

Agenda Item:	5.2
---------------------	-----

Site:	Land off St Mary's Drive, Stretton
Proposal:	Reserved Matters application relating to P/2014/01286 for the erection of up to 37 dwellings including details of appearance, landscaping, layout and scale

Report of Head of Service (Section 151 Officer)

This report has been checked on behalf of Legal Services by John Kirkham

[Hyperlink to Application Details](#)

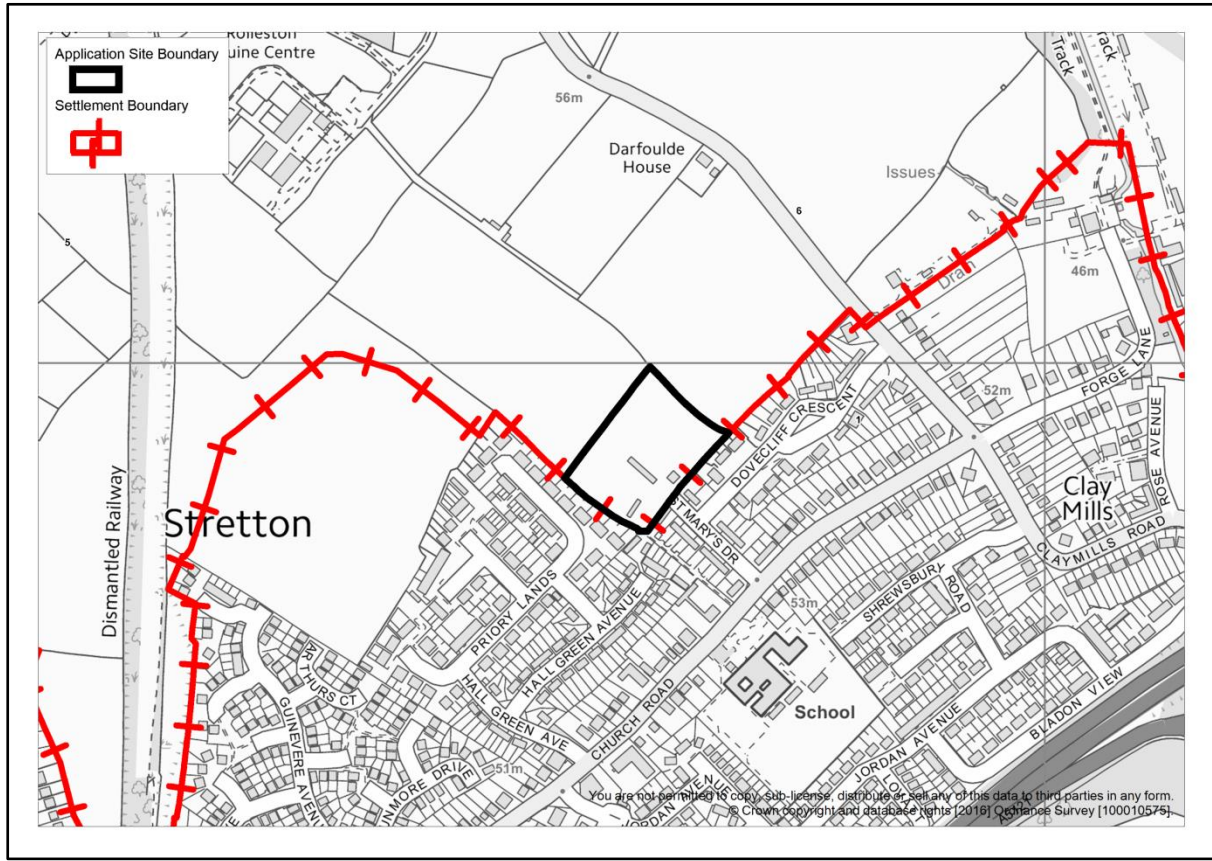
Application Number:	P/2016/00280		
Planning Officer:	Rob Duckworth		
Type of Application:	Reserved Matters (Major)		
Applicant:	Bellway Homes Limited		
Ward:	Stretton		
Ward Member (s):	Cllr Carlton	R	Cllr J Killoran
	Cllr L Milner		
Date Registered:	09.03.16		
Date Expires:	22.07.16 (Extension of Time agreed)		

1. Executive Summary

- 1.1 The application site comprises approximately 1.3 hectares of predominantly agricultural land, located to the north west of St Mary's Drive, on the outskirts of Stretton. The site contains a detached bungalow and garage, along with 4 timber barns that formed a smallholding that historically operated from this site. Surrounding land uses include residential to the south and agricultural to the north. Outline permission for up to 37 dwellings on the site was approved in February 2015.
- 1.2 The application submitted is for the reserved matters of the development, including details of appearance, landscaping, layout and scale, for the erection of 37 dwellings. The means of access and principle were approved in the outline application, P/2014/01286.

- 1.3 The statutory consultees have raised no objections that cannot be overcome by planning conditions.
- 1.4 One letter has been received from a local resident, raising concerns regarding the timing of delivery of the parking bays on St Mary's Drive and the potential for access through the site to potential later phases resulting in further greenfield development.
- 1.5 The site lies outside of the Development Boundary as set out in the Local Plan. However, in the context of the lack of a five year supply of housing land, the social and economic benefits associated with the residential development of the site were considered to outweigh the detrimental environmental effects associated with development in the countryside and the Outline Application was approved. This previous approval agrees the principle of the development and its access. This Reserved Matters application does not look to the principle of development only that the submitted details accord with the relevant policies and conditions of the Outline Permission, which it is considered they do.
- 1.6 The means of access for the site was approved at outline stage. The development will utilise an existing access onto St Mary's Drive with associated improvements to both it and the adjacent highway through the provision of parking bays within the existing grassed verge. The Highway Authority has raised no objections to the reserved matters application with regards the provision of parking and garaging for each plot. Off site highway works have been secured through the S106 agreement associated with the outline.
- 1.7 The layout, scale and design demonstrate that this site will be developed to a high quality and in conjunction with the landscaping proposed can be constructed without materially affecting the character and appearance of the surrounding area, or the amenities enjoyed by the occupiers of nearby dwellings.
- 1.8 It is considered that the development is of sufficiently high quality design within its context to comply with the parameters set by the outline planning permission and the provisions of relevant development plan policies and the National Planning Policy Framework.
- 1.9 The proposal will also not adversely affect the amenities of occupiers of existing nearby dwellings, and will provide an acceptable level of amenity for occupiers of the new dwellings.
- 1.10 **Members are advised that the above is a brief summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.**

Map of site



2. The site description

- 2.1 The application site comprises approximately 1.3 hectares of land located to the north western end of St Mary's Drive in Stretton. The site comprises an agricultural smallholding and contains a bungalow, detached garage and 4 timber buildings.
- 2.2 The site is bound by existing predominantly semi-detached, post war dwellings to the south east, detached 1970s bungalows to the south west boundary and open fields elsewhere. To the south west of the site is the Land North of Guinevere Avenue site. The Reserved Matters application is also on this month's committee agenda.
- 2.3 The application site is largely flat although exhibits a gradual rise to the west. There are a number of landscape features within the site, including native hedgerows and hedgerow trees and rear boundaries of garden trees that add to the edge of town character of the site.

- 2.4 The site lies outside of the Burton upon Trent Development Boundary as defined by the Adopted Local Plan.

3. Planning history

- 3.1 OU/19921/001 – Develop 1.2ha of land for residential purposes. Refused 1990.
- 3.2 P/2014/01286 – Outline application for up to 37 dwellings including details of means of access. Approved at Feb 2015 Planning Committee

4. The proposal

- 4.1 The application submitted is for the Reserved Matters of the development, including details of appearance, landscaping, layout and scale, for the erection of 37 dwellings. The means of access and principle were approved by outline application, P/2014/01286.
- 4.2 Access is to continue from St Mary's Drive, with improvements made to both it and the adjacent highway network, through the creation of four new parallel parking bays within the existing grassed highway verge and St Mary's Drive widened to its western end adjacent to the access into this site to 5 metres these offsite works are secured via condition 18 of the outline permission and details are not submitted here.
- 4.3 The layout shows an appropriately dense scheme of approximately 29 dwellings per hectare. This figure includes internal roads, a sustainable drainage scheme (SuDs) and open space within the site.
- 4.4 The details show a mixture of detached, semi-detached and terraced two storey dwellings.
- 4.5 During the course of the application negotiations have taken place to secure amendments to ensure the acceptability of the scheme. The amendments are summarised below:

Layout – The layout has been redesigned following the points raised by Staffordshire CC Highways and the introduction of the 5m right of way to the south of the site. The following factors have been incorporated:

- 6.1m private drive length in front of hinged, outwardly opening garage doors to integral garages.
- Integral garage size increased to 6m x 3m.
- Additional visitor parking bay added adj to Plots 24/25.
- Additional parking provision added for Plot 22.
- Addition of sheds to dwellings without garages for cycle storage.
- Right of way – We have been informed by the adjacent land owner that he has a historic right of way across our site. Unfortunately this did not arise during our discussions with the seller nor our subsequent investigations. We have incorporated this into the revised layout and if following further investigation this right of way is extinguished then we will incorporate the land into the gardens of plots 1-10 which back onto the land.

House-types - Dalby and Lowesby house-types have been redesigned to incorporate a 6m x 3m integral garage. These house-types have now been renamed the Kirby and the Harcourt and have been incorporated into the revised layout.

List of supporting documentation

4.6 The following documents have been provided as part of the application:

- All drawings and documentation associated with planning file:
 - 'Location Plan BH/SMDS_LP/10' dated as received 23.02.16
 - 'Planning Layout Revised House-type Layout BH/PL_SMDS/01' dated as received 21.06.16
 - 'Lichfield BH/HT_LIC/01' dated as received 23.02.16
 - 'Hemington BH/HT_HEM/01' dated as received 23.02.16
 - 'Hemington (Opposite Hand) BH/HT_HEM/01(01)' dated as received 23.02.16
 - 'Somerby BH/HT_SOM/01' dated as received 23.02.16
 - 'Somerby (Opposite Hand) BH/HT_SOM/01(01)' dated as received 23.02.16
 - 'Smithy/Gelsmore BH/HT_SMI/01' dated as received 23.02.16
 - 'Smithy/Gelsmore (Opposite Hand) BH/HT_SMI/01(01)' dated as received 23.02.16
 - 'Marefield & Stretton (OPP) BH/HT_MS/01 A' dated as received 04.03.16
 - 'S04 / Croxton (Opposite Hand) BH/HT_SOM/01' dated as received 23.02.16
 - 'Tilton BH/HT_TIL/01' dated as received 23.02.16
 - 'Tilton (Opposite Hand) BH/HT_TIL/01(01)' dated as received 23.02.16
 - 'Weston BH/HT_WES/01' dated as received 23.02.16
 - 'Weston (Opposite Hand) BH/HT_WES/01(01)' dated as received 23.02.16
 - 'Laughton BH/HT_LAU/01' dated as received 23.02.16
 - 'Laughton (Opposite Hand) BH/HT_LAU/01(01)' dated as received 23.02.16
 - 'Harcourt HAR/WKDG/100/75/02' dated as received 12.05.16
 - 'Kirby KIRB/WKDG/100/73/02' dated as received 12.05.16
 - 'Garages 1 BH/HT_GAR/01' dated as received 23.02.16
 - 'Garages 2 BH/HT_GAR/02' dated as received 23.02.16
 - 'Screen Details BH/HT_SD/01' dated as received 23.02.16
 - 'Materials Layout PC/0311/102' dated as received 23.02.16
 - 'Soft Landscaping GL0555 01' dated as received 23.02.16
 - 'Road works & Drainage Sheet 1 of 2 17490/STRE/5/500/1' dated as received 23.02.16
 - 'Roadworks & Drainage Sheet 2 of 2 17490/STRE/5/500/2' dated as received 23.02.16
 - 'Engineering Layout B678-10 Rev A' dated as received 07.07.16
- All other supporting documentation was submitted with the outline application:
 - Statement of Community Involvement;

- Design and Access Statement;
- Affordable Housing Statement;
- Transport Statement;
- Tree Survey & Arboricultural Impact;
- Phase 1 Desk Study Report;
- Walkover Ecological Survey, including Great Crested Newt Scoping Survey;
- Flood Risk Assessment;
- Planning Design and Access Statement;
- Archaeological Desk Based Assessment.

This application is for the Reserved Matters and as such only details surrounding appearance, landscaping, layout and scale are required.

5. Consultation responses and representations

5.1 A summary of the consultation responses is set out below:

Statutory and non statutory consultee		Response
5.2	SCC Highways	No objection subject to conditions
5.3	SCC Education	No objection – contributions required and secured through Outline S.106 (£288,000)
5.4	SCC Flood Risk Team	Initial Objection – revised details sent over for further consultation. Issues can be overcome and update will be issued prior to 19 th July, 2016.
5.5	Environment Agency	No objection.
5.6	Severn Trent Water	No objection subject to conditions.
5.7	Police Architectural Liaison Officer	No objection

Internal Consultees		Response
5.8	Environmental Health	No objections. Conditions added at Outline are sufficient.
5.9	Environment Manager	Bin contribution agreed at outline to remain unchanged. (£2775)

6. Neighbour responses

6.1 One objection was received:

Neighbour responses	
Principle	The Reserved Matters should have been submitted within one year.

Impacts on Amenity	NA
Highways Impacts	Parking Spaces along St Marys need to be provided as per the reason for approval. There appears to be access to the field from the site? Will this be an extension or link to Guinevere development?
Ward Member	No formal responses received but the Planning officer met with Cllr Milner and Cllr Killoran in ESBC Offices to discuss the application. They were happy with the proposal but would have liked to have seen bungalows provided.

7. Policy Framework

National Policy

- National Planning Policy Framework
- National Planning Policy Guidance

Local Plan

- Principle 1: Presumption in Favour of Sustainable Development
- SP1: East Staffordshire Approach to Sustainable Development
- SP2 Settlement Hierarchy
- NP1: Role of Neighbourhood Plans
- SP4 Distribution of Housing Growth 2012 – 2031
- SP8 Developments Outside Settlement Boundaries
- SP16 Meeting Housing Needs
- SP17 Affordable Housing
- SP24 High Quality Design
- SP25 Historic Environment
- SP27 Climate Change, Water Body Management and Flooding
- SP28 Renewable and Low Carbon Energy Generation
- SP29 Biodiversity and Geodiversity
- SP30 locally Significant Landscape
- SP31 Greenbelt and Strategic Green Gaps
- SP32 Outdoor Sports and Open Space Policy
- SP33 Indoor Sports Policy
- SP35 Accessibility and Sustainable Transport
- DP1 Design of New Development
- DP2 Designing in Sustainable Construction
- DP3 Design of New Residential Development, Extensions and Curtilage Buildings
- DP7 Pollution and Contamination
- DP8 Tree Protection

'Made' Neighbourhood Plans

Stretton

- S1- Development in the Countryside
- S2 – Protecting Landscape Character

- S3 – Protection and Enhancement of Local Wildlife
- S6 – Flooding
- S7 – Protecting Archaeology in Stretton

8. Principle of Development

8.1 The NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Paragraph 14 of the NPPF states that for decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

8.2 Paragraph 251 of the NPPF states that 'due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the framework, the greater the weight that may be given'.

9. 5 Year land Supply

9.1 The most recent calculation uses figures as at 31st March 2016 and concludes there is 5.72 years of supply. Therefore the policies in the plan can be considered up to date.

10. Local Plan

10.1 The Council has adopted a positive approach in seeking to meet objectively assessed development needs of the Borough. The policies in the plan provide a clear framework to guide sustainable growth and the management of change, thereby following the Government's presumption in favour of sustainable development.

10.2 Strategic Policy 1 sets out the East Staffordshire Approach to Sustainable Development. Principles listed in the policy include social, environmental and economic considerations to be taken into account in all decision making where relevant. The principles are:

- located on, or with good links to, the strategic highway network, and should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of open countryside;
- it is convenient and safe to walk, cycle and travel by public transport between (and for larger sites, around) the site and existing homes, workplaces, shops, education, health, recreation, leisure, and community facilities and between any new on-site provision;

- retains, enhances, expands and connects existing green infrastructure assets into networks within the site and within the wider landscape;
- re-uses existing buildings where this is practicable and desirable in terms of the contribution the buildings make to their setting
- integrated with the character of the landscape and townscape, provides for archaeological investigation where this is appropriate and conserves and enhances buildings of heritage importance, setting and historic landscape character;
- designed to protect the amenity of the occupiers of residential properties nearby, and any future occupiers of the development through good design and landscaping;
- high quality design which incorporates energy efficient considerations and renewable energy technologies;
- developed without incurring unacceptable flood risk or drainage problems and uses Sustainable Drainage Systems (SUDS) where appropriate;
- does not harm biodiversity, but rather enhances it wherever possible, including increasing tree-cover, especially as part of the National Forest;
- creates well designed and located publicly accessible open space;
- would demonstrably help to support the viability of local facilities, businesses and the local community or where new development attracts new businesses and facilities to an area this does not harm the viability of existing local facilities or businesses;
- would contribute towards the creation of sustainable communities through the provision of a mix of housing types and tenures;
- uses locally sourced, sustainable or recycled construction materials (including wood products from the National Forest where this is appropriate), sustainable waste management practices and minimises construction waste;
- safeguards the long term capability of best and most versatile agricultural land (Grade 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future; and
- would result in the removal of contamination and other environmental problems associated with the site.

10.3 It is considered that the proposal accords with the above criteria of SP1. The principle of development has been established so some aspects have already been covered but those that relate to the appearance, landscaping, layout and scale are covered in more detail below.

10.4 The Local Plan sets out in Strategic Policies 2 and 4 a development strategy directing growth to the most sustainable places. Burton Upon Trent and Uttoxeter are identified as the main settlements to take housing development mostly in the form of sustainable urban extensions with some limited growth in the rural area, principally within settlement boundaries.

10.5 The site has been granted outline approval for up to 37 houses. Whilst this is outside development limits, SP8, the principle of developing the site was established by outline consent.

11. Design and Impact on the character and appearance of the area

- 11.1 The NPPF attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 11.2 Strategic Policies 1 and 24 state that development proposals must contribute positively to the area in which they are proposed. The policy lists a number of criteria developments are expected to achieve including creating a sense of place, reinforcing character, reflecting densities and where possible minimise the production of carbon through sustainable construction.
- 11.3 Policy DP1 of the Local Plan re-iterates the design principles set by SP24 stating that development must respond positively to the context of the surrounding area, exhibit a high quality of design and be compliant with the East Staffordshire Design Guide.
- 11.4 The East Staffordshire Design Guide requires the design of development to demonstrate a strong, considered and sensitive response to its context. Design which is relevant to the site and wider context will be important, as this can support local distinctiveness. The Guide allows for development which employs a more modern architectural style but in terms of its proportions and siting it should still compliment its surroundings.
- 11.5 The East Staffordshire Design Guide is equally applicable to the policy aspirations of SP24. It states that:
- (a) Residential layouts should be designed with focus on the streets and spaces between dwellings rather than the individual buildings themselves;
 - (b) The location of buildings in relation to streets should create interesting streetscapes including consciously arranged views and vistas within and out of the development;
 - (c) Long straight and sweeping roads should be avoided with a preference for traffic calming inherent in the design of the development;
 - (d) Repetitive house types should be avoided;
 - (e) The cramming together of large numbers of detached properties should be avoided.
 - (f) High proportions of frontage car parking will not be acceptable.
- 11.6 Detailed Policy 2 aims for development to achieve high sustainability and environmental credentials adopted energy efficiency techniques and other standards where possible.
- 11.7 The proposed layout has a sweeping road leading on from St Mary's Drive. The road culminates in a turning head and there are several private drives serving small clusters of houses. All of the houses front the access road, with one exception which fronts a private drive, This is adjacent to the public open space and attenuation pond which helps to separate the development from the established houses along St Mary's Drive and Dovecliff Crescent. A 5m wide

right of way along the western boundary means that there will be separation from the houses along Priory Lands.

- 11.8 The house types proposed are of an appropriate style, scale and design for the development and surrounding area. Whilst replication of local styles would result in a fully harmonious estate, the proposed modern style of dwellings will be well clustered and read as natural extension to the existing built form, but with its own distinct character. The house types are mixed and will result in an attractive streetscene with enough variety to keep interest.

12. Residential Amenity

- 12.1 The National Planning Policy Framework and DP1, DP3 of the Local Plan seeks to ensure new residential development will not have an adverse impact on the amenities of new or existing residents by way of loss of light, overlooking or overbearing.
- 12.2 The separation distances and general arrangement of the proposed development will result no overlooking, overshadowing or overbearing impacts on the existing dwellings. The smallest separation distance is 27 metres.
- 12.3 Within the development the properties will all benefit from sufficient privacy and light. Through negotiation some of the houses have been separated further to ensure privacy distances are acceptable.

13. Sustainability (energy efficiency and low carbon)

- 13.1 The Climate Change Act 2008 sets legally binding targets to reduce the UK's greenhouse gas emissions by at least 80% by 2050 and sets carbon budgets on the pathway to this target. The Council supports the local generation of energy from renewable or low carbon sources in order to meet the UK targets. It is aware that some technologies can have a higher impact on their surrounding environment than others. However, over the time period of this Plan it is clear that existing technologies will develop, new technologies may emerge, and the ability of installations to integrate into their surroundings, or into the built development they serve may change. Strategic policy 28 is therefore flexible to changing circumstances, whilst protecting interests of acknowledged importance such as residential amenity, nature conservation and landscapes of high value.
- 13.2 DP2 of the Local Plan sets out expectations for development which ensure the design and delivery of low carbon buildings and energy improvements to existing buildings. Considerations include where relevant:
- follow the energy hierarchy of designing out energy demand from the outset, incorporating energy efficiency measures and introducing low carbon energy supply,
 - incorporate the best environmental practice and construction techniques in line with the Governments zero carbon buildings policy
 - use appropriate materials, form, orientation and layout of buildings to maximise the benefits of passive solar heating, cooling, lighting and natural ventilation;
 - incorporate facilities to minimise the use of water and the creation of waste, and which maximise opportunities for recycling;

- incorporate ecologically sensitive design and features for biodiversity early on within a development scheme, following guidance in 'Biodiversity by Design' or future revisions;
- where appropriate prepare Site Waste Management Plans to ensure that at least 25% of the total minerals used derive from recycled and reused content;
- aim to reduce predicted carbon emissions through the generation of decentralised and renewable or low carbon energy generation where practicable;
- where on site renewable or low carbon energy generation is not practical, a contribution towards an off-site renewable energy or carbon reduction scheme will be acceptable;

13.3 Whilst the proposal does not propose to incorporate any renewable energy sources or specific green construction techniques it does propose the incorporation of a Sustainable Urban Drainage System (SUDS). The proposed dwellings will be constructed using modern and efficient methods resulting in buildings that are well insulated and energy efficient. Whilst there is no specific design for solar gain or other such highly sustainable design technique it is considered that the proposed dwellings will be much more energy efficient than those in the vicinity and will not result in a significant increased carbon footprint.

14. Highway Matters

14.1 The NPPF in section 4 sets out the role transport policies play in facilitating sustainable development which contributes to wider sustainability and health objectives. Decisions should consider ensure development proposals have taken the opportunities for sustainable transport modes, ensure safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

14.2 Policies SP1 and SP35 of the Local Plan aim to ensure development is located on sites with good links to the highway network, development is convenient and safe to walk, cycle and travel by public transport. Developments should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of the open countryside. For those developments likely to have an impact on the wider highway infrastructure, proposals should be accompanied by a transport assessment clearly setting out how the likely impacts of the development will be addressed.

14.3 The Council's parking standards SPD sets out standards for different uses including space size, accessibility and the quantity of car parking spaces required for different uses.

14.4 Approximately half the houses will have front drives and the other half will have side drives. All but the affordable and terraced houses will have three spaces including a garage. The terraced and most of the affordable units will have two spaces and no garages. Two of the smaller affordable units will have three spaces between them; one dedicated space and one visitor space – this is due to them being single bedroom dwellings. Garages will all be 3m by 6m in

accordance with the conditions applied on the outline permission. These garages are enough to accommodate cycle stores and those without garages have sheds in the rear gardens for cycle storage.

- 14.5 The parking provision for each house has been met and satisfies the criteria of the above. Furthermore, four additional car parking spaces will be installed along the verge of St Mary's Drive for general use; the details are not included as part of this application as they form part of Condition 18 of the outline permission. These will be built in accordance with County Highways Standards. The road way and private drives are considered an acceptable width and there are public foot paths on all sides of the road.

15. Historic Environment

- 15.1 Paragraph 126 of the NPPF states that Local Planning Authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.
- 15.2 In determining planning applications with respect to any building or other land in a conservation area, local planning authorities are under a statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Case law has established that this means that considerable importance and weight has to be given to that statutory duty when balancing the proposal against other material considerations.. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 15.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Again, as for the Section 72 duty referred to above, case law has established that this means that considerable importance and weight has to be given to that statutory duty when balancing the proposal against other material considerations.
- 15.4 Strategic Policy 25 states that Development proposals should protect, conserve and enhance heritage assets and their settings, taking into account their significance, as well as the distinctive character of the Borough's townscapes and landscapes.
- 15.5 The closest Listed Buildings to the application site are Dovecliff Hall, 485m to the north east, St Mary Church, 500m to the south west, Bridge Farm, 600m to the south west and Craythorne Farm 900m to the north east. The site is not in a conservation area and the closest conservation area is the one along the canal which is over 650m away to the south east. These properties and areas are at a distance for the proposal to have no discernible impact on the setting of these heritage assets so it is considered that Section 66 and Section 72 are not engaged.

- 15.6 Policy S7 of the Stretton Neighbourhood Plan expects above and below ground archaeology to be taken into account. This was done at the outline stage and the permission is conditioned.

16. Flood Risk and Drainage

- 16.1 Section 10 of the National Planning Policy Framework seeks to ensure that new development is not at risk from flooding, or does not increase flood risk elsewhere. It advocates the use of a sequential test with the aim of steering new developments to areas with the lowest probability of flooding. The Environment Agency produces flood risk maps which classifies land according to probability of flooding. The areas of highest risk are classified as Flood Zone 3, with a 1 in 100 or greater annual probability of flooding, and the areas of lowest risk are classified as Flood Zone 1, with a less than 1 in 1000 annual probability of flooding.
- 16.2 Strategic Policy 27 expects all new development to incorporate Sustainable Drainage Systems (SUDS). Policy S6 of the Stretton Neighbourhood Plan expects development to incorporate sustainable drainage systems. Systems will discharge clean roof water to ground via infiltration techniques, limit surface water discharge to the greenfield run-off rate and protect and enhance wildlife habitats, heritage assets, existing open space, amenity areas and landscape value.
- 16.3 The application site lies solely in Flood Zone 1 and therefore is at low risk of fluvial flooding. Site drainage is to be provided by the inclusion of a sustainable drainage system that will ensure that surface water is dealt with on site, and does not increase flood risk off-site. Given the response of the Environment Agency and Severn Trent Water to the outline application, it is not considered that the proposed development would be at an unacceptable risk of flooding, or that the proposal would increase the risk of flooding in the surrounding area. An attenuation pond is being provided as part of the development which forms part of the public open space. This is considered appropriate mitigation to offset flood risk and provides a flow reduction to minimise the risk of flooding related to the development. This details results in the proposal being acceptable against the above policies and ensures the development is sustainable.
- 16.4 Subject to the conditions recommended by the Environment Agency and Severn Trent Water Ltd in respect of drainage placed on the outline application, it is considered that the scheme accords with the relevant policies and sustainability requirements of the NPPF and policy S6 of the Neighbourhood Plan.

17. Affordable Housing and Housing Mix

- 17.1 The NPPF states that Local planning authorities should have a clear understanding of housing needs in their area. Local Authorities should address the need for all types of housing, including affordable housing and the needs of different groups in the community. Strategic Policies 16 and 17 along with the guidance set out in the Housing Choice SPD responds to this requirement.
- 17.2 Strategic Policy 16 states that residential development in the main towns and Strategic Villages shall provide an appropriate dwelling or mix of dwellings given

the mix required in that part of the Borough according to the Council's evidence base or other evidence.

17.3 The Housing Choice SPD expects the following mainstream market housing mix:

	Burton
1-bedroom homes (flats, houses or bungalows)	3%
2-bedroom homes (flats, houses or bungalows)	2%
	Stretton
<i>Housing for Older People**</i>	20%
2-bedroom houses	13%
3-bedroom houses	29%
4-bedroom houses	23%
5-bedroom houses	10%

17.4 Strategic Policy 16 states that all dwellings providing ground floor accommodation should meet Building Regulations 2010 Standard M4(2) relating to accessible and adaptable dwellings. Further guidance has been prepared setting out how this policy will be applied. The guidance states that the standard will be expected on 10% of major applications. The standard should be applied to a range of properties and not just those larger properties.

17.5 The mainstream market housing mix is as follows:

Market Housing Mix	
No. Bedrooms	No. Units
1	0
2	0
3	12
4	19
Total	31

17.6 During a discussion on housing mix with the Ward Members they expressed the view that they would like to see bungalows on site. The developers was asked to provide these but has responded to this request by stating that on such a small site the viability would be compromised by delivering properties with such a large footprint. The Building Regulations standard M(42) which seeks to deliver accessible and adaptable dwellings has been achieved on 10 properties across the site.

- 17.7 SP17 states that affordable housing provision should be delivered across the site and not in clusters of more than 8 dwellings.
- 17.8 The Housing Choice SPD provides guidance on the expected affordable housing mix of sites. The level of affordable housing was agreed at the outline stage in accordance with the Housing Choice SPD current at that time.
- 17.9 Six affordable housing units have been provided with 31 market houses making up the rest. Of the affordable units there are two one-bed, two two-bed, one three-bed and one four-bed.

No. Beds	No. Units
1 bed	2
2 bed	2
3 bed	1
4 bed	1

The mix is considered acceptable as is the clustering; the 6 affordable units are located at the end of the road, close to the attenuation pond and are all together split over the private drive.

18. Landscape

- 18.1 One of the core principles in the National Planning Policy Framework is that planning should recognise the intrinsic character and beauty of the countryside. The NPPF states that local plans should include strategic policies for the conservation and enhancement of the natural environment, including landscape. This includes designated landscapes but also the wider countryside.
- 18.2 Strategic Policy 30 states that development proposals will be expected to demonstrate that they have taken into account the Landscape Character Assessment for Staffordshire and consist of a scheme which reflects the landscape character and where possible enhances the landscape quality.
- 18.3 The Local Plan identifies in Strategic Policy 31 and the policies map 4 areas of 'strategic green gaps'. The policy aims to maintain the openness of these areas. The site is not in a strategic green gap. Policy S2 of the Made Stretton Neighbourhood Plan identifies the site as landscape with high sensitivity.
- 18.4 There will be a well considered landscaping scheme including a 2m buffer to the north of the site to help minimise and soften the development on the existing landscape. Trees and shrubs will be inserted around the site to help mature the appearance of the development once complete and introduce some green features. The buffer zones around the edges of the site and the open space will also help with this aim. Existing trees and hedgerows are to be retained.
- 18.5 Whilst it is recognised that there will be an impact on the landscape, particularly over the short term, the landscape has no statutory designations for landscape protection. The scheme has been well designed despite the constraints of the

site. On balance it is therefore considered that the benefits of the scheme outweigh the harm in this circumstance which was established in the approval of outline permission.

19. Biodiversity

19.1 Paragraph 118 within Section 11 of the National Planning Policy Framework states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, planning permission should be refused. The Natural Environment and Rural Communities Act 2006 states that public authorities in England have a duty to have regard to conserving biodiversity as part of policy or decision making. Strategic Policy 29 lists criteria including development retain features of biological interest produces a net gain in biodiversity in line with Staffordshire biodiversity action plan species and supporting developments with multi-functional benefits. Policy S3 of the Neighbourhood Plan requires additional protection and enhancement of local wildlife. The recommendations made within the ecology survey in relation to ecological enhancement measures have been conditioned as part of the outline application. Subject to compliance with these conditions, the development should result in a net gain for bio-diversity in the area and not impact adversely on any European protected species. Tree planting on the site using native species contributes to meeting policy S3. The proposal therefore satisfactorily meets the sustainability requirements of the NPPF in respect of ecology and also Policy S3 of the Neighbourhood Plan.

20. Open space

20.1 The NPPF states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area.

20.2 Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.

20.3 SP32 and SP33 set out the requirements of open space provision across the Borough.

20.4 The Borough Council will seek to deliver new provision and protect and enhance existing outdoor open space and sport facilities by safeguarding sites for the benefit of local communities and applying the standards set out in the Local Plan.

20.5 Developers should provide open space to the local standard identified for the area. Local Standards are identified in the Local Plan Supplementary Planning Document

20.6 There is no on site open space for the development as this has been secured via the S.106 for offsite contributions however there are buffer zones around the site and an attenuation pond which help to provide some basic amenity areas.

21. Education

- 21.1 There is a need for education facility provision in East Staffordshire, particularly at Burton Upon Trent. The need is for both primary and secondary education. Strategic Policy 10 identifies areas where new schools will be expected in Uttoxeter and Burton Upon Trent. In addition, the policy describes how proposals for education facilities will be assessed. Applications will be required to demonstrate that the location is accessible for the need for which it is intended to meet.
- 21.2 The development will have a significant impact on the provision of both primary and secondary education in the Borough, and negotiations have been ongoing with the Education Authority to ensure that the requirements for school places resulting from this proposal are met. The payment of £288,000 towards primary and secondary education has been requested and is secured through the S106 agreement.

22. Other Matters

- 22.1 A resident who submitted comments has raised that the Reserved Matters application should be submitted within one year of the grant of outline consent. The Outline application was determined at the February 2015 committee and the Reserved Matters application was registered by the Local Planning Authority in March 2016. This is just outside the one year that was promised by the agent at committee in February 2016.
- 22.2 Conditions on the original outline states that there is a two year timescale for the submission of a Reserved Matters application.

23. Section 106 Contributions

- 23.1 Paragraph 204 of the Framework and Regulation 122 of the Community Infrastructure Levy Regulations 2011 (as amended) set tests in respect of planning obligations. Obligations should only be sought where they meet the following tests:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.
- 23.2 National Planning Practice Guidance states that when CIL is introduced (and nationally from April 2015), the regulations restrict the use of pooled contributions towards items that may be funded via the levy. At that point, no more may be collected in respect of a specific infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy. The contributions below are solely for the purpose of providing infrastructure for those dwellings/do not take the pooling threshold above 5 (state which obligations are for the purpose of providing infrastructure for those dwellings and where they are for wider infrastructure they do not take the pooling threshold above 5)
- 23.3 The following contributions have been previously secured:

Item	Planning Obligation	Cost (where applicable)
Education	Contribution towards the provision of primary and secondary school places	£288,000
Affordable Housing	15% on site A commuted sum of £229,746 towards the remaining 15% off-site provision	£229,746
Open Space	Provision of Public Open Space on site	£ 64,227.96
	15 year contribution towards ongoing maintenance if provision on site and adopted by the Council	£10,145.36
Refuse Containers	Contribution to provide refuse storage containers	£2,775

24. Conclusions

24.1 It is considered that the proposal accords with Local Plan policies, overall aims of sustainability including criteria from SP1 and overall planning balance. The proposal is well designed to maintain appropriate separation distances and amenity to existing and new residents. The design, layout and scale of the houses are acceptable. The landscaping scheme is acceptable and will help soften the new development upon completion. It is considered that the proposed development accords with the Policies of the Local Plan, Stretton Neighbourhood Plan and NPPF.

25. RECOMMENDATION

For the reasons set out in the above report, **APPROVE RESERVED MATTERS** subject to the following conditions:-

25.1 Conditions

- 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. This is to ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
- Where a private access falls toward the public highway a surface water drainage interceptor, connected to a surface water outfall, shall be provided across the access immediately to the rear of the highway boundary.
- The integral garages indicated on the approved plans shall be retained for the parking of motor vehicles and cycles. They shall at no time be converted to living accommodation without the prior express permission of the Local Planning Authority.

- Regarding the gapping up of any hedges.

26. Background papers

26.1 The following papers were used in the preparation of this report:

- **All paperwork with application file P/2016/00280**
- **S.106 agreement from P/2014/01286**
- **Committee Report from P/2014/01286**

27. Human Rights Act 1998

27.1 There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

28. Crime and Disorder Implications

28.1 It is considered that the proposal does not raise any crime and disorder implications.

29. Equalities Act 2010

29.1 Due regard, where relevant, has been had to the East Staffordshire Borough Council's equality duty as contained within the Equalities Act 2010.

For further information contact: Rob Duckworth
Telephone Number: 01283 508570
Email: rob.duckworth@eaststaffsbc.gov.uk