

Agenda Item:	5.3
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Site:	Land at, Roycroft Farm , Bramshall Road, Uttoxeter, Staffordshire, ST14 7PF
Proposal:	Outline application for the erection of up to 45 dwellings including details of access

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/2016/00582	
Planning Officer:	Alan Harvey	
Type of Application:	Outline Planning Application	
Applicant:	Gleeson Developments Ltd	
Ward:	Heath	
Ward Member (s):	Councillor G A Allen Councillor Ms L Shelton	
Date Registered:	02 June 2016	
Date Expires:	22 August 2016	

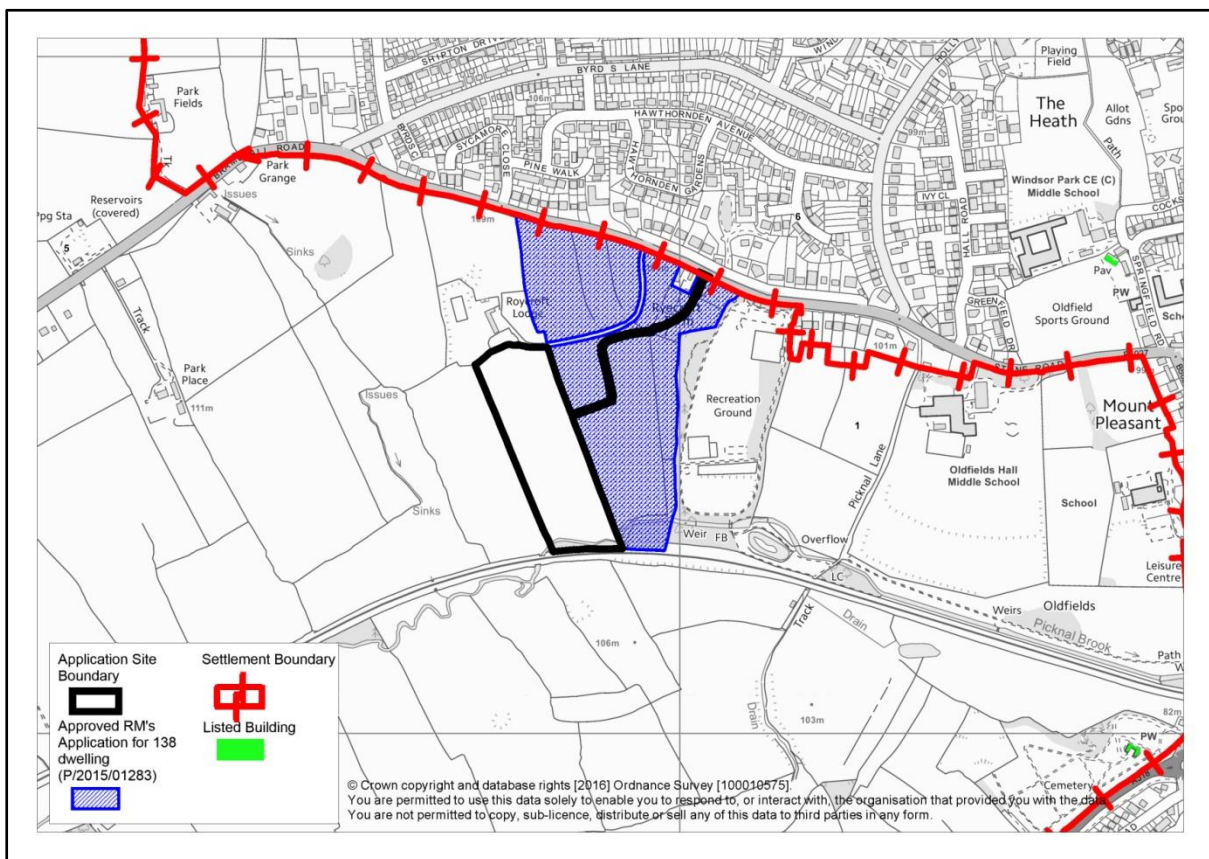
1. Executive Summary

- 1.1 The application site consists of some 3.20 hectares of agricultural land located outside settlement limits on the western edge of Uttoxeter. The site is proposed to be accessed off the southern side of Bramshall Road via the 'Barley Fields' development site at Roycroft Farm. Surrounding land uses include the residential development site, a public park further east of the development site, agricultural land to the west and the Derby to Stoke on Trent railway line to the south. Immediately north of the site is Roycroft Lodge.
- 1.2 The application is an outline proposal for the erection of up to 45 dwellings including details of means of access. All other matters are reserved at this stage.
- 1.3 Statutory consultees have raised no objections that cannot be overcome via planning conditions or by way of a revised plan (the latter in the case of an objection raised by the County Highway Authority in relation to the access

design). The Town Council has raised objections as have the Uttoxeter Neighbourhood Plan Steering Group, the Friends of Bramshall Park and the CPRE.

- 1.4 Neighbours have been notified of the application, a press notice published and a site notice posted. Five representations raising objection have been received from local residents along with a letter of objection from Andrew Griffiths MP. The Ward Councillor also raises objection.
- 1.5 It is considered that the scheme which is outside the settlement boundary for Uttoxeter is contrary to the provisions of the relevant development plan policies and the National Planning Policy Framework in respect of the location of new residential development and that there are no material issues that would outweigh such a presumption against the development of the site.
- 1.6 The proposal would not be likely to adversely affect the amenities of occupiers of existing nearby dwellings, and could in principle provide an acceptable level of amenity for occupiers of the new dwellings. The proposal will not have an unacceptably adverse impact on the wider existing highway network.

Map of site



2. The site description

- 2.1 The application site comprises some 3.20 hectares of agricultural land to the south of Bramshall Road, which lies outside the settlement boundary for Uttoxeter as defined in the adopted East Staffordshire Local Plan. The site is bounded to the east by the 'Barley Fields' development site (at Roycroft Farm); beyond which is a public park (Bramshall Road Park). To the south is the Uttoxeter to Stoke on Trent railway line and to the north is Roycroft Lodge, a residential property in substantive grounds, outside of the applicant's control. There is open countryside to the west.
- 2.2 The application site is situated on the northern side of the Picknall Valley and the land falls downwards towards the Picknall Brook. The southern part of the site within the valley bottom is relatively flat. The eastern and western boundaries of the application site are largely defined by mature hedgerows; with some mature trees within those hedgerows.

3. Planning history

- 3.1 In May 2014, an outline application (ref: P/2013/01287) for residential development for up to 140 dwellings and means of access, extension of Bramshall Road Park including demolition of Dutch barn and stable building (with all other matters reserved) was refused in relation to the 8.04 ha area of land to the east of the application site (now known as 'Barley Fields').
- 3.2 The outline application was refused for three reasons:

1. *The National Planning Policy Framework sets out a presumption in favour of sustainable development. It also re-emphasises in section 17 that planning should be genuinely plan-led and in section 14 that the starting point for decision-making is the development plan, and that where proposed development accords with an up to-date plan it should be approved, and where it does not accord with the plan it should be refused unless material considerations indicate otherwise. Housing supply policies within the Adopted Local Plan are out of date in the context of the 5 year land supply, currently calculated as 3.9 years as at October 2013. Paragraph 216 of the NPPF states that decision-takers may also give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF. The emerging Local Plan has reached submission stage, and its housing supply policies seek to promote sustainable development and to protect the character and appearance of the countryside. These aims are consistent with the National Planning Policy Framework. The application site lies outside of any settlement boundary within the Submission Local Plan. Strategic Policy 8 of the Submission Local Plan states that development outside settlement boundaries will not be permitted unless it is essential to rural business, development providing an accessible public facility, development according with a made Neighbourhood Plan, development according with the Rural Exception Sites Policy or development otherwise appropriate in the open countryside. The proposed development does not accord with any of the above criteria but would rather present an unwarranted intrusion of urban form into the open countryside, to the detriment of its rural character, contrary to Policies SP4 and SP8 of the Submission Local Plan, and*

Sections 1, 6 and 7 and Paragraph 216 of the National Planning Policy Framework.

2. The application site is not allocated for housing development in the emerging Local Plan, and its premature development would, cumulatively with other commitments and allocations within Uttoxeter, result in a level of development disproportionate to the scale of the settlement and the capacity of its infrastructure thereby prejudging the outcome of the plan making process contrary to Policies SP4 and SP8 of the Submission Local Plan, and Sections 1, 6 and 7 and Paragraph 216 of the National Planning Policy Framework.

3. Policies SP24 and DP11 of the East Staffordshire Local Plan states that planning permission will only be granted for proposals that relate well in design terms to their surroundings. Paragraph 109 of the NPPF expands upon this with specific reference to landscape character. It states that the planning system should contribute to the natural and local environment by protecting and enhancing valued landscapes. The proposed development constitutes an encroachment of urban form into the Picknall Valley, which provides an attractive and valued green wedge running from the outskirts of the town centre linking into the countryside surrounding the town. The development would fundamentally and detrimentally change the rural character of the Picknall Valley and would detrimentally affect the amenity and recreational value of Bramshall Road Park contrary to Policies SP24 and SP1 of the East Staffordshire Local Plan and Paragraphs 109, 123 and 171 of the NPPF.

3.3 In January 2016, the appeal against the decision was allowed (PINS ref: APP/B3410/A/14/2218974) with the Inspector commenting in the decision letter that :-

“Given the provisions of the ‘the Framework’ which recognise intrinsic character and beauty of the countryside and the objective of protecting and enhancing valued landscapes, considerable weight can be given to the totality of the harm that I have found to the character and appearance of the area, including BRP. However, this is an area where development plan policies for the supply of housing are not up-to-date and a five year supply of housing cannot be demonstrated. When ‘the Framework’ is read as a whole, including another core principle for delivering the homes that the country needs, as well as the need to boost significantly the supply of housing, the harm does not significantly and demonstrably outweigh the benefits of the scheme. I have also found that the benefits of the scheme fulfil the economic and social dimensions to sustainable development. With the proposed mitigation (including new linear park), the potential enhancement to biodiversity and the site’s proximity to services and facilities, on balance, the environmental role of sustainable development would also be fulfilled. The proposal would therefore contribute to the achievement of sustainable development and permission should not be withheld. It would comprise a sustainable urban extension. Even if the scheme conflicts with the provisions of LP policy BE1, it accords with other policies in the development plan. To accord with the development plan as a whole proposals do not have to accord with each and every policy. It has not been demonstrated that the scheme would be at odds with those policies which are at the heart of the aims and objectives of the LP. In any event, the scheme’s compliance with the ‘the Framework’ as a whole would outweigh any conflict with the development plan.”

- 3.4 At the Planning Committee of 15 April 2016 reserved matters approval was given (under ref: P/2015/01283) for the detailed scheme in relation to the proposed erection of 138 dwellings including details of layout, scale, appearance and landscaping (now called 'Barley Fields'). The approved layout shows the southern portion of the site and part of its eastern flank turned over to open space, with the remainder of the site developed for residential purposes. The layout shows a relatively low density scheme comprising a mixture of detached, semi-detached and terraced dwellings arranged in a pattern of blocks, with a frontage development of detached dwellings along Bramshall Road.
- 3.5 The Barley Fields permitted site is physically divided into two separate parcels of land ('northern' and 'southern' parcels). There is no vehicle or pedestrian links between the two parcels of land and therefore they are isolated into two separate phases (by the access drive to Roycroft Lodge). Two points of access onto Bramshall Road were approved at the Outline stage, one serving each of the two parcels that make up the site. The southern (and larger) parcel is to be served by an access to the east of the existing Roycroft Farm buildings. The northern (and smaller) parcel is to be served by an access towards the western boundary of the site. The existing access to Roycroft Lodge remains unaltered. Some properties will be directly accessed off Bramshall Road.

4. The proposal

- 4.1 The application is an outline submission for the erection of up to 45 No. dwellings with the details of vehicular access provided at this stage. All other matters are reserved. The details of vehicular access show that the development would be accessed from Bramshall Road by way of a western extension of an existing access road serving the southern parcel of the adjoining Barley Fields development.
- 4.2 An illustrative plan has been submitted and this shows dwellings being proposed to extend as far to the south as those on the adjoining development site. The illustrative plan also includes a scheme of Green Infrastructure, which will comprise landscaping, public open space and Sustainable Urban Drainage solutions (including an attenuation pond), and other ancillary and enabling works to facilitate the development.
- 4.3 The layout shows the southern portion of the site and northernmost part of its northern area turned over to open space, with the remainder of the site developed for residential purposes. A footpath link is proposed into the northern open space from the Barley Fields development site

List of supporting documentation

- 4.4 The following documents have been provided as part of the application:
- Location Plan
 - Vehicular Access Plans
 - Illustrative Planning Layout
 - Affordable Housing Statement
 - Archaeological Assessment

- Design and Access Statement
- Ground Investigation Report
- Landscape and Visual Impact Appraisal.
- Landscape Strategy Plan.

- Planning Statement
- Preliminary Ecological Assessment (inc. Surveys)
- Flood Risk Assessment
- Drainage Strategy and Utilities Assessment
- Statement of Community Involvement.
- Sustainability Statement.
- Topographical Survey.
- Transport Statement.
- Travel Plan.
- Tree Constraints Plan.
- Tree Survey.

4.5 The relevant findings are dealt with in section 8 onwards below.

5. Consultation responses and representations

A summary of the consultation responses is set out below:

Statutory and non statutory consultee		Response
5.1	Uttoxeter Town Council	<p>Objects to the application due to the following :-</p> <ul style="list-style-type: none"> • The development not being included in the Local Plan. • The development not being included within the emerging Neighbourhood Plan for Uttoxeter • Town Council wish to remind the Borough Council that previous objections from members of the electorate resulted in a petition of 3,000 signatures as submitted to ESBC. • To re-iterate the (Town) Council's previous objections to the development due to it being within the 'Green Valley' of the town. • To reiterate the (Town) Council's concerns as raised previously with respect to the traffic implications on Stone Road.

5.2	SCC Highways	Object on technical grounds to the scheme on the basis that it is not possible to assess the suitability of the site in respect of access requirements given the level of information provided with the application.
5.3	SCC Education	<p>Advise that the development would fall within the catchment of Picknalls First School, Oldfields Hall Middle School and Thomas Alleyne's High School and comment that the education contribution (based on 45 No. market dwellings) would be as follows;</p> <ul style="list-style-type: none"> • First School places (10 x £11,031 = £110,310), • Middle School places (5 x £13,827 = £69,135) and • High School places (4 x £16,622 = £66,488). <p>This gives a total request of £245,933 for up to 45 houses.</p>
5.4	SCC Flood Risk Team	No objection subject to conditions
5.5	SCC (Archaeology)	No objection subject to a condition providing for a programme of archaeological investigation
5.6	Environment Agency	No objection subject to conditions to secure compliance with the submitted Flood Risk Assessment
5.7	Severn Trent Water	No objection subject to conditions
5.8	Natural England	No objection subject to conditions and the Borough Council securing Cannock Chase SAC mitigation.
5.9	CPRE	<p>Object to the scheme on the grounds summarised as follows :-</p> <p>The Borough Council has done precisely what is required by the NPPF and has adopted an up-to-date Local Plan</p> <p>The site is not allocated for development in the Local Plan, which allows for sufficient new homes for the Borough. No further significant Greenfield sites, such as this application site, need to be identified or be released.</p> <p>The assessment of the appropriate levels of growth and the locations identified for development in the adopted Local Plan has been found to be sound.</p> <p>The Borough Council now has a housing land supply in excess of NPPF requirements of five years and has previously successfully defended an appeal for the development of up to 49 dwellings at Highwood Road, Uttoxeter.</p> <p>The proposal, if accepted, would be likely to 'open the door' to proposals for the development of more Greenfield land both adjacent to this site and elsewhere on Greenfield sites throughout the Borough.</p>

5.10	Architectural Liaison Officer	No objection subject to conditions
5.11	Lead Local Flood Authority	No objection subject to conditions
5.12	Network Rail	No objection subject to conditions
5.13	Uttoxeter Neighbourhood Plan Steering Group	<p>Point out that the emerging Neighbourhood Plan is at the later stages prior to being formally 'made' and consider that the applicant would need to demonstrate how they are complying with its policies on Residential Design (Policy D1), Space between buildings (Policy D3), Sustainable Transport (Policy T1) and Housing Mix Standards (Policy H2) and having regard to Local Green Spaces (Policy L2) as to how the scheme seeks to contribute towards the protection and enhancement of the Picknall Brook Valley Walk and the Bramshall Road Park.</p> <p>The Neighbourhood Plan Steering Group objects to this application because the site is not designated in the Local Plan for housing and there is no demonstrated need for the scheme and it will damage the Picknall Valley. Specifically in relation to Neighbourhood Plan Policy E2 - Landscape and Setting - the scheme is in conflict with the central aims of this policy and will lead to fragmentation and loss of the Picknall Brook Valley. Despite the expanse of parkland this scheme is encroaching on the valley and has a significant landscape visual impact.</p>
5.14	Friends of Bramshall Road Park	<p>Object on the grounds that :-</p> <ul style="list-style-type: none"> • The Borough Council now has an adopted Local Plan and a five year land supply for housing. • Work has started on the appeal scheme (at Barley Fields) and is already having a detrimental effect on the Park. • The application site is outside the settlement boundary in the Local Plan and is not identified for housing. • The Uttoxeter Neighbourhood Plan is at its later stages and Policy E2 of that Plan seeks to protect the Picknall Valley in indentifying how highly valued the area is bringing the wider landscape setting into the town. • There is no requirement for housing, and therefore in conjunction with the sensitive nature of the location, the planning balance does not favour development of the application site.
5.15	Andrew Griffiths MP	Raises objection in pointing out that <i>“East Staffordshire’s Local Plan has been approved and is now in force. The</i>

	<p><i>(application) site is not included in the Local Plan. The Local Plan also includes a land supply of over five years, and there is no requirement for further houses needed in the borough.</i></p> <p><i>The Uttoxeter Neighbourhood Plan is still developing, but as it has already been out to consultation, it is at an advanced stage, and therefore must carry significant weight in the process. The site is also not included in the Neighbourhood Plan, which in fact specifically intends to protect the Picknall Valley and the greenbelt there.</i></p> <p><i>Given the weight of the existing Local Plan, and the emerging Neighbourhood Plan, it is quite clear that there is no reason for this planning application to go ahead.”</i></p>
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Internal Consultees		Response
5.16	Environmental Health	No objection subject to conditions in relation to contaminated land and soil importation, along with noise mitigation having regard to the adjoining railway line.
5.17	Open Spaces	<p>The developer would be required to provide the following open space typologies for a 45 No. dwelling scheme:-</p> <ul style="list-style-type: none"> • Children's equipped play 31.5sqm2 • Parks & Gardens 1453.4sqm2 • Semi natural green space 315sqm2 • Amenity green space 166.95sqm2 • Allotments 250.65sqm2 • Play pitches 1200sqm2 <p>It is pointed out that given the proximity to Bramshall Road Park that the developer should look to provide open space that is sympathetic to and consistent with this pre-existing open space.</p>
5.18	Environment Manager	No objection; requests a Section 106 to secure the provision of refuse containers (based on £75 per dwelling)
5.19	Planning Policy (Cannock Chase SAC only)	A sum of £230 per dwelling is sought for Cannock Chase SAC mitigation which for a scheme of 45 No. dwellings would be a total of £10,350.

6. Neighbour responses

6.1 Neighbours have been notified of the application and a site notice posted and an advertisement placed in the local newspaper. The period for receipt of comments expired on 23 June 2016. Any further comments received will be reported to committee as an update. Comments have been received from six

No. interested parties raising objections to the scheme for the reasons summarised in the table below:

Neighbour responses	
Principle	<p>The site is outside the limits to development of the Local Plan and is situated within the ‘green belt.’</p> <p>The Local Plan does not allocate the site for housing and is validated by the five year housing land supply available.</p> <p>At the recent appeal case at Highwood in Uttoxeter the Inspector dismissed the scheme as it was outside the limits to development. This site should be similarly refused.</p> <p>The Uttoxeter Neighbourhood Plan, which is now in its final stages, specifically seeks to protect the Picknall Valley from development in emerging Policy E2</p>
Impacts on Amenity	<p>This application does not respect the public open space of Roycroft Lodge.</p> <p>The scheme would exacerbate the existing noise, disturbance, dust and parking problems being caused to residents that are being generated by the Barley Fields development.</p>
Highways Impacts	<p>The scheme would exacerbate the traffic generation in the locality to the detriment of highway safety.</p>
Flood and drainage impacts	<p>Picknall Brook is identified as a potential flood risk and building a further 45 No. dwellings will exacerbate this risk.</p>
Visual Impacts	<p>The proposed development of a greenfield site does not improve the character of the area and it will serve only to destroy farmland in the Picknall Valley.</p>
Other Issues	<p>The application would become an additional ‘drain’ on the town’s resources (school/doctor etc).</p> <p>The types of houses required in the town are affordable rent and starter homes whereas the application scheme would only provide the minimum number of affordable houses.</p> <p>Given the phasing of Barley Fields (Roycroft Farm) there is no need or reason for the applicants to seek planning permission for additional housing land.</p>

	<p>The scheme represents ‘planning creep’ by using the appeal scheme at Barley Fields (Roycroft Farm) to seek to justify a further incursion into the countryside.</p> <p>Approval of the scheme would create a precedent.</p> <p>There is an implication (in the applicant’s submissions) that the Inspector at the previous Roycroft Farm appeal considered this current extension at the Roycroft Farm appeal whereas this was not the case.</p> <p>The fact that the fields in question are land-locked, other than via access through the Roycroft Farm site, is not a relevant planning reason to grant approval to develop them.</p> <p>It is questioned as to whether there has there been no wider local consultation on the application.</p>
<p>Ward Member: Councillor Lynne Shelton</p>	<p>Raises objection as the <i>“the site is outside the limits to development as defined in the Local Plan. The Plan is validated by the 5 year land supply, which ESBC does have and this was actually confirmed by a recalculation as recently as 31st March 2016. There has also been a recent case where an appeal against a ESBC decision not to approve an application was rejected at Highwood in Uttoxeter by the Inspector because it was outside the limits to development. I would ask committee not to approve this application.”</i></p>

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
- SP3: Provision of Homes and Jobs 2012-2031
- SP4 Distribution of Housing Growth 2012 – 2031
- SP8 Development Outside Settlement Boundaries
- SP9 Infrastructure Delivery and Implementation
- SP10 Education Infrastructure

- SP16 Meeting Housing Needs
- SP17 Affordable Housing
- SP18 Residential Development on Exception Sites
- SP23 Green Infrastructure
- SP24 High Quality Design
- SP25 Historic Environment
- SP27 Climate Change, Water Body Management and Flooding
- SP29 Biodiversity and Geodiversity
- SP30 Locally Significant Landscape
- SP31 Green Belt and Strategic Green Gaps
- SP32 Outdoor Sports and Open Space
- SP33 Indoor Sports
- SP34 Health and Wellbeing
- 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
- DP5 Protecting the Historic Environment: All Heritage Assets, Listed Buildings, Conservation Areas and archaeology
- DP6 Protecting the Historic Environment: Other Heritage Assets
- DP7 Pollution and Contamination
- DP8 Tree Protection

Supplementary Planning Documents

Staffordshire Planning for Landscape Change
Housing Choice
East Staffordshire Design Guide
Open Space
Parking Standards

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 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. The following elements guide the development strategy:

- Focus the majority of development at Burton Upon Trent
- Allocate a significant level of development at Uttoxeter
- Identify and support those villages that have a range of essential services and good transport links, including public transport links, to larger towns and their employment areas; and
- Control new development in all other villages and hamlets.

10.4 The application site lies outside the settlement boundary for Uttoxeter and is not an allocated site identified in the Local Plan. Strategic Policy 8 provides guidance and criteria on how to deal with development in the countryside and is therefore relevant in this case. This policy states that outside development boundaries planning permission will not be granted unless it is:

- essential to the support and viability of an existing lawful business or the relation of a new business appropriate in the countryside in terms of type of operation, size and impact and supported by relevant justification for a rural location; or
- providing facilities for the use of the general public or local community close to an existing settlement which is reasonably accessible on foot, by bicycles or by public transport; or
- in accordance with a 'made' Neighbourhood Plan; or
- development under the Rural Exception Sites policy
- Appropriate re-use of Rural Buildings following guidance set out in the Rural Buildings SPD; or
- Infrastructure development where an overriding need for the development to be located in the countryside can be demonstrated; or
- Development necessary to secure a significant improvement to the landscape or the conservation of a feature of acknowledged importance; or
- Provision for renewable energy generation, of a scale and design appropriate to its location
- Otherwise appropriate in the countryside

- 10.5 As a residential development scheme of up to 45 No. dwellings the proposal does not meet any of the exceptions criteria listed in Strategic Policy 8.
- 10.6 In relation to the third criteria of SP8, the Uttoxeter Neighbourhood Plan Regulation 14 stage, which was consulted on during February and March 2016, does not identify the site as a location for housing development. Regulation 14 is an early stage of the neighbourhood Plan making process and as such cannot be afforded significant weight.
- 10.7 In respect of the current submissions it is noted that the applicant's agent cites from the Appeal Inspectors Report in relation to the adjacent Barley Fields development, from which the application site secures access, to conclude that there are similarities between the respective sites and to seek to provide justification for the current proposal in terms of its sustainability and impacts on the landscape (the latter being dealt with in detail below). Essentially, it is the applicant's case that the proposal is a logical extension to the Barley Fields development and that because the current application site and scheme enjoy the same characteristics as the scheme allowed on appeal it must be regarded as sustainable development. However the appeal decision was determined in the absence of an up to date adopted Local Plan and in the absence of a five year land supply of housing. The policy position is now materially different given that the Borough Council has a recently adopted Local Plan in place and is presently able to demonstrate a housing supply of more than 5 years. The balance of the decision making process has fundamentally changed. It is not considered that the NPPF requires permission to be granted contrary to a recently adopted, and therefore up to date, development plan on the basis that the residential scheme in question is considered by the applicants in general terms to be "sustainable".
- 10.8 The NPPF in section 13 states that
- "Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities. Planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise."*
- 10.9 In summary of the principle of the development, the application site is not identified as a location for housing development in the adopted Local Plan. The granting of permission would therefore be contrary to Policies SP2 and SP4 of the Local Plan. In addition Strategic Policy 8 is clear in that development which does not meet the listed criteria will not be permitted.

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 Policy 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 complement 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 As an outline submission, the scheme does not include precise details of the housing layout, the scale and design of dwellings or detailed landscaping proposals. The application has nevertheless, been accompanied by an illustrative scheme and having regard to that submission it is considered that in principle it would be possible in design terms to reflect the density and layout established on the adjoining Barley Fields.
- 11.8 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.
- 11.9 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. The forms part of the 'Needwood & South Derbyshire Claylands' National Character Area and, at county level, is part of the 'settled plateau farmland slopes' landscape character type (LCT), as defined in the Landscape for Change SPG. The characteristic landscape features of this LCT include: hedgerow oak and ash trees; an irregular hedged field pattern; small streams and field ponds and; undulating sloping landform. The LCT notes that despite development pressures the area retains a strong rural character. The landscape character type has unspoilt open qualities and makes a positive contribution to the quality of the local environment.

- 11.10 The draft Uttoxeter Neighbourhood Plan, identifies the Picknall Valley as an area of particular significance within the town due to its linkage with the town centre and value as a community resource. The Neighbourhood Plan seeks to protect and enhance the sensitive landscape setting of Uttoxeter, with particular focus on the preservation of the Picknall Valley, through resisting applications which lead to its fragmentation or loss. Whilst the plan is not yet at a stage where significant weight can be attributed, it demonstrates the importance of the landscape and its value.
- 11.11 As per the Barley Fields scheme the illustrative plan shows that the scheme could incorporate open space on the southern portion of the site adjacent to the Picknall Brook which would provide a buffer between built development and the Picknall Brook. This buffer, along with the retention of hedgerows to the eastern and western boundaries and new tree planting within the northern and southern areas of the site, would to some extent soften the visual impact of the development. However, neither the use of high quality design in the development layout or house types, nor the retention/provision of landscaping features can mask the fact the application proposal would represent an encroachment of urban form into the Picknall Valley, which provides an attractive and valued green wedge at the western periphery of the town. As such the development of this site for a scheme of up to 45 No. dwellings would fundamentally and detrimentally change the rural character of the Picknall Valley contrary to Policies SP1, SP24, SP30 and DP1 of the adopted East Staffordshire Local Plan.

12. Residential Amenity

- 12.1 The National Planning Policy Framework and Policy DP1 and DP3 of the Local Plan seek 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 layout plan, whilst illustrative, indicates that up to 45 No. dwellings could be located around the site in general compliance with the advice given within the East Staffordshire Design Guide. As such dwellings could be accommodated without giving rise to overlooking impacts. It is also considered that the illustrative drawing indicates that development on the application site could be accommodated without unacceptably affecting the amenities of the future occupiers of the neighbouring dwellings being constructed on the Barley Fields scheme. The submissions therefore indicate that the development of the site could in principle accord with Policy DP3 of the East Staffordshire Local Plan.

- 12.3 In respect to the most immediate neighbour at Roycroft Lodge to the north of the site, it is considered that any development could be accommodated on the site without there being adverse impacts on amenity or loss of light. The illustrative plan indicates that open space could be provided in the northern area of the site to provide a buffer between Roycroft Lodge and any dwellings on the application site.
- 12.4 With reference to the Environmental Health Section comments and the recommendation for noise mitigation measures to be installed such as double glazing to protect the amenity of the properties nearest the railway; this could be addressed as conditions of any approval.
- 12.5 In relation to activity, the scheme will generate additional traffic over and above that which would be already generated by the Barley Fields development given the use of the shared vehicular access and roads. It is nevertheless considered that this increased activity and comings and goings would not unacceptably affect the existing amenities enjoyed by the occupiers of existing dwellings in the locality on Bramshall Road or the amenities of the future occupiers of dwellings on Barley Fields.

13. Highway Matters

- 13.1 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.
- 13.2 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.
- 13.3 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.
- 13.4 The application site is proposed to be served off Bramshall Road by way of an extended access drive which continues westwards beyond the existing extent of the approved development for the southern parcel of the 'Barley Fields' site. It is concluded having regard to the comments of the County Highway Authority that the proposal would have a limited impact on the highway network. Further, the scheme would benefit from the highway infrastructure being provided in connection within the Barley Fields scheme including improvements to Bramshall Road including a hatched strip with three flush refuges to replace the existing centre line and a new Zebra crossing between

the western site access and the existing driveway to Roycroft Lodge, and the incorporation of measures to improve pedestrian any cycle access to existing routes. The site would have access along Bramshall Road to the Number 4 Town Circular bus route.

- 13.5 The illustrative plan indicates that the site could accommodate the provision of pedestrian linkages which take pedestrians off the main Bramshall Road into the site via the Barley Fields development and back out again towards the zebra crossing. Given the density of the scheme shown on the illustrative layout it is considered that the site could accommodate parking requirements that would conform to the Borough Council's parking standards.
- 13.6 In terms of the highway access design of the proposal, the Highway Authority raise technical objections to the scheme as presently proposed on the basis that it is not possible to assess the suitability of the site in respect of access requirements given the level of information provided with the application. The Highway Authority have indicated that to address the concern a turning head needs to be provided at the point of the proposed access to the application and it is envisaged that the applicants may well be in a position to provide a revised plan ahead of the Committee meeting. The issue will therefore be subject of further consideration on the update report and if the necessary revised plan is not received the Highway Authority objection will comprise an (additional) reason for refusal.

14. Historic Environment

- 14.1 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.
- 14.2 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.
- 14.3 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.

- 14.4 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.
- 14.5 Detailed Policy 5 goes into more detail regarding Historic Assets, Listed Buildings, Conservation Areas and Archaeology. Detailed Policy 6 aims to protect other heritage assets which are not necessarily covered by listed building or conservation area status, such as shopfronts and the setting of important historic landscapes.
- 14.6 The site is not within a conservation area; with the nearest such designation being the town centre conservation area some 1km away. As such the proposals would have no impact on that conservation area. The nearest listed building is approximately 1km away and therefore the scheme would not affect the setting of any listed building. The statutory duties under Section 66 and under Section 72 are not therefore engaged.
- 14.7 With regard to archaeological value, any approval would require a condition to provide a programme of archaeological investigation in line with the recommendations of Staffordshire County Council.

15. Flood Risk and Drainage

- 15.1 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.
- 15.2 Strategic Policy 27 expects all new development to incorporate Sustainable Drainage Systems (SUDS). 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.
- 15.3 The site lies predominantly within Flood Zone 1, with the exception of the southern part of the site adjacent to Picknall Brook, which lies within Zones 2 and 3. The illustrative layout shows no new dwellings or roads need be accommodated within Zones 2 and 3 to provide up to 45 No. dwellings on the site. The outline application is accompanied by a Flood Risk Assessment which concludes that the site may be susceptible to groundwater flooding which can be mitigated against through setting finished floor levels of buildings 0.15m above ground level. Flood risk from other sources is not assessed to be significant. Safe and dry access and egress will be provided via Bramshall Road, which is located within Flood Zone 1. The Environment Agency have accordingly raised no objections in principle to any scheme subject to the detailed scheme being proposed in line with the Flood Risk Assessment. The Lead Local Flood Authority have similarly raised no objections in principle.

15.4 The illustrative plans submissions indicate that the application site could accommodate an attenuation pond in relation to the provision of a Sustainable Urban Drainage System (SUDS) as per the development proposed for the adjoining Barley Fields site. A detailed scheme would be subject to a condition of any outline approval and details for its management secured via a Section 106.

16. Affordable Housing and Housing Mix

16.1 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.

16.2 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.

16.3 The Housing Choice SPD expects the following housing mix:

	Uttoxeter
1-bedroom homes (flats, houses or bungalows)	3%
2-bedroom homes (flats, houses or bungalows)	20%
Housing for Older People**	10%
2-bedroom houses	8%
3-bedroom houses	30%
4-bedroom houses	20%
5-bedroom houses	9%

16.4 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.

16.5 Strategic Policy 17 states that housing-led residential development that will provide 4 or more dwellings or on a site of 0.14 hectares or more shall provide up to 40% of affordable housing. The policy states the following percentages:

- On previously developed land within the built up areas of Burton and Uttoxeter; 25%
- On greenfield sites within and on the edge of Burton and Uttoxeter; 33%
- On other land; 40%

- 16.6 Policy SP17 states that affordable housing provision should be delivered across the site and not in clusters of more than 8 dwellings.
- 16.7 The Housing Choice SPD provides guidance on the expected affordable housing mix of sites.
- 16.8 As an outline scheme the details of the housing mix are not detailed at this stage, although a condition of any outline approval could specify a mix to be brought forward in a reserved matters scheme. The applicants have indicated their acceptance to meeting the necessary provision of affordable housing by means of a Section 106. A condition of any outline approval could also specify a requirement of dwellings to meet M4 (2) building regulations.

17. Green Infrastructure

- 17.1 The National Planning Practice Guidance is clear that green infrastructure is important to the delivery of high quality sustainable development, alongside other forms of infrastructure such as transport, energy, waste and water. Green infrastructure provides multiple benefits, notably ecosystem services, at a range of scales, derived from natural systems and processes, for the individual, for society, the economy and the environment. To ensure that these benefits are delivered, green infrastructure must be well-planned, designed and maintained. Green infrastructure should, therefore, be a key consideration planning decisions where relevant.
- 17.2 Strategic Policy 23 states that development should contribute towards the creation, enhancement or ongoing management of a series of local green infrastructure corridors. The policy lists 10 standards green infrastructure is expected to meet
- 17.3 Whilst the application is in outline form it is considered that the Illustrative Plan demonstrates that the open space adjacent to the Picknall Brook would enable the linear green corridor that is a feature of the southern parcel of the Barley Fields development to be extended westwards into the application site. This area, along with the northern area, and boundaries would potentially provide opportunities for increased tree planting in relation to being secured by condition of any approval.

18. Biodiversity

- 18.1 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.
- 18.2 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.
- 18.3 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.

- 18.4 The Ecological Assessment, and associated species surveys, demonstrates that the scheme could be progressed without adverse impacts on protected species. The illustrative plan indicates that there are opportunities as part of any development to provide for enhancement of existing hedgerows and additional tree planting. The development would have no detrimental impact on the Cannock Chase Site of Special Scientific Interest (SSSI).
- 18.5 The site is located within the 15km catchment area of the Cannock Chase Special Area of Conservation (SAC) and as such the development could have the potential impact upon the SAC by way of increasing the recreational pressure to the site. The application site is not an allocation in the Local Plan and as such its impacts have not been considered as part of the Habitat Regulations Assessments for the Local Plan. The SAC mitigation arrangements have been drawn up with regard to the planned number of new homes in all partner authorities' local plans as part of the 'in combination' test. The proposed development exceeds the number of homes in the local plan. As a result uncertainty exists over the capability of the Cannock Chase SAC mitigation arrangements to avoid and mitigate the effects of the additional housing proposed in this application i.e. 45 dwellings have not been factored into the Cannock Chase SAC mitigation regime.
- 18.6 Through work of the Local Authority Partnership a list of projects have been costed to offset the impacts from increased visitor use on the SAC as a result of increased housing. Through this work the costed projects have been proportioned out to authorities based on the percentage of housing in each authorities Local Plans to draft an initial charge. Based on the level of development in the plan it is estimated that within the 0-8km zone within East Staffordshire an amount of £230 per dwelling would meet the contribution towards mitigation costs. The Borough Council would seek to secure such sums by means of Section 106.

19. Open space

- 19.1 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.
- 19.2 Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.
- 19.3 SP32 and SP33 set out the requirements of open space provision across the Borough.
- 19.4 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.

- 19.5 Developers should provide open space to the local standard identified for the area. Local Standards are identified in the Local Plan Supplementary Planning Document
- 19.6 The illustrative plans indicates that a residential development scheme of 45 No. dwellings could in principle meet all of the open space provisions necessary for the scheme to be compliant with the Open Spaces SPD. There is an allocation of open space within the northern and southern area of the site. The majority of the open space is indicated to be located within the southern of the proposed development site. By locating the majority of the open space to the south of site there is potential for people to access the similar open space in the Barley Fields site and henceforth into the Bramshall Road Public Park. Any requirements for Indoor Sports provision will be addressed in the update sheet.

20. Education

- 20.1 There is a need for education facility provision in East Staffordshire, particularly at Burton Upon Trent and Uttoxeter. 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.
- 20.2 Staffordshire County Council indicates that the development would fall within the catchment areas of Picknalls First School, Oldfields Hall Middle School and Thomas Alleyne's High School and comment that the education contribution would be as follows;
- First School places (10 x £11,031 = £110,310),
 - Middle School places (5 x £13,827 = £69,135) and
 - High School places (4 x £16,622 = £66,488).

This gives a total request of £245,933 based on up to 45 market houses, although the final calculated sum, which would be secured by way of a Section 106, would need to take into account affordable housing provision on the site.

21. Section 106 Contributions

- 21.1 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.
- 21.2 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.

21.3 The following contributions set out below would be sought were planning permission to be approved for the scheme:

Item	Planning Obligation	Cost (where applicable)
Education	Primary, secondary and sixth form provision* First School places (10 x £11,031 = £110,310), Middle School places (5 x £13,827 = £69,135) and High School places (4 x £16,622 = £66,488). (* figures to be finalised taking into account the number of RSI dwellings)	£245,933*
Refuse Containers	Contribution to provide refuse storage containers at £75 per dwelling	£3,375
Open space	The developer would be required to provide the following by way of on-site/off-site provision:- <ul style="list-style-type: none"> • Children's equipped play 31.5sqm2 • Parks & Gardens 1453.4sqm2 • Semi natural green space 315sqm2 • Amenity green space 166.95sqm2 • Allotments 250.65sqm2 • Play pitches 1200sqm2 	
Affordable Housing	33 % provision required but details of the on site and off site contribution would be resolved by way of an reserved matters submission.	
Cannock Chase SAC Mitigation	Sum of £230 per dwelling for mitigation measures	£10,350

22. Conclusions

22.1 The proposed development would be located on a greenfield site outside the settlement boundary for Uttoxeter as defined in the adopted East Staffordshire Local Plan and would constitute an unwarranted and unjustified encroachment of urban form into the Picknall Valley to the visual detriment of this attractive and valued landscape to the western periphery of the town. The proposed development would therefore be contrary to Policies SP1, SP2, SP4, SP8, SP24, SP30 and DP1 of the adopted East Staffordshire Local Plan and there are no material factors which would outweigh a refusal of the application in line with the adopted and up to date Development Plan policies.

23. RECOMMENDATION

23.1 The application is recommended for **REFUSAL** for the following reasons :-

1. The National Planning Policy Framework sets out a presumption in favour of sustainable development. It also re-emphasises in Section 17 that planning should be genuinely plan-led and in Section 14 that the starting point for decision-making is the development plan, and that where proposed development accords with an up to-date plan it should be approved, and where it does not accord with the plan it should be refused unless material considerations indicate otherwise. The East Staffordshire Local Plan has been recently adopted (in October 2015) and its housing supply policies seek to promote sustainable development and to protect the character and appearance of the countryside. The Local Plan sets out in Strategic Policies 2 and 4 a development strategy directing growth to the most sustainable places. Strategic Policy 4 also sets out a development requirement for the main towns (Burton and Uttoxeter), expected to take place within the settlement boundary. These aims are consistent with the National Planning Policy Framework. Furthermore, the Local Planning Authority can demonstrate 5.72 years of supply for housing development. The application site lies outside of the settlement boundary for Uttoxeter as defined within the adopted Local Plan. Strategic Policy 8 of the Local Plan states that development outside settlement boundaries will not be permitted unless it is essential to rural business, development providing an accessible public facility, development according with a made Neighbourhood Plan, development according with the Rural Exception Sites Policy or development otherwise appropriate in the open countryside. The proposed development does not accord with any of the above criteria but would rather represent an unwarranted and unjustified intrusion of urban form into the open countryside, to the detriment of its rural character, contrary to Policies SP2, SP4 and SP8 of East Staffordshire Local Plan.

2. Policies SP1, SP24, SP30 and DP1 of the adopted East Staffordshire Local Plan indicate that planning permission will only be granted for proposals that relate well in design terms to their surroundings/wider landscape. Paragraph 109 of the NPPF expands upon these aims with specific reference to landscape character. It states that the planning system should contribute to the natural and local environment by protecting and enhancing valued landscapes. The proposed development constitutes an encroachment of urban form into the Picknall Valley, which provides an attractive and valued green wedge to the western periphery of the town. The proposed development would fundamentally and detrimentally change the rural character of the Picknall Valley contrary to Policies SP1, SP24, SP30 and DP1 of the adopted East Staffordshire Local Plan.

24. Background papers

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

- All papers on the file for Outline Planning Application Ref P/2016/00582 including all documents listed in Section 4 of this report.
- All papers on the file for Outline Planning Application ref: P/2013/01287 along with the associated appeal documentation (PINS ref: APP/B3410/A/14/2218974)
- All papers on the file for Reserved Matters Approval ref: P/2015/01283.

25. Human Rights Act 1998

25.1 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.

26. Crime and Disorder Implications

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

27. Equalities Act 2010

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

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Appendix 1 illustrative layout

