

APPENDIX 2

PLANNING APPLICATIONS COMMITTEE

Late Representations – 9th March 2023

FILE REF.	SITE AND DETAILS	PAGE NO.
<p>SMD/2022/0249</p> <p>Land Off Cheadle Road, Upper Tean, Staffordshire</p>	<p><u>OUTSTANDING MATTERS:</u></p> <p>As per the committee report issued there were three outstanding matters that remain final resolution. The progress and resolution of these has been set out below.</p> <p>Air Quality</p> <p>Officers wished to receive confirmation that traffic flow from the site would not exceed 500 trips per day which would have necessitated further work on air quality. It has been stated by the applicant that this would not be the case with their TA stating just over 4 trips per day per unit. The LHA considers that this is a little low based on their current understanding of similar sites in the area, however, also confirm that they do not consider that 500 trips per day will be exceeded.</p> <p>On this basis there is no further objection from the environmental health team on matters of air quality subject to the conditions already requested by the authorities environmental health team.</p> <p>Highways</p> <p>As reported in the committee report there were two outstanding matters awaiting final confirmation by the LHA. These included 1. agreement to the visibility splay to be provided from the access (2.4m x 120m) and 2. the parking arrangements and provision for the larger four bed units and integral garages. The LHA has confirmed that the visibility splay is adequate but highlights that several garages are awkwardly shaped and that the parking provision for the larger units is not ideal design solution. Whilst these are not reasons for refusal on highways grounds, they ask the LPA to confirm they are satisfied with these.</p> <p>Having examined these there are some parking areas that are disaggregated and distant from properties. Planning officers agree with the LHA that whilst not an ideal situation so long as the applicant is content with the design from a marketability perspective that no objection could be sustained.</p> <p>Correspondence with the LHA officers on Thursday 2 March confirmed that they could remove their objection subject to conditions and an informative. Conditions were provided to the LPA on 7th March 2023, to address the following matters and are considered to meet all the relevant tests as set out in the</p>	

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	<p>Framework. The conditions are included below.</p> <p>Viability Discussion on matters of viability have been ongoing with costs associated with the abnormal on the site and land value being discussed between the LPAs viability advisors Brunton Knowles and the applicant’s viability consultants. There remains some disagreement between these parties as to the consultants’ fees, benchmark land value and the abnormal costs on the site. The LPAs advisors have also noted that of three other residential schemes in Upper Tean recently approved a policy compliant approach to affordable housing was delivered and agreed. The Council’s advisors are still of the opinion that some contribution should be viable.</p> <p>It now appears that the application agrees that some element of contribution would be viable, however the final details of this are not yet finalised. Correspondence with the applicants agent on 7 March intimated that having examined the feedback and the costs they feel a contribution could be made.</p> <p>A email received from the applicants agent (08 March 2023) states: <i>“Keepmoat have now run their numbers and in effect can offer £383,500 in contributions or alternatively 3 affordable units on site and £70,000 in contributions...It will need to be ratified by Bruton Knowles and then captured in a S106.”</i> They have stated that they have no preference over which of the two options the LPA choose in this case.</p> <p>Whilst officers agree that there is some benefit from this contribution as noted the level of the contribution has not been agreed and confirmed as being an acceptable level by Brunton Knowles. Given the timescales involved this has been impossible to achieve. If members are minded taking into account, the principle of a negotiated contribution then it is asked that they resolve to grant permission subject to allowing delegated powers to officers to make final negotiations on the section 106 agreement.</p> <p>Permission of course could not be formally granted until such a time as the S.106 was granted.</p> <p>PLANNING BALANCE UPDATE</p>	

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	<p>Having now confirmed that there are no air quality and highway objections to the schemes (subject to conditions) there are no longer any technical matters that would otherwise preclude planning permission being granted for this site. Of course, there remains the concerns regarding the impacts on trees and landscape from the relevant officers which needs to be carefully balanced against this.</p> <p>As previously noted even with the provision of some financial contributions and affordable housing the position is far short of a policy compliant approach which does count against the application, however, the applicants acknowledgement that there is indeed some contribution that can be made to local services, facilities and affordable housing does lessen the negative impacts. Members will note that local community service and facility provision remains the most pressing issue for the local community.</p> <p>Taking the above into account it is not considered that officers would wish to change the recommendation to committee to grant permission however tis would be subject to the changes to the conditions outlined below, and the requirement to sing a s.106 agreement. As a result, a further resolution would be required confirm that the Head of Development Services has delegated authority in consultation with the Chairman of the Planning Applications Committee, to finalise, negotiate and agree the s.106 agreement.</p> <p><u>CONDITIONS:</u> The following addition conditions have been requested by the LHA:</p> <ol style="list-style-type: none">1. The development hereby permitted shall not be brought into use until the visibility splays (maximum achievable and to DMRB) shown on plan P21-1771 SK04 have been provided. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level. <p>Reason: To comply with NPPF Paragraph 111 and SMDC Local Plan Policy DC1 in the interests of highway safety.</p> <ol style="list-style-type: none">2. The development hereby permitted shall not be brought into use until details of the following highway works have	

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	<p>been submitted to and approved in writing by the Local Planning Authority</p> <ul style="list-style-type: none"> • access construction; • footway, including linkages to existing; • relocation of street name plate (if necessary); • relocation of telegraph pole (if necessary); • relocation of lighting column (if necessary); <p>The highway works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.</p> <p>Reason: To comply with NPPF Paragraph 111 and SMDC Local Plan Policy DC1 in the interests of highway safety.</p> <p>3. The development hereby permitted shall not be brought into use until details of the reinstatement of the existing site accesses to verge with full height kerb, which shall include the access crossing between the site and carriageway edge and field gates made redundant as a consequence of the development have been first submitted to and approved in writing by the local planning authority. The existing site access made redundant as a consequence of the development hereby approved shall thereafter be reinstated as verge with full height kerb in accordance with the approved plans.</p> <p>Reason: To avoid a proliferation of redundant access crossings and disused field access points in the interests of highways safety.</p> <p>4. The submitted and hereby approved Travel Plan shall be implemented in accordance with the timetable set out in the plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date planning consent to the Local Planning Authority for approval for a period of 5 years from first occupation of the development permitted by this consent. Details of Travel Plan Coordinator and monitoring reports to be sent to smarter.travel@staffordshire.gov.uk</p>	

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	<p style="text-align: center;"><i>[Note: This would replace the currently drafted condition 4 from the committee report]</i></p> <p>Reason: To comply with NPPF Paragraph 111 and SMDC Local Plan Policy DC1 to promote alternative sustainable modes of transport.</p> <p>5. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans. The parking, turning and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing areas for the life of the development.</p> <p>Reason: To comply with NPPF Paragraph 111 and SMDC Local Plan Policy DC1 in the interests of highway safety.</p> <p>The following items are to be added to the list of requirements for the CEMP (Condition 17 of the conditions set out in committee report:</p> <ul style="list-style-type: none"> • a site compound with associated temporary buildings: • of wheel wash facilities including means of dealing with water runoff; • of the provision for a mechanical road sweeper for existing carriageway. 	