

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

27 September 2018

Application No:	SMD/2017/0660	
Location	Land at Cecilly Mill, Oakamoor Road, Cheadle	
Proposal	Outline permission with some matters reserved (except access) for residential development of up to 121 dwellings.	
Applicant	Mr James Ingestre	
Agent	Mr Jim Malkin	
Parish/ward	Cheadle North East	Date registered 09/10/17
If you have a question about this report please contact: Ben Haywood tel: 01538 395400 ex 4924 ben.haywood@staffsmoorlands.gov.uk		

REFERRAL

The Application has been referred to committee because it is a major development

1. SUMMARY OF RECOMMENDATION

APPROVE subject to Section 106 Agreement and Conditions
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2. SITE DESCRIPTION

2.1 The area of land comprises the site of Cecilly Mill and a triangular area of grassland to the rear. The site was most recently used by JCB Compact Products Ltd but has been vacant for over 12 months since manufacturing was transferred to JCB's Harewood Estate facility on the edge of the town. All buildings have been demolished down to the concrete slab and Cecilly Brook, which previously ran under the factory within a culvert, now crosses the site within an open channel.

2.2 The site measures 3.85ha and is bordered on three sides by existing residential development and has direct access from both Oakamoor and Churchill Roads.

3 DETAILS OF PROPOSAL

3.1 This application proposes the re-development of this brownfield site and the triangular field to the rear, for residential purposes for up-to a maximum of 121 dwellings. The application is made in outline with all matters reserved except for means of access.

3.2 The application is accompanied by an illustrative layout which shows how 121 dwellings together with associated open space and improvements to the brook channel could be accommodated on the site. It shows built development predominantly located to the west of Cecilly Brook with open space and a LEAP located adjoining the brook. The layout shows indicative links to the existing footpath network surrounding the site. It should be noted that the precise layout of the site and that of the proposed dwellings and their scale and appearance are reserved for later approval, meaning that this application is concerned solely

with the principle of residential development on the site together with the means of access to the site.

3.3 The site is currently provided with two access points, one from Oakamoor Road and one from Churchill Road. These access points will be utilised to serve the residential development. Oakamoor Road provides the principal access to the site and was utilised as the main point of access to the former mill and factory.

4. RELEVANT PLANNING HISTORY

4.1 The site has a wide and varied planning history linked to its previous uses, none of this is however relevant to the wider redevelopment of the site.

5. PLANNING POLICIES

5.1 The Development Plan comprises of:

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

Staffordshire Moorlands Local Plan (1998)

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

Adopted Staffordshire Moorlands Local Development Framework (LDF) (26th March 2014)

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

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

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS6c Other Rural Areas Area Strategy
- SS8 Blythe Bridge Regional Investment Site
- E2 Employment Sites
- SD4 Pollution and Flood Risk
- 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

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

Local Plan process

5.5 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.

5.6 In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public will now be held this Autumn in order to determine whether the Local Plan is sound and legally compliant. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted in the Spring of 2019. At this point, it will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

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

5.8 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

SS7 Cheadle Area Strategy

Policy H1 New Housing Development

SD4 Pollution and Water Quality

SD5 Flood Risk

E3 Existing Employment Areas

H3 Affordable Housing

NE1 Biodiversity and Geological Resources

NE2 Trees Woodland and Hedgerows

T1 Development and sustainable transport measures

DSC2 Cecilly Brook Strategic Development Area

6. CONSULTATIONS CARRIED OUT

Site Notice Posted	Expired.
Press Notice Published	Expired.
Neighbour Notifications	Expired

Cheadle Town Council

6.1 No objections to this application subject to a condition that the developers use a lorry wash in order to limit the amount of mud/debris being brought on to the highway, a lesson learned from a previous development which caused problems for the town. In addition, the Council would like confirmation that they will be consulted regarding the Section 106 agreement in connection with this application in order to make sure their views are considered in the agreement and this is the best use of the money.

Conservation Officer

6.2 No designated heritage assets in the immediate vicinity – although the conclusion of the Heritage Report recommends the recording of a 19th century silk mill on site. As far as I can see the site has been cleared so this report must be out of date. There is a recommendation for archaeological investigation (refer to the County Archaeologist).

Coal Authority

6.3 No objection subject to conditions.

Policy Officer

6.4 In addition to the adopted Core Strategy & NPPF please note the following:

- The northern part of the site was included as a housing option in the Preferred Options Local Plan (July 2017) with an anticipated capacity of 45 dwellings. See draft Policy DSC 2 - Cecilly Brook Strategic Development Area.
- Need to provide good mix of housing types and sizes - please see SHMA.
- Eastern section of site forms part of the Cecilly Brook Local Nature Reserve (LNR) and holds a strong population of water voles. Natural England should be consulted.
- Northern part of site was previously allocated for a primary school in old 1998 Local Plan but was never built. Its access was then bought by JCB leaving rest of the site landlocked. During the preparation of the Core Strategy the need for a new school could not be demonstrated. As part of the review of the Core Strategy and work on the site allocations SCC have now confirmed the need for a Primary school site and this has been identified in north of Cheadle as part of the Cheadle North Strategic Development Area - Policy DSC 1 and is supported by both SCC and the landowner /agent.

Lead Local Flood Authority

6.5 No objection subject to conditions.

Arboricultural Officer

6.6 Overall, I have no objection in principle to the proposed residential development at outline stage, including details of access, on the grounds of impact on trees and hedges.

County Planning Officer

6.7 The site falls within a Minerals Safeguarding Area (MSA) for bedrock sand and superficial sand and fire clay. 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:

- i. Use / Address waste as a resource;
- ii. Minimise waste as far as possible;
- iii. Demonstrate the use of sustainable design and construction techniques, i.e.: resource-efficiency in terms of sourcing of materials, construction methods, and demolition;
- iv. 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;
- v. Maximise on-site management of construction, demolition and excavation waste arising during construction;
- vi. Make provision for waste collection to facilitate, where practicable, separated waste collection systems; and,
- vii. Be supported by a site waste management plan / waste audit if the development is likely to generate significant volumes of waste.

Natural England

6.8 Natural England has no comments to make on this application.

Rights of Way

6.9 The Feasibility Layout 01 and Planning Statement both recognise the existence of Public Footpath No 68 Cheadle Parish which crosses the proposed development site inside and along the northern boundary. The attention of the developer should be drawn to the existence of the path and to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path. If the path does need diverting as part of these proposals the developer would need to apply to your council under section 257 of the Town and Country Planning Act 1990 to divert the footpath to allow the development to commence. The County Council will need to be formally consulted on the proposal to divert this footpath. The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the right of way or its closure or diversion.

6.10 It is important that users of the path are still able to exercise their public rights safely and that the path is reinstated if any damage to the surface occurs as a result of the proposed development. The surface of the footpath must be kept in a state of repair such that the public right to use it can be exercised safely and at all times. Heavy vehicular use can cause the way to become unsuitable for use and in some instances dangerous. Attention needs to be drawn to this and that surface works may be required.

6.11 We would ask that trees are not planted within 3 metres of the footpath unless the developer and any subsequent landowners are informed that the maintenance of the trees is their responsibility.

Severn Trent Water

- 6.12 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 County Council Education

6.13 In response to the above planning application the School Organisation team has the following comments:

- This development falls within the catchments of The Cheadle Academy and the Cheadle Primary School.
- The development is scheduled to provide 121 dwellings. A development of 117 houses could add 25 primary aged children, 18 secondary aged children and 4, 6th form aged young adults.

- The Cheadle Academy is projected to have sufficient space to accommodate the likely demand from pupils generated by the development.
- However, Cheadle Primary School is projected to be full for the foreseeable future.

Primary School Provision

- It has been identified that the level of growth proposed in Staffordshire Moorlands Local Plan for Cheadle will necessitate a new primary school to be delivered within one of the residential development sites.
- The County Council is working with Staffordshire Moorlands District Council (SMDC) to plan strategically for the education infrastructure required to accommodate the children generated by the level of housing growth proposed across the District.
- The County Council has a statutory duty to secure the sufficient supply of school places, which includes requiring developers to provide additional education provision in line with the pupils generated by proposed new housing.
- We will therefore be requesting a contribution towards primary school provision. A fair, transparent and consistent approach must be taken across large developments proposed in the Cheadle area. As a new school will be necessary to accommodate the level of development proposed in the area, this site will be required to contribute proportionally to the cost of providing the new school and acquisition of the land (relative to the development).
- We have been advised that the cost of a new 210 place primary school (1 form entry) would be in the region of £4.2 million (excluding acquisition of the necessary land).
- Based on 117 houses the proportional contribution towards a new primary school of this size would be £497,981 (plus the proportional cost of the acquisition of the necessary land).
- The above is based on current demographics which can change over time and therefore we would wish to be consulted on any further applications for this site.
- We reserve the right to amend the necessary education calculations at a later date if circumstances in the area materially change prior to determination of this planning application. We may also amend our requirement if/when a school place strategy has been finalised to ensure forward planning of future needs for school facilities against local plan residential housing requirements.

Environment Agency

6.28 I refer to the revised Flood Risk Assessment prepared by Weetwood Services Ltd. This submission addresses our objection relating to flood risk, subject to conditions. However, the issues surrounding the impact upon biodiversity, as detailed in our letter dated 24 October 2017, have yet to be addressed. As such we maintain an objection to the scheme but offer the following comments solely in reply to the submitted FRA.

6.29 Notwithstanding our objection on biodiversity grounds, the proposed development would only meet the requirements of the National Planning Policy Framework if a number of measure(s) as detailed in the Flood Risk Assessment submitted with this application are implemented and secured by way of a planning condition on any planning permission.

6.30 The Environment Agency object to the proposed development in the absence of an adequate buffer zone to the Cecilly Brook and recommend refusal on this basis for the following reasons: The National Planning Policy Framework (NPPF), paragraph 109 recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Article 10 of the Habitats Directive stresses the importance of natural networks of linked habitat corridors to allow the movement of species between suitable habitats, and promote the expansion of biodiversity. River corridors are particularly effective in this way. Such networks and corridors may also help wildlife adapt to climate change. In this instance the proposed development would have an adverse impact on water voles. Paragraph 118 of the NPPF states that opportunities to incorporate biodiversity in and around developments should be encouraged.

6.31 The proposed development should provide an 8 metre-wide buffer zone measured from the bank top/wetland edge (defined as the point at which the bank meets the level of the surrounding land) alongside the Cecilly Brook. The buffer zone should be free from all built development including lighting. To reduce light spill into the river corridor outside the buffer zone, all artificial lighting should be directional and focused with cowlings (for more information see Institute of Lighting Professionals (formerly the Institute of Lighting Engineers) 'Guidance Notes for the Reduction of Obtrusive Light'. Landscaping could be incorporated into the buffer zone providing the design is more natural and less formal e.g. minimal mown grass. The buffer zone should be planted with locally native species of UK genetic provenance and appropriately managed under an agreed scheme. The buffer zone and river corridor should form a valuable part of green infrastructure and it can also add value and desirability to the new dwellings by providing aesthetically attractive spaces. The concrete piles on the river banks at the southern end of the site should be removed and the banks re-profiled and naturalised along with any artificial in channel obstructions. The channel could also be enhanced by encouraging a more meandering course and installing gravel for fish spawning habitat. Any scheme to provide a buffer zone will need to include a working methods statement detailing how the buffer zone will be protected/created during construction.

Ecology

6.32 The management plan is an improvement on the previous version and I welcome the inclusion of my comments. However, I am still concerned that that main access drive along the western boundary of the site requires a wider buffer zone between the road and Cecilly Brook. The main western access road is two-three metres from the edge of Cecilly Brook according to the plan. Strachan *et al* (2011) in the water vole conservation Handbook recommends a minimum 5m buffer. It is not clear from the outline ecological management plan how potential impact on water voles from flooding, pollution run off from roads and sediment will be adequately mitigated by the design. Low level fencing to avoid residents parking on areas of crated semi-improved grassland will be necessary.

6.33 The revised layout plan drawing 07 shows hedgerow retained within the curtilages of gardens. This will be difficult to manage and it would be better to enhance existing retained hedgerows. The hedgerow along the north eastern boundary of the site is has no adjacent grassland buffer strip. To enhance the value of the hedgerow as a habitat for biodiversity it would be desirable to have the hedgerow within a 2-3m adjacent buffer of species rich grassland separating the hedgerow and adjacent road. Areas of hedgerow are proposed to be removed near the access to the site form Church Road . Enhancing the north –east boundary hedgerow via a buffer strip would be act as some compensation for this.

6.34 Drawing 07 provides little space for landscaping with the interior of the development except for domestic gardens. To increase the permeability of the site for wildlife it would be desirable to have public landscaped open space adjacent to access roads and in and around car parking areas

Open Space

6.35 I have looked at the proposed Feasibility Layout 01 plan and see that the developer is proposing an on site LEAP. I would suggest that this is not needed due to the proximity of Churchill Road Recreation Ground, which is adjacent to the proposed development, on the other side of the track. This site has an existing play facility which is in need of refurbishment and which could also be expanded to accommodate additional usage from the proposed development. There is a playing field for informal kick about as well as an existing Multi Use Games Area, all of which would be accessed by any new residents, as well as the potential to provide additional facilities at this site.

6.36 I would recommend that the LEAP is removed from the proposed development and that an off-site contribution for both Play and Playing Fields is provided to refurbish and enhance the facilities at Churchill Road Rec. The contributions would be as follows:-

- Play - £166,411.41 (number of bedrooms 341 as 1 beds are exempt x £488.01)
- Playing pitches - £210,087.75 (number of bedrooms 345 x £608.95)

6.37 The development would need to ensure that access to Churchill Road Recreation Ground is provided. There are currently two access points onto the Recreational Ground from the track which runs adjacent to both sites – one at the northern tip of the track with the development (which is more informal), and one at the north west edge of the track with the development which is a formal access. The Feasibility Plan 01 shows that the hedgerows are to be retained, which is good, but provision needs to be made within the design and layout to allow for access from the development, across the track and onto Churchill Road Rec otherwise residents will create this themselves informally. I would suggest this is included where the formal access point is already provided on the north western edge, where the turning head is shown on the proposed plan. The off-site contribution for play/playing fields could assist with creating improved/enhanced access from the track onto and across the Recreation Ground.

6.38 In terms of the proposed on site open space, I would suggest that this important to provide as it acts as a natural buffer between the Cecilly Brook and Cecilly Brook Local Nature Reserve. I have asked my colleague who is involved with the management of Cecilly Brook Local Nature Reserve to provide additional comments in terms of its proximity to the development.

Staffordshire County Highways

6.39 There are no objections on Highway grounds to the proposed development subject to conditions

Environmental Health

6.40 Environmental Health recommend refusal of the application due to a lack of information on the potential introduction of 121 houses will have on local air quality in Cheadle. In this instance, the primary air quality impacts will be due to the potential changes in traffic movement through Cheadle. Currently, the submitted transport assessment doesn't adequately look at the effect of the proposal on traffic in and through Cheadle and has not been accepted by County Highways.

6.41 An "old" contamination assessment (pre demolition - 2014) was submitted in support of the application. It is considered that there are some issues with this investigation, notably that it assumes that part of the site is going to be a supermarket but there are also concerns in the way the results have been statistically interpreted. The above noted, it is considered that the submitted report is sufficient to demonstrate that it is unlikely that contamination will not be to be of such magnitude to affect the feasibility of the project but further investigation will be require, to ensure the appropriate remediation strategy is developed (or is not required). The main concerns with the report are bullet pointed below but if planning is granted it is recommended that a consultant gets approval of future works prior to embarking on the investigation:

6.42 Currently Environmental Health recommend refusal of this application based on insufficient information available to determine the impacts of the development on air quality. However, should these be sufficiently addressed the following additional conditions should be applied to any future consent.

6.43 If consent is granted the following conditions are recommended:

- Submission, approval and implementation of a Construction Environmental Method Statement
- a further intrusive contaminated land site investigation and risk assessment
- a detailed contaminated remediation strategy
- contaminated land remediation verification report
- means to deal with unexpected contamination.
- No soil to be imported without testing for contamination.
- a site specific noise assessment and scheme for protecting the proposed residential units for that phase of the site from external noise and necessary remediation.
- No waste to be burnt on site

Third Parties

6.44 13 objections have been received making the following points:

Principle of Development

- Whilst I do understand how extra people can support local business, where will the extra jobs come from to support another 121/441 dwellings?

- Potentially, based on minimum 2 per household, the development equates to 242/882 extra people.
- It is just greed. Taking up this countryside, for money for buildings.
- Hugely oppose this building application and that of Persimmon.
- What proportion of these dwellings, if any, will be classed as 'affordable'? Again, given the current social and financial climate, this is something to consider, if the Council is not to be seen in a bad light.
- What of the brook course, which runs through the land
- A portion of the land is currently green space
- Will there be a public consultation, to discuss these matters, or will the decision be taken out of the hands of local people, whose lives will be directly affected by this?

Residential Amenity

- Proposed houses will overlook properties in Ness Grove resulting in a loss of privacy which was the reason for purchase.
- What of the residents, who live close by during any construction works? Will they be compensated for noise and inconvenience, or do the people who will be directly affected by this, (and who will receive no discernible benefits from it), not matter in the eyes of the council? It may also be worth pointing out that dissatisfied people will have their say in future local elections.
- There will be increased noise due to more people being around and next to properties in Cecilly Terrace and a reduction in privacy as windows would over look the gardens of those dwellings. This wasn't a problem when the factory was up, as the factory was vacated at 5pm each night, so it would be quieter after this time. Plus the factory windows facing the existing properties had mirror glass in them which maintained privacy for the residents.

Ecology

- Adverse impact on biodiversity, fauna and flora of Cecilly Brook
- The brook is an important site for Water Voles
- Water voles are a UK priority species for conservation as their numbers are in serious decline and Cecilly Brook is one of the most important sites for water voles in Staffordshire.
- There has been little detailed assessment ecology in the brook.
- The brook is a nature reserve and must be protected.
- Inadequate buffer zone to the brook

Flooding

- There would also be a concern with flooding due to the houses being built on land which is directly adjacent to the Cecilly Brook, plus there are flood plains at the back of the factory. The basement space in properties in Cecilly Terrace had to be filled in and blocked off due to flooding and the waste infrastructure would have to support 121 houses as opposed to just a few toilets and kitchen areas in the factory.

Highways

- Major concerns for the traffic implications on the small town, as this being built in conjunction with a further proposal by Persimmon of additional housing, totalling 441

dwelling in Cheadle. Potentially, this could mean, based on an average of 2 cars per household, a further 882 cars in a small town.

- The town's road system can not support this.
- Not enough road facilities for this application very small congested road Queen Street in the winter and in summer with Alton Towers traffic a no go area.
- It is not clear where the main access road(s) would be to the new development. The obvious place would be from Oakamoor Road, but this is a main route to Alton Towers from Cheadle, and the top end of the road, just a few hundred metres away from the proposed development, becomes quite congested during the Summer months, and if the main access were to be from Oakamoor Road, this would just exacerbate the problem.
- The prospect of over 100+ houses means there is a real possibility of an extra 200 cars using Oakamoor Road and Queen Street; these roads are already busy with Alton Towers traffic.
- At the top of Queen Street you have to take your life in your hands when using the 'spot in the road' roundabout; and when Alton Towers traffic is heading back out of town, and JCB are knocking off, it is absolute bedlam. Trying to cross Oakamoor Road now is difficult, and it's a miracle no one has been run over.
- There is talk about making some roads one way; that will just make life difficult for those people who live on these roads, and will lead to other roads being used as 'rat runs'
- People campaigned to have JCB relocate from the site due to the amount of lorries etc, now the council proposes to recommend the building of 100+ houses, might as well keep JCB at least they went home at 6pm and weekends.
- The road between Cecilly Terrace and Cecilly Street is already a rat run for school runs and people taking shortcuts to avoid traffic jams that occur at peak times, i.e. from Leek Road via these streets. If this road was to be made a one-way this would cause even further problems for residents and you would never get out of the end of the road, particularly if you wished to turn right. This road is very narrow and was not designed for vehicles, it's a back alley, where little courtesy by drivers now is shown to residents. This road is an un-adopted road, therefore, does it really belong to anyone, and whose's going to maintain it.
- Risk to safety of existing residents, especially as many of them have young children who frequent the road at the back of the Terrace.

Parking

- Residents of Cecilly Terrace will have no where to park, unless provision is being made for us residents to be able to access the rear gardens.
- Parts of land were shared by Cecilly Terrace and The JCB factory complex which at one time were connected due to the history of the terrace which was built for the factory workers of the complex, before JCB purchased the complex.
- In December 2000, there was an understanding between JCB that owned the Mill and the residents that they would be permitted to use the car park adjacent to the terrace for their vehicles. Residents have now been using this land for parking for nearly 20 years but have not been given any information about whether this land is now fully under the jurisdiction of the Terrace residents who without the car park, would have very limited and unsafe parking options on land adjacent to the mill complex at the Oakamoor Road end of the terrace.
- Further Clarification about the adoption of the car park for its continuation of current usage is needed as no mention is made in the letter received about planning.

Infrastructure

- This application is absurd, Cheadle is a small town, many families struggle to get doctors appointments, what happens when another 200+ people move to the area. struggle to get their children in the schools they prefer.
- The infrastructure of the town would not cope. It is ridiculous to pass this application.
- We have limited services.
- Alarmed by the proposed number of dwellings, of 'up to' 121 houses.
- Will there be more schools, doctors, dentists etc. to cope with the possible influx of perhaps an extra 2-300 people into a relatively small town? Also. it seems an inopportune time to consider such a development when the local hospital has recently closed and bus services have been cut, (and there is now only one cashpoint in the High Street!)

7. OFFICER COMMENT

Main Issues

7.1 The main issues in the consideration of this application are the suitability of the site, for residential development having regard to matters of planning policy and housing land supply, 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, sustainability and education.

Principle of Development

Core Strategy Policy

7.2 The site is a brownfield site located within the Development Boundary of Cheadle where there is a general presumption in favour of new development. The site is not allocated for any specific purpose in the adopted Core Strategy.

7.3 Policy SS5C of the Core Strategy sets out the Cheadle Area Strategy and explains, that The Council and its partners will seek to expand the role of Cheadle as a significant service centre and a market town. This will be achieved through the following actions: inter alia,

- Expand the housing market area and community provision by: increasing the range of available and affordable house types and higher market housing, especially for first time buyers and families; allocating a range of deliverable housing sites both within the urban area and, on land adjacent to the urban area. Sites within the urban area shall be in locations across the town have good accessibility to services and facilities with encouragement being given to previously developed (brownfield) sites.

The proposal is considered to accord with this policy.

Loss of Employment Site

7.3 Policy E2 of the Core Strategy seeks to protect existing employment areas and premises for Use Classes B1, B2 and B8. Redevelopment for non-employment uses is subject to the site being identified in a Site Allocations DPD; demonstrating that the site is

not suitable or viable; and substantial planning benefits would be achieved that would outweigh the loss of the employment site.

7.4 The applicant has not provided as part of their planning submissions any supporting information in terms of marketing evidence or other information to demonstrate that the proposal is not suitable or viable for future employment redevelopment. The proposal is therefore contrary Policy E2 in this regard.

7.5 With regard to the matter of “substantial planning benefits” 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 its supply chain, spending in local shops and services, New Homes Bonus, Council Tax revenue and provision of affordable housing. It would also result in an improvement in residential amenity for those existing properties which bound the former industrial site. The proposal therefore accords with the second limb of policy E2, although, there remains conflict with the first and the proposal is contrary to the development plan in this regard.

7.6 Moreover, there are other material considerations in the form of the NPPF. The Council’s current housing supply is 1.99 years. The NPPF says at paragraph 11, footnote 7 that where a five year supply of deliverable housing sites can not be demonstrated, policies which are most relevant for determining the application and are out of date, in these circumstances planning permission must be granted unless the any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. The so-called “tilted balance.” This matter is returned to in the planning balance below.

7.7 Furthermore, in addition to seeking to significantly boosting the supply of homes, the revised NPPF places much emphasis on making effective use of land, dedicating a whole chapter to it. Paragraph 118 refers to LPA’s supporting appropriate opportunities to remediate derelict and contaminated land; promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites such as this, could be used more effectively. Paragraph 121 says that LPA’s should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated in a plan, where this would help to meet identified development needs. In particular it says LPA’s should support proposals to use amongst other matters employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites and be compatible with other policies in the Framework. Again this matter is returned to in the planning balance below but it lends support to the application.

7.8 The conclusion in terms of the principle of development there is compliance with Policy SS5C but conflict with Policy E2. This matter is returned to in the planning balance below. The other main issues are discussed under the various sub headings below.

Emerging Policy

7.9 The northern part of the site is included as a housing option in the Submission Version of the Local Plan with an anticipated capacity of 45 dwellings draft Policy DSC 2 - Cecilly Brook Strategic Development Area. There have been no representations received in respect of this allocation and it is a material consideration in the determination of the application, although one which attracts only limited weight at present. Nevertheless it does

demonstrate a direction of travel of planning policy which is away from employment towards residential uses on this site.

Mineral Policy Considerations

7.10 The site falls within a Minerals Safeguarding Area (MSA) for bedrock sand and superficial sand and fire clay. 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.

Sustainability and Accessibility

7.11 Accessibility is a key aspect of sustainability that can be measured. The site is located within the existing built up area of Cheadle, and is only 0.5 miles or 10 mins walk from the middle of the High Street which offers a variety of shops and services.

7.12 Other facilities are also within easy reach by walking and cycling. For example, the leisure centre is 0.5 miles (10 mins walk) Morisons and Asda supermarkets are a similar distance as are the main churches in the town. There is a bus stop 0.3miles from the site. Cheadle is connected by bus services to Uttoxeter and the Potteries.

7.13 Accessibility is only one aspect of sustainability and the NPPF defines sustainable development with reference to a number of social, economic and environmental factors. These include the need to provide people with places to live.

7.14 The development meets the economic aspects of sustainability through the construction of the dwellings themselves and the spending that the residents of the houses would bring to the area, potential New Homes Bonus and Council Tax revenue. The proposal would also help to support spending in local shops and services, would create jobs in construction and would support the construction industry supply chain.

7.15 In summary, in terms of its location and accessibility, the development is sustainable. Furthermore, previous Inspectors have determined that accessibility is but one element of sustainable development and it is not synonymous with it. There are many other components of sustainability other than accessibility. These include, meeting general and affordable housing need and reducing energy consumption through sustainable design, all of which this development would contribute to.

Affordable Housing

7.16 CS Policy H2 'Affordable and Local Needs Housing' requires the application proposal to deliver 33% affordable housing on site. Policy 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. The policy requires 70% social rented units and 30% shared ownership. The developer has submitted a viability appraisal which indicates that a maximum of 7.5% affordable housing is viable. The Council has commissioned an independent review of the viability appraisal by consultants Keppie Massey. They have raised a number of queries with the developer and further information has been provided. The final comments from Keppie Massey were awaited at the time of report preparation and an update will be provided to Members on this matter.

Contaminated land

7.17 The developer has submitted a Phase 1 desk study for contaminated land. The report has been considered by the Council's Environmental Health Officer who has noted that:

- The report has been prepared assuming ½ the site is going to a low sensitive end use. This is incorrect
- The Desk Top & Conceptual Site Model is considered to be basic, no information on the actual process undertaken by JCB at the factory or reference to industrial profile regarding the mills etc. e.g. Statements such as areas contained "tanks" or chemical store are fairly redundant, and this information should be available.
- The consultant has considered a site as a whole when discussing results, sampling locations and even statistics. This is very rarely appropriate when considering contaminated land and is certainly not appropriate in this instance. On a very basic level, ½ the site is greenfield and ½ the site is industrial and one would not consider them to likely be part of the same population.
- Sites should be considered as an averaging area based on former use or proposed use (or a broadly similar population). Combing the data and discussion of results on a bore hole by bore, hole basis is of little benefit for interpretation (relate to a map), and contradicts some of the statements/assumption you need to have, to apply method the statistical methods adopted. Consequently, the statistics employed here and the level of emphasis placed on the statistics in the interpretation of the results is considered to be incorrect and not inline with the guidance the author is quoting.
- Not clear why they analysed for certain components at certain location. These should be related to the detailed Conceptual site model. Only 2 asbestos samples taken (at 1m depth), which is clearly insufficient to demonstrate the presence or absence of Asbestos.
- Currently, only 11 samples have been taken on the industrial side and not interpreted inline with current guidance. This is not sufficient.

7.18 He concludes that further work will be required to ensure an appropriate remediation strategy is developed. However, this can be secured by condition, subject to which it would comply with CS Policy SD4 'Pollution and Flood Risk' in this regard.

Noise Impact

7.19 The application site is not located close to any major trunk roads or railway lines and there are no other significant noise generators in the vicinity. As such the Environmental Health Officer has not identified noise as a key area of concern and raises no objections on these grounds and accordingly the proposal would comply with CS Policy SD4 'Pollution and Flood Risk'.

Air Quality

7.20 The Environmental health officer has objected on the grounds of lack of air quality information. This has been brought to the attention of the developer and a further update will be provided to members in due course. Subject to the receipt of a satisfactory assessment, no objection from the Environmental Health Officer and relevant 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

7.21 The applicant submitted, a detailed Flood Risk Assessment (FRA) with the application. The findings of the report can be summarised as follows:

- *Based on information on flooding obtained from the Environment Agency, Staffordshire Moorlands District Council's SFRA, the area of the site in which development is proposed has been shown to lie within an area at low risk of flooding from the adjacent Cecilly Brook and its tributary.*
- *Given that no development is proposed within the floodplain neither the Sequential nor the Exception Test is required to be undertaken.*
- *Data suggests that the site lies within an area at moderate risk from groundwater flooding. However, further investigation into the underlying geology at the site and the potential mechanism of groundwater flooding, suggests that groundwater is unlikely to extend further than the floodplain extent associated with Cecilly Brook.*
- *In terms of potential flooding from pluvial sources, infiltration has been found to be non-feasible option for draining the site and it is therefore proposed that the residential properties, associated hardstandings and the adoptable road network within the proposed residential development is to be discharged to Cecilly Brook at a rate restricted to the pre-development greenfield runoff rate.*
- *As per the existing/pre-demolition state, Cecilly Brook was culverted through the southern part of the site, although rather than being culverted beneath the existing JCB building it appears that the building bridged the watercourse. As part of the new development it is proposed to provide a single replacement bridge crossing and to permanently de-culvert this particular section of Cecilly Brook as open channel down towards Oakamoor Road .*
- *Given the potential change to the existing channel morphology, careful design will be required to ensure that the capacity of the proposed culvert is no less than the existing situation and is therefore sufficient to carry the flood flows. Permission to undertake this work will also be required from the Environment Agency.*
- *Providing the mitigation measures discussed or similar measures are implemented it is considered that the risk of flooding to the site and adjacent land will be minimal.*

7.22 As initially submitted, the Lead Local Flood Authority, (Staffordshire County Council) and the Environment Agency raised some concerns due to lack of information. This has now been provided to them and they now have no objection subject to planning conditions being attached to any approval. Accordingly, the proposal complies with CS Policy SD4 'Pollution and Flood Risk' and the NPPF, particularly Chapter 10.

Layout and Design

7.23 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 ...'.

7.24 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 ...'.

7.25 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.

7.26 The application is in outline form and only seeks the reserved matters of access. The other matters including appearance, landscaping, layout and scale would be subsequently reserved for a further application. Therefore only indicative information has been submitted.

7.27 The indicative plans show two access points from Oakamoor Road and Churchill Road forming a main distributor road through the site with further cul-de-sac development accessed to either side. The Oakamoor access would run alongside the Cecilly Brook and a significant area of informal open space and a LEAP is also shown in this area.

7.28 The surrounding development comprises predominantly 20th century ribbon development of semi-detached houses along radial arterial routes out of the town and later cul-de-sac development to the rear. A mix of modern suburban house types can be found but all are broadly traditional brick built houses with pitched and tiled hipped and gable roofs. The housing mix, which comprises terraced, detached, semi-detached and apartments is considered appropriate and in keeping with surrounding developments. The design approach of the development and application form indicates that materials will be agreed at the reserved matters stage. However, subject to use of brick and tile roofs to match those of surrounding dwellings and incorporating locally distinctive features this is considered to be acceptable.

7.29 The level of private amenity space allocated to the dwelling is considered to be appropriate for 1, 2, 3 and 4 bed dwellings and there is ample amenity space on the site to cater for this development. Conditions can also provide good quality landscaping and boundary treatments.

7.30 As such it is considered that the indicative layout is acceptable and reflects the form, pattern and spacing between dwellings seen in the developments to the north west and south east. The density of the development is acceptable and relates well to the massing of surrounding development. Parking would be allocated to each dwelling. Any future reserved matters application would need to ensure that the new dwellings were built to the Nationally Described Space Standards to ensure that the size of housing provides opportunities for future adaption to meet the differing and changing needs of households.

7.31 Having carefully assessed all of the above, it is considered that 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 can be achieved at the reserved matters stage based on the dwelling numbers a broad principles illustrated on the submitted masterplan. .

Amenity

7.32 The site is surrounded by neighbouring properties which could be affected by the proposal including those within King Edward Street, Ullswater Drive, Coniston Drive, Churchill Road, Oakamoor Road and Ness Grove. 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.

7.33 Whilst as noted above, the layout is a reserved matter, the indicative layout submitted with the application demonstrates that these standards will be achieved in respect of separation distances between the proposed dwellings and the existing neighbouring properties.

7.34 Turning to amenity standards within the site, the indicative layout has been laid out to respect the minimum separation distances as set out above. The proposal as shown on the indicative layout would also achieve the Council's minimum garden space requirements.

7.35 The layout and design of the site are considered to be acceptable, and taking into account the 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

7.36 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 ...'.

7.37 The application has been considered by the Council's Arboricultural Officer who has commented that the site comprises a former JCB factory and yard areas, now demolished, together with an adjacent open field to the north. There are relatively few existing significant trees within the site. Those which are present are closely associated with the Cecilly Brook along the eastern side of the site, and adjacent to the Local Nature Reserve/amenity corridor to the east. Most of the larger trees along the Cecilly Brook are in fact off-site, on the eastern bank of the watercourse. The general indicative development layout, including the internal road network, would be very unlikely to have any direct impact on these trees due to either evidently sufficient separation distance or pre-existing hard-surfaced areas and former factory footprint.

7.38 The proposed site access position off Oakamoor Road would have no impact on significant trees or hedges. The proposed site access point off Cromwell Road would require the removal of a short stretch of existing mainly Hawthorn hedge, but this is in fact in very poor condition being gappy, over-mature and mostly dead anyway.

7.39 The first 45m or so of the proposed new access road off Cromwell Road would require the removal of some mature Hawthorn/Holly/Birch hedge between the existing factory site (outside the present railings) and the adjacent public footpath along the north-western edge of the application site eventually leading through to Ness Grove. Although a little gappy in places, this stretch of hedge is mainly in good condition and provides some valuable urban landscape and habitat function, and it is unfortunate that the indicative layout has not been designed to retain this. Given that its removal would be required to construct the access road in its proposed position, approval of means of access as now sought would effectively accept the loss of this section of hedge. The hedge, and indeed the footpath, is within the red-edged application site boundary marked on the application location plan, and Certificate A states this to be in the applicant's ownership even if it is outside the fenced ex-factory boundary, this is to be taken in good faith.

7.40 Loss of this stretch of hedge would, in itself, be unlikely to be considered sufficient grounds for refusal of the application if all other aspects are considered to be acceptable. However the Arboricultural Officer notes that there appears little obvious spatial opportunity or specific location within the indicative layout to readily accommodate mitigation native hedgerow planting. (This should be considered in the context of other general comments on the indicative layout set out below). It is noted that the large majority of the existing hedge along the public footpath is indicated for retention.

7.41 There is an existing remnant hedgeline along the southern boundary of the open field, immediately adjacent to the northern boundary of the ex-factory site. In theory, the indicative layout plan shows this being retained along the northern side of the proposed access road off Cromwell Road, from the public footpath eastwards. However, this hedge is in such a sparse, over-mature state and in notably poor condition, that it is not worth retaining (indeed it is accurately described as "defunct" in the applicant's tree survey). However, a replacement native species hedgerow would be unlikely to be satisfactorily accommodated in the same position, as this appears to be within a series of private garden areas for new dwellings. This again raises a question of the location and available space for suitable mitigation/replacement elsewhere within the site.

7.42 There is a group of mainly smaller ornamental trees along the southern boundary of the site, to the rear (north) of 29 King Edward Street and side (north) of 32 Cecilly Street; the indicative layout would afford the potential to retain these where their variable condition/form justified this, albeit it they would subsequently be situated within private rear gardens.

7.43 A tree survey report is contained within the applicant's Landscape and Visual Appraisal, identifying existing trees and hedges and their Root Protection Area constraints. As the application is only at outline stage, there is no detailed assessment of the likely impact on trees which may arise from the proposal. Some elements of the proposed development would require more detailed assessment at reserved matters stage with regard to potential encroachment within RPAs, such as the main spine access road off Oakamoor Road, the indicated LEAP play area and the block of apartments and its access via the indicated replacement bridge over Cecilly Brook. However, given the previously developed nature including factory buildings and hardstandings, it is considered very unlikely that a

development of the form indicated would give rise to much harmful impact on significant trees.

7.44 Overall, therefore, the Arboricultural Officer has no objection in principle to the proposed residential development at outline stage, including details of access, on the grounds of impact on trees and hedges.

7.45 Notwithstanding this the Arboricultural Officer has raised some concerns relating to the indicative layout. Whilst they may strictly be issues for subsequent detailed layout design and reserved matters application, they are worth noting at this stage. As noted above, there does not appear to be obvious opportunity to accommodate replacement/mitigation hedge planting. The area identified for public open space along the Cecilly Brook would be better as visually open and overlooked, rather than screened off by native hedging. In addition, provision of hedging and/or significant tree planting on the open space may be incompatible with higher priority habitat creation/management objectives along the brook.

7.46 Detailed ecological comments have been provided by others, but related to this it appears that the opportunity has not been taken in the indicative layout to accommodate a continuous and substantial area of open space as buffer strip with appropriate habitat management/enhancement provision along the full length of the brook through the site – to link in to and enhance habitat corridors along Cecilly Brook Local Nature Reserve from the south of Oakamoor Road and into Churchill Road Recreation Ground and fields around Turners Pasture Farm to the north of the site.

7.47 This same comment could apply in terms of landscape structure/green corridor issues along the Cecilly Brook. It seems a missed opportunity that the indicative layout would not provide for a wider open space corridor continuing across Oakamoor Road, and also linking to the eastern-most corner of Churchill Road Recreation Ground.

7.48 Dwellings and the apartment block are shown very close to the Oakamoor Road frontage, closer for example than the existing “building lines” to the east and west, or to the south side of Oakamoor Road, and this would provide little if any opportunity to accommodate any significant landscape planting to the main site frontage which could then contribute to greening and visual enhancement of this stretch of Oakamoor Road.

7.49 Whilst the indicative layout plan shows schematic new tree planting across the site, this is mostly located in private rear gardens and shared parking areas, and the layout as indicated would in general provide little opportunity for frontage landscaping which could make a significant contribution to street scene within the site, and reduce the impact of what would otherwise be a very building/road/vehicle dominated visual character.

7.50 Nevertheless, as noted above, the application is submitted in outline and no approval is sought for the layout at this stage. It is considered that all of the above matters can be adequately dealt with at the reserved matters stage. As a consequence, 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

7.51 The County Council's Education Officer has examined the application and concluded that the development will generate 25 primary and 18 secondary aged pupils and 4 Sixth Form aged pupils. The Cheadle Academy is projected to have sufficient space to accommodate the likely demand from pupils generated by the development. However, Cheadle Primary School is projected to be full for the foreseeable future.

7.52 A contribution will therefore be required towards a new primary school of this size would be £497,981 (plus the proportional cost of the acquisition of the necessary land). This can be secured through the Section 106 Agreement.

Open space

7.53 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 is shown on the submitted indicative layout plan. The Open Spaces Officer has commented that this is not needed due to the proximity of Churchill Road Recreation Ground, which is adjacent to the proposed development, on the other side of the track. This site has an existing play facility which is in need of refurbishment and which could also be expanded to accommodate additional usage from the proposed development. There is a playing field for informal kick about as well as an existing Multi Use Games Area, all of which would be accessed by any new residents, as well as the potential to provide additional facilities at this site.

7.54 She has recommended that the LEAP is removed from the proposed development and that an off-site contribution for both Play and Playing Fields is provided to refurbish and enhance the facilities at Churchill Road Rec. The contributions would be as follows:-

- Play - £166,411.41 (number of bedrooms 341 as 1 beds are exempt x £488.01)
- Playing pitches - £210,087.75 (number of bedrooms 345 x £608.95)

7.55 The development would need to ensure that access to Churchill Road Recreation Ground is provided. This can be secured by condition.

7.56 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

7.57 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

7.58 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.

7.59 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'.

7.60 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.

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

7.62 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.

7.63 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.

7.64 In this case the application is supported by a Phase I Ecological Survey which concludes that the site former factory site is a large area of hard standing, with semi-improved agricultural grassland to the north. Cecilly Brook flows north to south, along the eastern boundary of the site. The north and eastern borders are formed by woodland planting and hedgerows, by Oakamoor Road to the south, and housing to the west. Stands of *Impatiens glandulifera* (Indian Balsam) were recorded along the banks of Cecilly Brook. There are suitable habitats suitable for badgers, bats, nesting birds, otter, reptiles, water vole, and white-clawed crayfish on site. Field signs for both Water Vole and bats were recorded during this survey. Two *Alnus glutinosa* (Alder) trees were deemed suitable for roosting bats

within the development site and are situated along the bank of Cecilly Brook. Cecilly Brook is suitable for Water Voles, with records of the species along the brook. The detailed survey identified field signs such as burrows and latrines, including the use of a raft. Restrictions and suggested action relating to invasive plant species and protected animal species are discussed, with recommendations including further survey work.

7.65 The Council's ecologist has considered the report and initially objected to the application on the ground that biodiversity has not been properly considered. Cecilly Brook is of county importance for its population of water voles. Water voles are also priority UK and Staffordshire Biodiversity Action Plan species for conservation action. Appropriate avoidance and mitigation is required to minimise potential impacts, plus considerable habitat enhancement given the size and scale of proposed development. A riparian buffer strip has not been effectively designed to show that impacts on water voles will not arise. The distance from built development to the edge of Cecilly Brook does not provide a sufficient buffer. Staffordshire Wildlife trust and the Environment Agency objected on similar grounds.

7.66 The Ecologist has commented that a substantial ecological buffer adjacent to Cecilly Brook must include:

- Re-engineering sections - removing concrete piling and reprofiling to remove any artificial channel features.
- Buffer strips that can be clearly demonstrated to mitigate pollution, runoff/flooding into Cecilly brook and provide sufficient area of high quality brook-side habitat.
- The creation of ponds and back waters within the buffer strip to enhance the site for water voles.
- In-channel features to reduce flooding and increase the biodiversity value of Cecilly brook, where appropriate
- The creation of species rich grassland to enhance and add value to adjacent species rich grassland created at Cecilly Brook Local Nature Reserve. The outline feasibility layout (drawing number 1) does not show where such habitat will be created.
- A riparian corridor engineered for biodiversity mitigation and enhancement is a critical feature within the site, around which housing development should be planned. To determine the number of houses feasible, this feature providing benefits for biodiversity and people must be designed in appropriate detail.

7.67 Further information has since been provided and the ecologist has commented that the management plan is an improvement on the previous version and welcomes the inclusion of the various comments. However, he is still concerned that that main access drive along the western boundary of the site requires a wider buffer zone between the road and Cecilly Brook. The main western access road is currently shown two-three metres from the edge of Cecilly Brook according to the plan. The Ecologist recommends a minimum 5m buffer. The Environment Agency have made similar comments and recommended a minimum of 8m buffer strip. However, this is an outline application with all matters, including layout reserved, and it is considered that the required buffer could be accommodated with maintaining the density of development proposed. It is considered that the buffer could be secured by condition.

7.68 It is noted also that Natural England has raised no objection to the proposals. On this basis it is considered that the proposals comply with Local Plan policy NE1 and the requirements of the Habitat Regulations.

Highway Safety and Traffic Generation.

7.69 The Transport Assessment submitted with the application concludes that:

- *The proposed development comprises up to 120 houses on the site for the former factory to be accessed from two access points; one on Oakamoor Road and the other on Churchill Road. The proposed accesses would replace the multiple informal access points from Oakamoor Road, Churchill Road and King Edward Street / Cecilly Street / Cecilly Terrace.*
- *Adequate visibility splays appear achievable at both the external site access points and at junctions shown within the indicative proposed site layout.*
- *Car parking will be provided in line with Staffordshire Moorlands standards.*
- *The indicative site layout is able to accommodate the swept path of a refuse collection vehicle.*
- *The site is in an accessible location with good potential for use of sustainable transport modes, and a range of local amenities within walking / cycling distance. A Travel Plan to encourage travel to/from the site by sustainable modes has been prepared and is submitted as a separate report as part of the planning application.*
- *No accidents have been recorded in the vicinity of the site in the most recent five-year period available.*
- *Part of the site is allocated for housing in the Local Plan Preferred Options document, which identifies that 106 units could be accommodated, reflecting the principal of the 120no. units proposed.*
- *The proposed development would result in the removal of HGV trips from the local highway network and particularly the town centre, which would have wider benefits in terms of congestion, noise and vehicle emissions.*
- *The proposed development would not have a material impact beyond the site accesses and Harborne Road / Churchill Road / King Edward Street crossroads junction, relative to the extant industrial use of the site. These junctions can accommodate the traffic generated by the development comfortably within capacity without material queueing.*
- *Staffordshire County Council's Cheadle Town Centre "Worst Case" traffic model has been run specifically to assess the impact of the development by their consultants, who concluded that the impact on the town centre would be negligible. Following this a detailed junction capacity assessment was undertaken of the mini roundabout junctions between the A521 / A522 / Leek Road / Queen Street, which supported this conclusion.*
- *It is therefore considered that the current proposals are acceptable with regard to transport*

7.70 The County Highway Engineer has examined the application. The revised Transport Assessment demonstrates that the development can be accommodated on the highway network without severe effect on the network. Accordingly he raises no objection to the proposal subject to conditions and 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

7.71 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

7.72 In respect of the various contributions:

1. Affordable housing. There is an established need for affordable housing in the District. The affordable housing contribution would be provided on site and is also necessary to ensure that the development complies with Policy H2 of the Core Strategy.
2. Provision of Open Space Contribution. The development of family housing will create a requirement for young children's play space and 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. There is a nearby recreation ground which has potential for increased capacity through refurbishment and improvement. 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 cycleways 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.

8. CONCLUSIONS & PLANNING BALANCE

8.1 The site is a brownfield site located within the built up area boundary of Cheadle where there is a general presumption in favour of new development. The development of brownfield sites to provide new housing in sustainable locations close to the town centre is in accordance with Policy SS5c Core Strategy. As a former employment site the application must also be determined in accordance with Policy E2 of the Core Strategy which resists the redevelopment employment sites for other purposes unless it can be demonstrated that the site is no longer suitable or viable for employment use and that there are substantial planning benefits to outweigh the loss. In this case it is acknowledged that there would be substantial economic and benefits in terms of provision of housing, at a time of chronic undersupply and amenity benefits to local residents through the regeneration of the site, and removal of industrial uses. However, no information has been provided to address the first limb of the policy and demonstrate that the site is no longer viable for employment re-use and as a result there is conflict with the Core Strategy in this regard. Under the provisions of section 38(6) of the Planning and Compulsory Purchase Act 2004 which states that planning applications and appeals must be determined "*in accordance with the plan unless material considerations indicate otherwise*".

8.2 As set out above there is some conflict with part of Policy E2 of the Development Plan. However the NPPF is a material consideration of weight. It sets out a presumption in favour of sustainable development. For decision taking it says at paragraph 11 that where those

policies which are the most important for determining the application are out of date, the tilted balance applies i.e that permission must be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole or the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. Footnote 7 confirms that 'out of date' includes applications for the provision of housing where the LPA cannot demonstrate a 5 year supply of deliverable housing sites. That is the case here with the District having a less than 2 year supply.

8.3 In this case there are policies in the Framework that protect areas or assets of particular importance which indicate that development should be restricted and therefore the development should be approved unless there are "significant and demonstrable" adverse effects - the so called "tilted balance".

8.4 In addition to seeking to significantly boosting the supply of homes, the revised NPPF places much emphasis on making effective use of land, dedicating a whole chapter to it. Paragraph 118 refers to LPA's supporting appropriate opportunities to remediate derelict and contaminated land; promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites such as this, could be used more effectively. Paragraph 85 says that LPA's should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated in a plan, where this would help to meet identified development needs. In particular it says LPA's should support proposals to use amongst other matters employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites and be compatible with other policies in the Framework. This is afforded significant weight in the overall planning balance.

8.5 The northern part of the site is included as a housing option in the Submission Version of the Local Plan with an anticipated capacity of 45 dwellings draft Policy DSC 2 - Cecilly Brook Strategic Development Area. There have been no representations received in respect of this allocation and it is a material consideration in the determination of the application, although one which attracts only limited weight at present. Nevertheless it does demonstrate a direction of travel of planning policy which is away from employment towards residential uses on this site.

8.6 The proposal would deliver economic benefits through the construction of the dwellings and once completed through extra spending power in the local economy and increased Council tax receipts. Moderate weight is attached to this. The provision of housing in circumstances of a chronic housing under supply attracts very significant weight. There are also environmental benefits associated with the re use of this long standing vacant and disused brownfield site and its remediation. Moderate weight is attached to this also.

8.7 There is no conflict with Minerals Safeguarding Policy and the site is sustainably located within 10 minutes walking time of the town centre and a range of local shops and facilities including public transport opportunities. Whilst site viability prevents the provision of full policy compliant affordable housing, the scheme will deliver some affordable units, although the precise percentage is awaiting confirmation from the Council's consultants at the time of report preparation and Members will be updated on this issue.

8.8 The scheme is acceptable in terms of contaminated land, noise and drainage. An air quality assessment was awaited at the time of report preparation but subject to this being

provided and the Environmental Health Officer being satisfied it is considered that the proposal complies with CS Policy SD4 'Pollution and Flood Risk'.

8.9 The application is submitted in outline and matters of appearance, layout and landscape are reserved for a future application. Nevertheless based on the submitted indicative layout it is considered that a design which respects the character and appearance of the surrounding area and maintains adequate levels of amenity for existing and future occupiers can be achieved. It is therefore considered that the scheme will comply with policies SS1, H1 and DC1 of the Core Strategy as well as NPPF advice in terms of design.

8.10 The application has been considered by the Councils Arboricultural Officer who raises no objection on grounds of tree or hedgerow loss or landscape impact. He has raised a number of issues with the indicative layout. However, these can be addressed at the reserved matters stage. Accordingly the scheme complies with Policy DC3 which sets out measures to protect and enhance the local landscape and setting of settlement. The Council's Ecologist, the Environment Agency and Staffordshire Wildlife Trust have raised concerns regarding the width of the buffer zone alongside the Cecilly Brook. However, given that layout is a reserved matter this can be secured by condition addressed at a future stage.

8.11 Impacts of increased demand for education and open space can be addressed through appropriate Section 106 contributions which would be in compliance with Core Strategy Policy and the CIL Regulations.

8.12 The County Highway Engineer has examined the application who has commented that the revised Transport Assessment demonstrates that the development can be accommodated on the highway network without severe effect on the network. Accordingly he raises no objection to the proposal subject to conditions and 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

8.13 Having weighed all the relevant factors in the planning balance it is considered that 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 information and confirmation of no objections from the Environmental Health Officer the application is recommended for approval.

9. RECOMMENDATION

A. APPROVE subject to Environmental Health Officer and Section 106 Agreement to secure:

- 1. Affordable contribution, (% TBC)**
- 2. Housing to be transferred to and managed by a Registered Provider as set out in the defined in the Housing & Regeneration Act 2008**
- 3. Private Residents Management Company to maintain all open space on site including amenity greenspace, play space, incidental open space, footpaths and cycleways.**
- 4. Off site public open space contribution**
 - a. Play - £166,411.41 (number of bedrooms 341 as 1 beds are exempt x £488.01)**
 - b. Playing pitches - £210,087.75 (number of bedrooms 345 x £608.95)**

- **Education Contribution: £386.085 for primary education, 497,981 (plus the proportional cost of the acquisition of the necessary land – Amount TBC).**

And the following conditions:

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters.

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

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and thereafter the development shall only be carried out in accordance with the details as approved.

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

3. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced and thereafter the development shall only be carried out in accordance with the details as approved.

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

4. The development hereby approved shall be carried out in accordance with the following approved drawings and documents (Location Plan) and shall be in general accordance with the indicative site plan

Reason: For the avoidance of doubt.

5. The reserved matters application(s) shall be based on the Nationally Described Space Standards

Reason: - To ensure dwellings of adequate size in line with national policy

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

Reason: - To ensure an appropriate mix of units

7. No phase of the development hereby permitted shall take place until a Demolition and Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

- I. the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;**
- II. the arrangements for prior notification to the occupiers of potentially affected properties;**
- III. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;**

- IV. a scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction phase;
- V. a scheme for recycling/disposal of waste resulting from the construction works;
- VI. the parking of vehicles of site operatives and visitors;
- VII. the loading and unloading of plant and materials;
- VIII. the storage of plant and materials used in constructing the development;
- IX. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- X. details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works.

All works shall be carried out in accordance with the approved details. 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. The development hereby permitted, shall take place until a further intrusive site investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. The investigation and risk assessment shall be undertaken by competent persons and accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11. The assessment should include;

- (i) A survey of the extent, scale and nature of any contamination;
- (ii) An assessment of the potential risks to:
 - Human health
 - Property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes;
 - Adjoining land;
 - Ground and surface waters;
 - Ecological systems; and,
 - Archaeological sites and ancient monuments.

(iii) An appraisal of remedial options, and proposal of the preferred option(s).

A written report of the findings shall be submitted and agreed in writing with the Local Planning Authority prior to the commencement of the development.

9. 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 a detailed remediation strategy 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 should include:

- (i) A summary of the results of the site investigation and the detailed risk assessment and options appraisal referred to in condition (X).
- (ii) A remediation strategy giving full details of all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.
- (iii) 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 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.

10 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 shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved 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.

11. 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 (X) , and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (20), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

12. 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 should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority.

Reason (common to 8-12):- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

13. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.

Reason: *To protect the amenities of the area.*

14. The development hereby permitted shall not be occupied until such time as a scheme of Sustainable Drainage has been submitted to, and approved in writing by, the local planning authority.

- Limiting the surface water run-off generated by the entire site to the Cecilly Brook to 22l/s so that it will not increase the risk of flooding off-site.
- Provision of an appropriate calculated volume of attenuation flood storage on the site to a 100year + 40% standard. The current volumes may need to be revised upward if high water levels in the Cecilly Brook are taken into account.
- 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.
- Ensure existing sewers through the site are diverted in agreement with Severn Trent.
- Confirm what water treatment measures will be incorporated into the system.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

15. Prior to commencement of development a Site Waste management plan shall be submitted to and agreed in writing by the Local Planning Authority. No development shall take place except in complete accordance with the approved Plan.

Reason: To comply with the requirements of the Waste Local Plan

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

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

17 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Cecilly Mill, Oakamoor Road, Cheadle v1.1 dated 29th January 2018 and the following mitigation measures detailed within the FRA:

1. Finished floor levels of dwellings located within the Southern Section of the site as identified on figure 10 are set no lower than 156.47 m above Ordnance Datum (AOD).
2. Finished floor levels of dwellings located within the Northern Section of the site as identified on figure 10 are set no lower than 156.95 m above Ordnance Datum (AOD).
3. There shall be no dwellings or structures located within 8m from the top of bank of the Cecilly Brook.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason To reduce the risk of flooding to the proposed development and future occupants.

18 No development hereby approved shall be commenced until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- layout and disposition of roads and buildings;**
- Provision of parking, turning and servicing within the site curtilage;**
- Means of surface water drainage;**
- Surfacing materials;**
- pedestrian routes and facilities to and through the site;**

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

Reason: In the interests of highway safety.

19 The development hereby permitted shall not be brought into use until details of the reinstatement of the existing site access to footway with full height kerb, which shall include the access crossing between the site and carriageway edge 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 footway with full height kerb in accordance with the approved plans.

Reason: In the interests of highway safety.

20. The development hereby permitted shall not be brought into use until the accesses to the site have been completed.

Reason: In the interests of highway safety.

21 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) Road sweeper**

Reason: In the interests of highway safety.

22 No mud, debris, dust or any deleterious material shall be deposited on the highway. Any mud, debris, dust or deleterious materials that is deposited shall be immediately removed.

Reason: In the interests of highway safety.

23 The development hereby permitted shall not be brought into use until the visibility splays shown on plan ref. SCP/17320/F01 have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

REASON: (common to 18- 23) To comply with NPPF Paragraph 108 (2018); to comply with SMDC Core Strategy Policy DC1, T1 and T2; in the interests of highway safety. To comply with NPPF para 102 (2018); to promote and encourage alternative means of transport. To ensure the development can be constructed without undue inconvenience to road users and residents; in the interests of highway safety

Reason: In the interests of highway safety.

24. The reserved matters shall make provision for a pedestrian access from the site to Churchill Road recreation Ground.

Reason: To provide access to open space

25. The reserved matters shall make provision for a 8m buffer zone, free from development, to either side of the Cecilly Brook. The reserved matters shall include details of the boundary treatment, landscaping and future management of the buffer zone. The buffer zone shall thereafter be provided and maintained in perpetuity in accordance with the approved details.

Reason : In the interests of ecology.

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Operations Manager – Development Services has delegated authority to do so in consultation with the Chairman of the [Planning Applications Committee], provided that the changes do not exceed the substantive nature of the Committee's decision.

10. APPENDICES TO THE REPORT

10.1 The link below to the Council's website is where the detail of this application can be viewed.

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet>

