for primary education, £265,952 for secondary and £54,081 for sixth form. This gives a total request of £621,603. This can be secured through the Section 106 Agreement.

## **Open space**

7.37 The size of the development triggers a need for public open space both for children's play and sports provision for older children and adults. An on-site LEAP has been proposed. The Open Spaces Officer has commented that whilst the layout has changed slightly in terms of this application, she no concerns or comments about the changes.

7.38 With regard to sports provision, the Open Spaces Officer has previously requested an off-site contribution towards playing pitches in the area. This could be targeted at the existing recreation area off Uttoxeter Road, or towards improving the school pitches at either William Anthony Primary School or Blythe Bridge High School, for community use. A formula is used to calculate the off site contribution which is as follows:- Number of bedrooms x £608.95. The amount secured will need to be increased to reflect the increase in the number of units. Subject to this contribution being secured through the Section 106 Agreement, along with the provision of the on site open space and suitable management arrangements through a resident's management company, it is considered that the proposal meets the Core Strategy requirements in respect of provision of Public Open Space.

## **Ecology**

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

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

(b) no satisfactory alternative and

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

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

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

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

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

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

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

7.46 The previous application was supported by a Phase I Ecological Survey which concludes that no statutory sites of nature conservation value were identified within the search area. Blythe Bridge Woods BAS non-statutory site was identified approximately 1km from the site boundary. However no impacts are anticipated given the distance and isolation

of the site by roads and residential areas. Habitats within the site were of variable nature conservation value, with the field compartments of low value due to their over grazed nature and lack of species diversity and outgrown hedgerows and mature trees providing greater value. Hedgerows and associated trees have been retained where possible and where sections of hedgerows are to be removed compensatory planting is included within the green infrastructure design.

7.47 Protected species surveys of the site indicated that it is of relatively low value for bats and does not support badgers, reptile or a significant breeding bird assemblage. The presence of a small population of great crested newts, focussed on a cluster of ponds over 150m to the east, was identified. Suitable terrestrial habitat within the site was however of limited extent and, as a consequence, significant impacts on the population are unlikely. Nevertheless, some precautionary mitigation is proposed, to ensure individual great crested newts are not harmed (in the unlikely event that they are present) and ensure that the favourable conservation status of the species is maintained.

7.48 Given that there is no change to the site area it is considered to be unlikely that there will be any ecology objections now raised to the scheme. The principal change in ecological terms between the previous scheme and the one currently under consideration is the reduction in the size of the existing pond on site. The developer has provided an addendum to the ecological report addressing this point. It concludes *“that although the pond on site provides an intrinsic wildlife feature, the loss of part of the pond will not result in significant impacts to the flora and fauna that it supports due to the low quality habitat that it provides. Improvements to the pond itself, the provision of permanently wet areas in the proposed attenuation features and creation of specific GCN habitat as part of the proposed road application will ensure a network of high quality habitat is provided across the site and wider area that will offset the loss of part of the pond. Appropriate terrestrial habitat for amphibians and small mammals will also be created in association with the waterbodies to further enhance the habitats on site.”*

7.49 The Council’s ecologist has previously raised no objection to the proposals subject to suitable conditions. It is noted also that Natural England also raised no objection to the proposals. On this basis it was considered that the proposals complied with Local Plan policy NE1 and the requirements of the Habitat Regulations. No ecology comments had been received at the time of report preparation. However, Members will be updated prior to their meeting.

## **Archaeology**

7.50 The County Archaeologist has previously commented that there is a moderate potential for the presence of unknown below ground archaeological remains surviving within this landscape. He notes the presence of the Roman road to the north of the site with a moderate potential for Roman activity in the area. It should also be noted that the site lies on rising land overlooking the River Blythe with minor valleys to the north west and north east; such sites elsewhere in the county have been associated with prehistoric activity. Therefore, whilst he raised no objection to the previously approved scheme, conditions were recommended requiring submission, approval and implementation of a programme of archaeological mitigation. These conditions have since been complied with and it is considered that a positively worded condition requiring the site work to be implemented in full in accordance with the approved written scheme of archaeological investigation, a post-

fieldwork assessment to be completed following operations in accordance and provision to be made for analysis, publication and dissemination of the results and archive deposition would be appropriate.

### **Highway Safety and Traffic Generation.**

7.51 The County Highway Engineer has examined the application and initially raised a number of queries and concerns regarding parking for affordable dwellings; trees parking bays and bin collection points within the adoptable highway; and junction modelling relating to future phases of development. These have been brought to the attention of the developer who has responded as follows

- *These standards appear to be emerging policy under Appendix 8 of the Local Plan Submission Version. Though these standards are therefore not yet formally adopted, we can confirm compliance in any event. We have increased the amount of car parking proposed, as shown on the attached plans and set out specifically below. A total of 382 parking spaces (including garages) are therefore being provided for 146 dwellings; well over two spaces per dwelling on average.*
- *Plots 17 – 21 are 2 bed houses, and Appendix 8 sets the requirement “for up to 2 bedrooms – 1 space per dwelling plus 1 space per 4 dwellings for visitors” is needed. Therefore, when assessed against these requirements, adequate car parking has been provided in this location. The same applies in respect of Plots 117 – 118, 123 – 125 and 128- 131*
- *Plots 60 – 71 & 77- 79 consist of 1 bed apartments. Therefore, only 1 extra parking space would be needed here to accord with LP Appendix 8. Consequently, we have added an extra visitor space here, directly alongside Plots 60 – 65, as shown in the attached plan.*
- *There are three further visitor spaces in a layby opposite plots 87/88 which it is confirmed are further visitor spaces are for Plots 80 – 85.*
- *In respect of Plots 93 – 95 LP Appendix 8 states “it’s important to locate spaces as near as possible to dwellings” and “spaces should be provided within curtilage of dwelling if possible”. We therefore kindly request that this matter be regarded as acceptable.*
- *It is noted and understood that Trees should be kept out of land proposed to be adopted as highway. Tree pits to prevent root spread under the highway may be required.*
- *An access door and path have now been added into the rear of plot 90 to link the property with the garage, as shown on the updated Proposed Site Plan.*
- *Full turning heads have now been added at the end of each adopted road here to provide the necessary turning head for large vehicles, providing a width of at least 24m. The private/shared surface areas here have also been tracked, and we can confirm that a UK standard car is able to perform a 3 point turn here.*
- *We have ensured that a number of the parking bays in laybys are now outside the adopted areas – please see the updated plans attached.*
- *We have ensured that the bin collection points here are now also outside the adopted areas – please see the updated plans attached.*
- *We can confirm that the junction was also modelled for phase 2.*

7.52 These comments and revisions have been considered by the Highways Engineer who has stated that some of the responses are pushing the definitions within the parking

standards. For example plots 17 – 21 include a semi and three terrace townhouses but the developer is classing them all as 'Forms other than Detached / Semi-Detached'. 117 – 118 are clearly semi-detached properties. However, the Highways Engineer is of the view that it is a small number of dwellings which are affected and small shortfall in spaces and on this basis, a refusal on parking grounds could not be sustained.

7.53 In addition, consultation has been undertaken with Highways England given the close proximity to the A50 Trunk Road. In respect of the previous application Highways England had submitted a holding objection due to concerns about headlights from cars on the development dazzling drivers on the A50 and discharge of surface water drainage. The developer submitted revised drainage and landscaping plans, and Sections, demonstrating that for the most part the landscaping and bunding along the road will prevent this. However, where it is considered to be a potential problem, 1m fencing will be installed within the landscape buffer, whilst new trees and hedges establish. This information was forwarded to Highways England who commented that they had no objection subject to conditions requiring the development to be carried out in accordance with the revised details. Members will be updated with any further comments received.

7.54 Concern had been raised by AES regarding bin collection and access by refuse vehicles. The developer has confirmed that the turning heads next to the apartment blocks have been designed to ensure that refuse trucks can gain sufficient, direct and close access to the bin stores here. These areas are shown as '60-65', '66-71' and '80-85' on the Proposed Site Plan attached, alongside the car parking areas for the apartment blocks. They have also confirmed that there will be no kerbs or other raised areas between the bin stores and where the refuse trucks would be situated. Furthermore, they have ensured that refuse trucks will not have to cross any block paving on site. This is reflected on the up-to-date Proposed Site Plan. AES have reviewed this latest amendment and commented that their concerns have now been addressed.

7.55 No comments had been received from Highways England in respect of the current proposals at the time of report preparation. However, the current proposals show the same landscaping and bunding along the A50 as previously approved and it is considered that the same conditions could be applied to any subsequent approval.

7.56 Subject to the recommended conditions and contribution towards travel plan monitoring therefore it is considered that the proposal complies with policies T1 and T2 of the Core Strategy in respect of highway safety, traffic generation, parking and sustainable transport.

## **Section 106 Contributions**

7.57 As noted throughout this report, a number of Section 106 contributions are being sought. R122(2) of the CIL regulations 2010 states that obligations should be:-

- necessary to make the development acceptable in planning terms
- directly related to the development
- fairly and reasonably related in scale and kind to the development

7.58 In respect of the various contributions:

1. Provision of LEAP. The development of family housing will create a requirement for young children's play space. There is a need to provide this on the site due to the

distance to alternative facilities and to ensure that the development complies with Policy C2 of the Core Strategy.

2. The LEAP will not provide for open space for sports and older children's recreation and clearly the development will generate a demand for these facilities as well. There is a deficiency of provision in the local area and therefore an off site contribution is sought. Again this is supported by Policy C2 of the Core Strategy.
3. Private Residents Management Company. It is no longer Council policy to adopt maintenance liabilities of new public open space. The Management Company is necessary to maintain all open space on site including amenity greenspace, play space, incidental open space, footpaths and cycleway in a good condition after development is completed.
4. The County Education Officer has confirmed that there insufficient capacity in local schools to accommodate the children associated with the development and therefore a contribution is justified. It has been calculated in accordance with the County Council standard formula and is therefore proportionate and related to the development.
5. Network Rail has requested a contribution towards cycle stands and benches at Blythe Bridge Station. A significant part of the sustainability credentials of this site, as advanced by the developer are the proximity to the station and ease of walking and cycling. The provision of facilities for pedestrians and cyclists at the end of their journey to the station would encourage the use of these modes of transport as well as the trains themselves. A modest contribution of £2474 would be sufficient to secure a number of benches and cycle stands. It would also help to ensure that the development complies with Policies T1 and T2 of the Core Strategy.
6. To further ensure compliance with these policies and to encourage the use of sustainable transport measures as put forward by the developer in their travel plan it is proposed that a that Travel Plan monitoring fee of £6430 is sought. This would also help to ensure that the proposal represents sustainable development overall and complies with Policies T1 and T2 of the Core Strategy.

## **9. CONCLUSIONS & PLANNING BALANCE**

9.1 The principle of residential development on this site (including, implications for housing land supply, loss of the employment site, conflict with the employment allocation in the adopted Core Strategy and weight to be given to the housing allocation in the emerging Local Plan as well as considerations of prematurity, sustainability of the location and mineral policy considerations,) was considered and established by the previous grant of planning permission on this site. This application does not represent an opportunity to revisit that principle. The main issues in the consideration of this application are acceptability of the increase in density of development and associated design changes in terms of affordable housing, highway safety and traffic generation, contaminated land, air quality, noise impact, landscape impact, hedge and tree matters, ecology, amenity, open space, drainage and flooding and education.

9.2. The scheme provides a policy compliant level of affordable housing which could be secured through a section 106 Agreement which has been increased, pro-rata to reflect the increase in density. The developer is seeking to secure the affordable housing by condition rather than S106 Agreement in order to secure Homes England grant funding. The Planning Practice Guidance states that such an approach is acceptable in exceptional circumstances for strategically important development where there is clear evidence that the delivery of the development would otherwise be at serious risk. In this case it is considered that the proposal is a strategically important development in terms of contribution to housing land supply and delivery of the adopted Core Strategy and emerging

local plan. Additional information regarding the risk to the delivery of the development has been requested from the developer. However, there are known previous viability issues with this site and the Homes England funding will help to ensure that the scheme remains viable and can be delivered quickly to ensure that the benefits in terms of housing land supply and delivery of affordable housing at policy compliant levels are achieved. Contributions can also be sought towards education, which have also been increased pro-rata. The site is large enough to provide sufficient on-site children's play space and its provision and future maintenance arrangements can also be secured through the Section 106. Other open space requirements will be met through off-site Section 106 contributions which have also been increased.

9.3 Environmental health officers are satisfied that matters of contaminated land and noise, can be addressed through "positively worded" conditions which refer to compliance with reports submitted to discharge conditions attached to the previous consent. The Lead Local Flood Authority, Environment Agency and Severn Trent United Utilities have raised no objection on the grounds of flood risk or contaminated land. Given the size of the site, and the limited number of existing properties bounding on to it, it is considered that adequate separation distances can be achieved between existing and proposed dwellings to ensure an adequate standard of residential amenity is maintained.

9.4 The proposal will be acceptable in terms of its impact on archeological remains and this issue can again be addressed through "positively worded" conditions. Given that the site area has not increased from the previous application it is considered that matters of ecology are unlikely to give cause for concern, although comments were awaited from the Ecologist at the time of report preparation and Members will be provided with an update. Given the relatively good level of screening to the site and the existing consent no landscape concerns are raised. With regard to impact on trees within the site, the Council's Arboricultural officer has raised no objection, although he notes that development will be closer to retained trees than was previously the case and therefore additional tree protection conditions will be required. The scheme, including the housetypes, materials and layout is broadly reflective of the previous approval, despite the increase in numbers and follows the principles which were established by the previous approval. Overall, it is considered to represent a high quality design which will create a distinctive development and which will comply with policies SS1, H1 and DC1 of the Core Strategy as well as NPPF advice in terms of design. Comments from Highways England were awaited at the time of report preparation but given that the same bunding, landscaping and fencing are proposed as with the previous application it is considered that it is unlikely that there will be any adverse impact on the A50 and the County Highways Officer also has no objection subject to conditions.

9.5 Paragraph 11 of the NPPF which states that where a local planning authority cannot demonstrate a 5 year supply of housing, applications must be considered in the context of the presumption in favour of sustainable development which means granted permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted. Having weighed all the relevant factors in the planning balance it is considered that the principle of development was established by the previous consent and the proposal complies with all other relevant development plan policies, there are no significant and demonstrable adverse impacts to outweigh the substantial benefits arising from residential development and, subject to the receipt of the outstanding comments the application is recommended for approval.

## 10. RECOMMENDATION

### A. APPROVE subject to Section 106 Agreement to secure:

1. Off site public open space contribution based on Number of bedrooms x £608.95.
2. £419,178 for primary education, £265,952 for secondary and £54,081 for sixth form.  
This gives a total request of £621,603
3. Contribution towards cycle stands and benches at Blythe Bridge Station £2474.
4. Travel Plan monitoring fee of £6430

### And the following conditions:

#### Standard

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: to be advised.

Reason:- For the avoidance of doubt and in the interests of proper planning.

3. The development hereby permitted shall be implemented in general accordance with the approved phasing plan INSERT REF. No development shall take place except in accordance with the approved phasing scheme or as may subsequently be agreed in writing with the Local Planning Authority.

Reason: In the interests of proper planning of the development.

#### Design & Layout

4. The materials to be used in the development hereby permitted shall be in complete accordance with the materials approved pursuant to application reference DOC/2018/0138

Reason: In the interests of visual amenity

5. No dwelling shall be occupied until the boundary treatment associated with that dwelling has been provided in accordance with the approved plans. Notwithstanding the details shown on the approved plans gaps shall be provided through wall and close boarded fencing to allow the movement of hedgehogs through the development in accordance with details to be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development. .

Reason: In the interests of residential amenity & biodiversity.

#### Environmental Health

6. All site works including site clearance and preparation, demolition and construction activities shall be undertaken in accordance with the approved Construction & Environmental Method Statement; (Doc. Ref: R9051-SMH-18-XX-MS-K-0001), throughout the course of the development.

Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to any deviation from it.

Reason: To protect the amenities of the area.

8. No phase of the development hereby permitted, except for works of site clearance and demolition (not to include break up or removal of hardstanding or other excavation) shall take place until an updated detailed remediation strategy for that phase giving full details of the remediation measures required and how they are to be undertaken has been submitted and approved, in writing, by the Local Planning Authority. The remediation strategy shall be produced by competent persons and shall include:

- (i) A Pre-Commencement investigation report and detailed risk assessment of the former Stone House Farm
- (ii) All other required pre-commencement information specified in section 3 of the Remediation and Enabling Works Strategy by e3p (Doc Ref: R9051-E3P-18-xx-RP-R-0002) submitted in support of this application
- (iii) An updated remediation strategy giving full details of all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.
- (iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation scheme for that phase shall be fully implemented as approved and subsequently maintained in accordance with the timing/phasing arrangements embodied within the scheme. The strategy must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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

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

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 7, and where remediation is necessary a

remediation scheme must be prepared in accordance with the requirements of condition 8, and approved in writing by the Local Planning Authority and thereafter implemented. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and submitted to and approved in writing by the Local Planning Authority.

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

11. No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material shall be submitted to and approved 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 validity evidence submitted to and approved in writing to by the Local Planning Authority prior to the soils being brought on to site.

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

12.

(i) No dwelling within any phase hereby permitted shall be occupied until any works to that dwelling included in the approved sound insulation scheme have been completed. Pre-completion tests shall be carried out to verify compliance with this scheme and a report shall be produced containing the results, including all raw data and showing how calculations have been made and shall be submitted to and approved in writing by the Local Planning Authority.

(ii) Full details including specification and positioning of a site boundary acoustic barrier shall be submitted to and approved prior to first occupation of the approved residential units hereby permitted.

Reason: In the interests of residential amenity

### **Drainage**

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

Reason: 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.

### **Trees and Landscape**

14. No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the approved development, as identified on the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity and visual amenity.

15. Before the commencement of development on any phase (including any demolition, site clearance, stripping or site establishment) temporary protective fencing and advisory notices for the protection of the existing trees and hedgerows to be retained within that phase shall be erected in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations, and shall be retained in position for the duration of the period that development of that phase takes place, unless otherwise agreed in writing by the Local Planning Authority. 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: In the interests of biodiversity and visual amenity and to protect existing trees and hedgerows

16. The planting plan shown on Liz Lake Associates Drgs. Nos. 1965/01 Rev F, 1965/02 Rev D, 1965/03 Rev E and 1965/05 Rev E shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the phase of the development hereby approved to which it relates. The trees, shrubs, herbaceous plants and grass planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

Reason: In the interests of visual amenity

17. The Liz Lakes Associates Landscape Management Plan reference 1965/LMP/Rev B and the Supplementary Note (October 2017) shall be fully implemented in accordance with the details, specifications and provisions contained therein, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity

18. Before the commencement of development (including any demolition, site clearance, site stripping or site establishment) full details of all tree protection measures shall be submitted to and approved by the LPA. Such details shall include full construction specification for a no-dig cellular confinement system for the proposed driveways and paths within tree Root Protection Areas and temporary ground protection measures, as indicated on the FPCR Tree Protection Plans Drgs Nos. 6249-A-05.2, 3 & 4, together with an arboricultural method statement setting out working methods and special protection measures for the avoidance of harm to existing trees on and adjacent to the application site. Such method statement and protection measures shall specifically include details and timescales to ensure that appropriate measures are implemented to protect tree roots in the vicinity of the construction areas as indicated from the initial outset of any construction activity. Provision shall also be included for the implementation of temporary ground protection measures around tree T5 prior to the installation of the indicated no-dig cellular confinement system for the shared drive to Plots 1, 2, 3 & 4. Thereafter, the development shall be constructed only in full accordance with details approved under this condition.

Reason: To protect trees to be retained in the interests of the character and appearance of the area

## **Archaeology**

19. a) The site work shall be implemented in full in accordance with the submitted written scheme of archaeological investigation approved pursuant to application DOC/2018/0138
- b) A post-fieldwork assessment shall be completed following operations in accordance with the approved written scheme of archaeological investigation, and the provision shall be made for analysis, publication and dissemination of the results and archive deposition shall be secured prior to the first occupation of the development.

Reason: To record likely below ground archaeological remains.

## **Ecology**

20. Prior to any commencement of works on any phase between 1st March and 31st August in any year, a detailed survey shall be carried out to check for nesting birds within that phase of the site and the results submitted to and approved in writing by the Local Planning Authority. Where nests are found in any building, hedgerow, tree or scrub to be removed (or converted or demolished in the case of buildings), a 4m exclusion zone shall be left around the nest until breeding is complete. Completion of nesting shall be confirmed by a suitably qualified person and a further report submitted to and approved in writing by the Local Planning Authority before any further works within the exclusion zone take place.

Reason: In the interests of biodiversity

21. Any mature tree to be removed or to have substantial crown pruning operations carried out shall first be carefully inspected for the potential to provide bat roosting opportunities. Any tree which has such potential (which could include cavities, splits, decay pockets, hollow stems or branches, areas of loose bark, dense ivy cover or dense epicormic shoots) shall be subject to a further detailed and if necessary climbing inspection by a licensed bat worker immediately prior to felling or pruning, and a report of the findings along with details of any necessary mitigation shall be submitted to and approved in writing by the Local Planning Authority. All felling or pruning of such trees shall take place in accordance with the approved mitigation measures and in the presence of the bat worker who can immediately advise on appropriate measures if bats are discovered during dismantling, felling or pruning operations.

Reason: In the interests of biodiversity

22. No development shall take place except in complete accordance with the Working Method Statement produced by FPCR approved pursuant to condition 21 of SMD/2017/0512 under application DOC/2018/0138.

Reason: In the interests of biodiversity

23. No development shall take place except in complete accordance with the Construction Environmental Management Plan (CEMP: Biodiversity) approved pursuant to condition 22 of SMD/2017/0512 under application DOC/2018/0138.

Reason: In the interests of biodiversity

24. Prior to first occupation of each phase of the development hereby permitted a lighting strategy for biodiversity for that phase shall be submitted and approved in writing by the Local Planning Authority. The strategy shall:

- a) Identify those areas that are particularly sensitive for bats breeding or foraging birds and that are likely to cause disturbance in or around their breeding sites and resting

places or along important routes used to access key areas of their territory for example for foraging.

- b) Show how and where external lighting will be installed ( via contour plans and technical specifications) so that it can be clearly demonstrated areas lit will not disturb or present bats or birds using their territories or having access to breeding sites or resting places.
- c) Follow the protocols outlined in the Institute for Lighting Engineers document “Guidance for the Reduction of Obtrusive Lighting” (2005) and the Bat Conservation Trust’s “Artificial Lighting and Wildlife Interim Guidance: Recommendations to Help Minimise the Impact of Artificial Lighting” (2014) to minimise disturbance and sky-glow across the site.

No external lighting shall be installed on the site other than in complete accordance with the approved lighting strategy

Reason: In the interests of biodiversity

25. Where construction work does not commence on any phase within 12 months of this decision, an updated badger survey for the area covered by that phase shall be submitted to and approved in writing by the Local Planning Authority, prior to development commencing. If badgers are located, an appropriate avoidance mitigation and compensation plan must be submitted as part of that survey. No development on the relevant phase shall take place except in complete accordance with the approved mitigation and compensation plan.

Reason: In the interests of biodiversity

26. Prior to the occupation of any of the units hereby permitted in any phase details of the design and location of bird boxes and bat roosting features to be positioned on mature trees as part of the proposed development of that phase shall be submitted to and approved in writing by the Local Planning Authority. None of the units in that phase shall be occupied until the bird boxes and bat roosting features associated with that phase have been installed and those features shall thereafter be retained.

Reason: In the interests of biodiversity

27. Prior to commencement of works on plots 43-46, details of the number and location of artificial Housemartin nests to be fixed to those plots, shall be submitted to and approved in writing by the Local Planning Authority. Those plots shall not be occupied until the approved Housemartin nests have been installed and they shall thereafter be retained.

Reason: In the interests of biodiversity

28. Prior to the occupation of development of plots 3-9 and 2-10, details of additional planting adjacent to the proposed boundary walls and fences, shall be submitted to and approved in writing by the Local Planning Authority. The additional planting shall be fully implemented before the end of the first available dormant season (November to February inclusive) following occupation of those plots. The trees, shrubs, herbaceous plants and grass planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

Reason: In the interests of visual amenity

### **Highways**

29. The development hereby permitted shall not be brought into use until the off-site highway works broadly comprising junction, pedestrian crossing, footway connecting to

existing, speed limit alteration, highway alterations, street lighting have been constructed generally in accordance with, but subject to technical approval of, the submitted plan 02523 A Sk912 A

Reason: In the interests of Highway Safety

30. The development hereby permitted shall not be brought into use until the individual accesses, 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.

Reason: In the interests of highway safety

31. Any driveways or private drives that fall towards the proposed adopted highway shall be fitted with drainage interceptors immediately to the rear of the highway boundary outfalling to surface water drainage or drained to SUDS principles

Reason: In the interests of highway safety

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

- vii) a site compound with associated temporary buildings;
- viii) the parking of vehicles of site operatives and visitors;
- ix) loading and unloading of plant and materials;
- x) storage of plant and materials used in constructing the development;
- xi) wheel wash facilities;
- xii) mechanical road sweeper for existing carriageway;

33. The Travel Plan which is hereby approved shall be implemented in accordance with the timetable set out in that 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 of the planning consent to the Local Planning Authority for approval for a period of five years from first occupation of the development permitted by this consent.

Reason: In the interests of highway safety

## **Drainage**

33. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA)/Drainage Strategy September 2017 02523 Revision B produced by PJA Engineering and the following mitigation measures detailed within the FRA:

- Limiting the surface water run-off generated by the site to a maximum of 28 l/s so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
- Provision of an appropriate volume of attenuation flood storage on the site, to a 100yr + CC standard.
- Finished floor levels are set no lower than 150mm above ground level.
- Confirm which responsible body will maintain the surface water system, above ground storage area and retained pond over the lifetime of the development according to an acceptable maintenance schedule and that is achievable.

Reason: To mitigate the risk of flooding.

## **Air Quality**

34. Once the development has been completed; Air Quality monitoring shall be undertaken in accordance with the approved scheme, outlined in: Air Quality Monitoring Strategy : Land at Blythe Vale by AQ consultants (Doc Ref: J3474A/2/F1) submitted in support of this application

If results of the post development monitoring scheme indicate:

- i) No breach of local AQ Objectives for NO<sub>2</sub> at the nearest sensitive receptor, monitoring shall cease and no further work is required,
- ii) A potential breach of local AQ Objectives for NO<sub>2</sub> at the nearest sensitive receptor, a further air quality assessment shall be undertaken to identify control measures that could be adopted to address these breaches. The approved pollution control measures shall be implemented in full and further monitoring undertaken to validate the effectiveness of these control measures and if necessary further measures shall be proposed, approved and implemented until no breach of local AQ Objectives for NO<sub>2</sub> at the nearest sensitive receptor is predicted.

Reason:- To protect the local residents from air pollution and breaches in local air quality objectives for Nitrogen dioxide

35. 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.

Reason:- To protect the local residents from air pollution and breaches in local air quality objectives for Nitrogen dioxide

## **Affordable Housing**

36. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing set out in the Glossary to the National Planning Policy Framework. The scheme shall include:

- i) The numbers, type, and location on the site of the affordable housing provision which shall consist of not less than 33% of the dwellings. The affordable housing provision shall seek to achieve a target of 70% social rented or affordable rented accommodation with the balance being provided as intermediate housing.
- ii) Details of the location of the affordable dwellings within the site.
- iii) The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing to be in accordance with the phasing set out above
- iv) The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved.
- v) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing.
- vi) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure the provision of affordable housing on site in accordance with Core Strategy Policy

**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.**

