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<b>Agenda Item:</b>	5.4
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<b>Site:</b>	Land At Bondfield Lane, Yoxall, Staffordshire
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<b>Proposal:</b>	Outline application for residential development for up to 35 dwellings including means of access with some matters reserved.
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### **Report of Head of Service (Section 151 Officer)**

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

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### **Hyperlink to Application Details**

<b>Application Number:</b>	P/2016/00712	
<b>Planning Officer:</b>	Rob Duckworth	
<b>Type of Application:</b>	Outline Planning Application	
<b>Applicant:</b>	Walton Homes Limited	
<b>Ward:</b>	Yoxall	
<b>Ward Member:</b>	Councillor A Johnson	
<b>Date Registered:</b>	15.06.2016	
<b>Date Expires:</b>	13.09.2016	

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## **1. Executive Summary**

- 1.1 The application site consists of 1.4ha of existing farmland to the south west of Yoxall bound by the A515 to the east and Bondfield Lane to the north.
- 1.2 The application is submitted in outline only and proposes the erection of up to 35 dwellings. The application is supported by a plan showing an indicative layout, including 32 dwellings, open space and landscaping. Means of access from Bondfield Lane are also part of the application.
- 1.3 This application is identical to that previously refused. The application description was 'Outline application for residential development for up to 35 dwellings including means of access with some matters reserved' which is the same as this application. This was refused at Committee in July 2015 with the reason

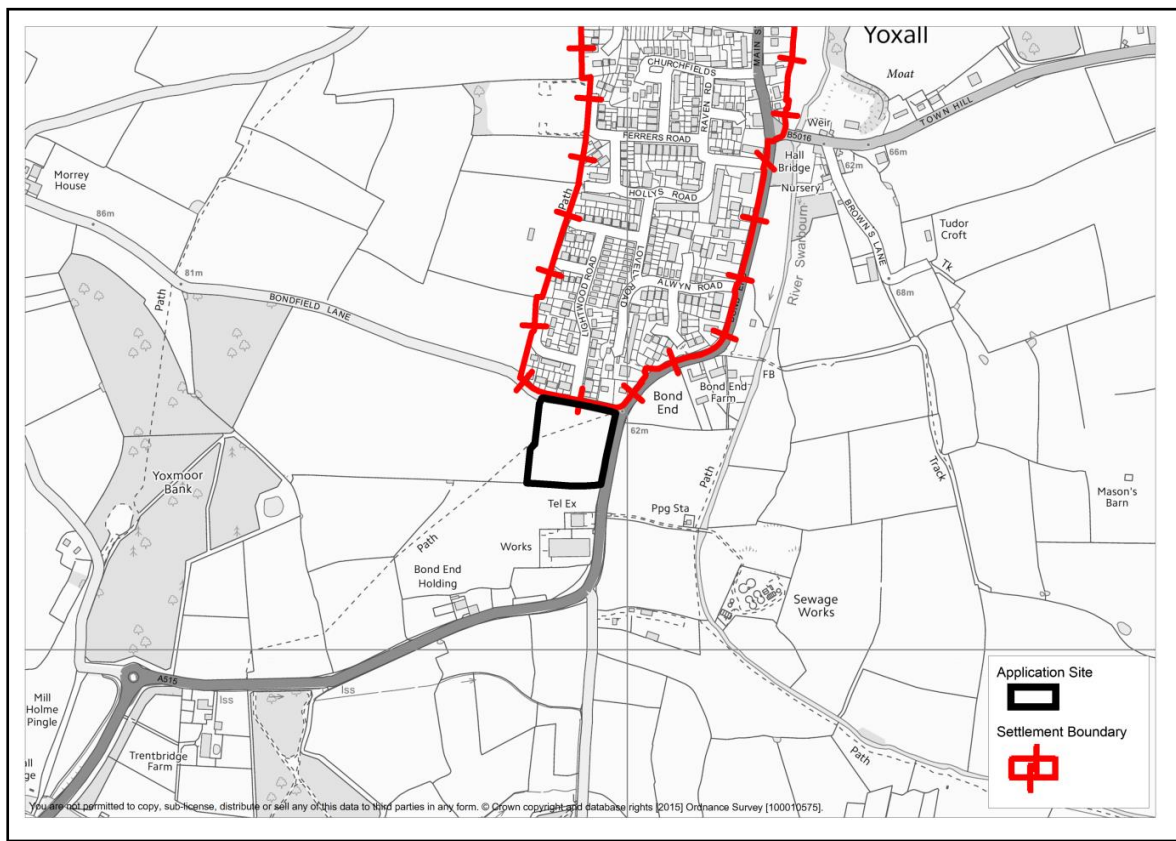
being:

‘The location is not identified as a location for housing development in the examined Local Plan. The granting of permission would be contrary to SP2 and SP4 of the examined Local Plan and H2 of the Referendum Yoxall Neighbourhood Plan. Both plans have reached such a stage where they can be attributed substantial weight and outweigh the presumption in favour of sustainable development accorded by the NPPF.’

- 1.4 The site falls outside of the designated development boundary for Yoxall in both the adopted and submission local plans.
- 1.5 Neighbours have been notified of the application and a site notice posted. Objections have been received from 81 interested parties. No objections have been received from statutory consultees.
- 1.6 The development brings some economic and social benefits in terms of the provision of housing and through Section 106 contributions that could be secured from the development; however the proposal is contrary to the Local Plan and the ‘Made’ Yoxall Neighbourhood Plan.

**Members are advised that the above is a brief summary of the proposal 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 1.4 hectares of land located to the southern end of the village of Yoxall, within the area known as Bond End. The site comprises an agricultural field currently used for grazing.
- 2.2 The site is bound to the north by Bondfield Lane and to the east by the A515. To the north of Bondfield Lane there is substantial residential development. To the south and west the site is bound by agricultural fields.
- 2.3 The application site is largely flat and there are a number of landscape features within the site, including hedgerows and hedgerow trees that add to the edge of village, rural character of the site.
- 2.4 The site lies outside of the Yoxall Development Boundary as defined by the Local Plan and it is also not a strategic allocation site for housing. The site is also not allocated within the Yoxall Neighbourhood Development Plan.

## 3. Planning history

- 3.1 P/2015/00512 - Outline application for residential development for up to 35 dwellings including means of access with some matters reserved. Refused at Committee in July 2015.
- 3.2 Reason for refusal:

*The location is not identified as a location for housing development in the examined Local Plan. The granting of permission would be contrary to SP2 and SP4 of the examined Local Plan and H2 of the Referendum Yoxall Neighbourhood Plan. Both plans have reached such a stage where they can be attributed substantial weight and outweigh the presumption in favour of sustainable development accorded by the NPPF.*

#### **4. The proposal**

- 4.1 The application is submitted in outline for the erection of up to 35 dwellings including details of the means of access. All other matters are reserved for later approval.
- 4.2 The dwellings will be served via a new vehicular access that is proposed to be formed off Bondfield Lane.

#### List of supporting documentation

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

- Affordable Housing Statement
- Application Form
- Archaeological Desk Based Heritage Assessment
- Covering letter
- Flood Risk Assessment
- Great Crested Newt Survey
- Heritage Statement
- Illustrative Layout Plan
- Location Plan
- Phase 1 Desk Study
- Planning, Design and Access Statement
- Preliminary Ecological Appraisal including Great Crested Newt Scoping Survey
- Preliminary Site Investigation Report
- Proposed Site Access
- Severn Trent Response
- Site Detail and Level Survey
- Statement of Community Involvement
- Transport Statement
- Tree Survey

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

#### **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	Yoxall Parish Council	<p>Yoxall PC object to the Walton Homes app P/2016/00712 for the following reasons:</p> <ol style="list-style-type: none"> <li>1/ The scheme is contrary to the Neighbourhood plan and adopted ESBC Local Plan</li> <li>2/ Bondfield lane is a narrow lane incapable of taking significantly more traffic</li> <li>3/ The scheme uses up valuable established open countryside</li> <li>4/ the scheme has no environmental merits whatsoever and will impact on the local conservation area</li> <li>5/ The scheme delivers nothing in terms of tangible benefits to the village and its facilities.</li> <li>6, Local healthcare services at the surgery are already operating at capacity</li> <li>7/ Similarly the school is at capacity and SCC cannot give any guarantees that the education tariff would be spent on the Yoxall school.</li> </ol> <p>There has been no consultation with the community so how do these developers justify their claims of fully understanding local needs</p>
5.3	SCC Highways	<p>No objections subject to the submission and approval of a Construction Management Plan and details of the access and widening works to Bondfield Lane.</p> <p>Condition requiring garages to be retained for the parking of motor vehicles and cycles.</p>
5.4	SCC Education	<p>No objection</p> <p>The development falls within the catchments of St Peters CE (VE) Primary School and John Taylor High School, which are both projected to be full for the foreseeable future.</p> <p>The development could add 7 pupils of primary school age, 5 secondary school pupils and 1 post-16 student.</p> <p>The amount requested to mitigate the impact of this scheme is £101,137.</p>
5.5	SCC Flood Risk Team	No objection

5.6	SCC Rights of Way	<p>Public Footpath No 59 Yoxall crosses the site and must remain open and free from obstruction during construction and following completion of the development. If the footpath needs to be diverted or temporarily closed then an application to gain consent for such actions will need to be submitted and approved by Staffordshire County Council.</p> <p>Pedestrian and vehicular conflict needs to be taken into consideration and provision made for the safe passage for pedestrians using the footpath.</p>
5.7	SCC Archaeology	<p>Require a condition securing a written scheme of investigation securing the implementation of a programme of work for the purposes of an archaeological watching brief has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The development should be carried out in accordance with the above investigation.</p> <p>Reference is made to the presence of the public footpath crossing the site and the procedures to be followed should the route of the path need to be diverted as a result of the development.</p>
5.8	Environment Agency	No objection
5.9	Severn Trent Water	No objections subject to a condition in relation to foul and surface water drainage.
5.10	Ramblers Association	No objections provided that the footpath remains open and free from obstruction and is incorporated within the development appropriately within green corridors and open spaces where possible.
5.11	The National Forest	<p>No objections provided a contribution: Local Plan Strategic Policy 26 requires development of this size to provide 0.28ha of woodland planting and landscaping or a financial contribution of £5,600.</p> <p>A condition is recommended to secure street tree planting, the use of timber in the construction of the buildings and the use of green technologies within the development in accordance with Emerging Local Plan Strategic Policy 24.</p>

		The route of the public footpath should be clearly demarcated through the use of different surface materials and should be separated from the roads by way of landscaped verges.
5.12	Architectural Liaison Officer	No objection

Internal Consultees		Response
5.13	Environmental Health	No objection, but requests a condition relating to contaminated land and imported soils.
5.14	Housing Strategy	<p>The scheme is outside of the settlement boundary of Yoxall and as set out in the Housing Choice SPD an application should be supported by evidence of need. The application is not supported by evidence of need.</p> <p>As set out in Policy SP16 and the Housing Choice SPD a scheme of 35 dwellings should provide 14 affordable houses. The onsite provision should be determined by local evidence and this could be prepared for a reserved matters application.</p> <p>The housing mix should be supported by evidence on local needs at the reserved matters stage.</p>
5.15	Open Spaces	<p>The developer is required to provide the following open spaces typologies for a 35 home development in Yoxall.</p> <p>Play pitches 1600sqm2  Children play area 40.6sqm2  Parks and Gardens 105.7sqm2  Semi-natural green space 2394sqm2  Amenity green space 1039.5sqm2  Allotments 276.15sqm2  Total 0.55ha</p> <p>SUDS etc should not be included in any calculation for the total provision of open space. Under provision in certain typologies of open space can be offset with over provision in others to achieve the desired total. There appears to be no reference to the total amount of open space provided.</p>

		Additionally, the position of the proposed open space needs to be rethought. The open space should be more central to the development and away from the A515.
5.16	Environment Manager	No objection, requests a Section 106 obligation to secure the provision of refuse containers: £2,625

## 6. Neighbour responses

6.1 81 objections were received (compared to 53 on previous application).

Neighbour responses	
Principle	<p>Contrary to the aspirations of the Neighbourhood Plan.</p> <p>The allocation of 40 homes within the village has been approved on Leafields Farm.</p> <p>Contrary to the Emerging Local Plan.</p> <p>Outside of the village development boundary.</p> <p>Unsustainable development</p> <p>The site was considered when writing the Neighbourhood Plan but was not considered favourable.</p> <p>Impact upon adjacent conservation area.</p> <p>There is no identified need for the tenure of housing proposed in the village.</p>
Impacts on Amenity	<p>Impact upon the public footpath</p> <p>Loss of open views across the countryside</p> <p>The scheme does not provide any community facilities to contribute to village life.</p>
Highways Impacts	<p>The lane from which the development is to be accessed is not suitable for additional traffic</p> <p>A roundabout should be installed to serve the development to manage the traffic.</p> <p>Poor public transport links.</p> <p>Footpaths should be provided on both sides of the widened road to allow for safe pedestrian access.</p> <p>The development should contribute to a wider scheme of traffic calming measures within the village.</p>
Flood and drainage impacts	<p>The foul and surface water drainage systems do not have the capacity to support the development.</p> <p>Flood risk – local flooding hotspots have not been considered sufficiently.</p>



	<p>Impact upon the public footpath</p> <p>Lack of employment in the vicinity to support further growth within the village.</p> <p>The school and services are already at capacity and further development will inflict further pressure.</p> <p>The scheme does not provide any community facilities to contribute to village life.</p>
Environmental impacts	<p>Impact on air quality and additional noise and disturbance.</p> <p>Unsustainable development</p> <p>Loss of tree and hedgerow to the detriment of the area. Trees should be issued with preservation orders to ensure they are retained if healthy.</p> <p>Loss of quality agricultural land.</p> <p>Landscape impact.</p> <p>Ecological impact – loss of habitat.</p> <p>Impact upon adjacent conservation area.</p>
Ward Member	No response received.

## 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
- SP23 Green Infrastructure
- SP24 High Quality Design
- SP25 Historic Environment
- SP26 National Forest
- SP27 Climate Change, Water Body Management and Flooding

- SP28 Renewable and Low Carbon Energy Generation
- SP29 Biodiversity and Geodiversity
- SP30 Locally Significant Landscape
- SP32 Outdoor Sports and Open Space
- 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

#### Yoxall 'Made' Neighbourhood Plan

- H2 – Housing Development Outside Yoxall Development Boundary
- D1 – Protecting and Enhancing the Historic Rural Character of Yoxall
- D2 – Design of New Development
- T1 – Transport Considerations
- RE1 – Flood Risk
- RE2 – Green Infrastructure

#### Supplementary Planning Documents/Guidance

- East Staffordshire Design Guide
- Parking Standards
- Housing Choice
- Waste Storage and Collection Guidance for New Development
- Draft Yoxall Conservation Area Appraisal
- Yoxall Village Design Guide
- Community Infrastructure Levy (CIL) Regulations 2010

### **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 Local Plan and ‘Made’ Neighbourhood 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 Local Plan in Strategic Policy 5 allocates new employment development on Sustainable Urban Extensions and on sites at Burton Upon Trent and Uttoxeter. Strategic Policy 14 states that within Tier 1 and Tier 2 settlement boundaries and rural industrial estate boundaries employment development will be approved subject to meeting policies in the plan as a whole. Strategic Policy 13 aims to protect existing employment uses and refers to the Employment land review as

a key source of evidence in both evaluating the need for new employment sites and listing those sites which should be retained as employment use within the Borough.

- 10.5 The plan identifies a number of sustainable urban extensions which are expected to meet a variety of principles set out in Strategic Policy 7.
- 10.6 Policies SP20 and SP21 aim to see new leisure and retail uses be delivered within the town centres of Burton Upon Trent and Uttoxeter with existing town centre uses protected where this would affect the viability.
- 10.7 Strategic Policy 8 provides guidance and criteria on how to deal with development in the countryside and is relevant in this case. This policy states that outside development boundaries planning permission will not be granted unless:
- 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
- 10.8 The site is located outside the development boundaries for the Local Plan and the Yoxall Neighbourhood Plan. The application site is outside the settlement boundary for Yoxall and as such does not conform to the strategy proposed in the Local Plan nor the Yoxall Neighbourhood Plan.
- 10.9 Strategic Policy 4 identifies that Yoxall, a tier 2 village (due to it offering a limited range of services and facilities), has an allocation of 40 dwellings. The Neighbourhood Plan acknowledges the need to accommodate this level of provision within Strategic Aims 1 and 2, which identify that the village will meet its strategic allowance, through permitting the development of a Greenfield site, whilst also seeking to deliver over and above this figure, an additional 20 windfall

dwellings within the Yoxall development boundary. As such the Plan complies with the abovementioned paragraph.

- 10.10 Strategic Policy 8 of the Local Plan is to be fully considered as the site lies outside the settlement boundary of Yoxall. As submitted there is not sufficient justification for the proposal to be considered acceptable against any of the criteria as listed above and is, therefore, contrary to the policy and the Local Plan.
- 10.11 Section 4 of the YNDP identifies the three potential sites which were considered and appraised which could accommodate the strategic housing allowance required for the village, which were Leafields Farm, Bond End and the application site, land at Bondfield Lane. In January 2013 the Yoxall Neighbourhood Development Plan Steering Group evaluated the three possible sites using eleven criteria derived from the issues raised in the questionnaire responses from the local community, e.g. fulfils the housing growth requirement, proximity to village amenities, outside the flood plain, etc. Appendix D of the plan provides details of the site selection process.
- 10.12 The three potential sites were scored using a traffic light scoring system. The results showed that Leafields Farm satisfied 8 criteria and partially satisfied one criterion (8 green and one orange). Bondfield Lane satisfied 5 criteria and partially satisfied 4 criteria (5 green and 4 orange). Bond End Farm satisfied 2 criteria and partially satisfied 5 criteria (2 green and 5 orange).
- 10.13 An application to develop Leafields Farm was submitted to the Borough Council in January 2014 (reference P/2014/00039) for an 'Outline application for the erection of up to 40 dwellings including means of access with all other matters reserved'. A decision to conditionally approve the scheme was made on 02/10/2014. In November 2015 the reserved matters application for 35 houses at the Leafields Farm Site was approved (reference P/2015/00818). The allocated site as set out on Map 4a in the Neighbourhood Plan is larger than the reserved matters application and therefore there is scope within the allocation for further dwellings to meet the development requirement of 40 dwellings. To accord with the policies any other developments would need to be 'windfall sites' within the development boundary or exceptionally justified in terms of need outside the settlement boundary.
- 10.14 The site is not located within the development boundary for Yoxall, as identified within illustration 4A of the Neighbourhood Plan. It therefore follows the scheme cannot be considered against the requirements of YNDP Policy H1, which relates to residential development within the development boundary and it falls for the application to be determined in accordance with YNDP Policy H2, which provides allowances for housing outside of the development boundary. The policy states that;

Housing development proposals outside the Settlement Boundary will be permitted if it can be demonstrated that:

- a) the development is on a small site and would provide affordable housing for evidenced local need. Small numbers of market homes may be permitted where this is essential to enable the delivery of affordable units, and
- b) the development preserves or enhances the character or appearance of the area, and
- c) where relevant, the development brings redundant or vacant historic buildings back into beneficial re-use.

10.15 The proposal of 35 dwellings is considerable in relation to the Neighbourhood Plan where the development strategy is based on delivering 40 dwellings on one site allocation and 20 dwellings on windfall sites within the settlement boundary over the plan period 2012 – 2031. The proposal is in effect an extra 58% of housing to the strategy. Whilst the scheme will provide affordable housing, it is evident that the scheme is not predominately an affordable housing development and as such does not meet the policy. The impact on the character of the area is considered within this report and not concluded here. In relation to the final criteria of the policy, the proposal does not involve the reuse of land or buildings and as such fails to comply with this Policy. Overall the proposal is contrary to the requirements of the YNDP.

## **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 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 Strategic Aim 3 of the YNDP seeks to ensure that all new developments are well designed and therefore integrate successfully into the character of the village. How to achieve this aim through good design principles is outlined in Policy D2.

11.8 The Yoxall Village Design Statement provides guidance on the suitable siting for dwellings along historic routes through the village. The A515 is the main street that runs through the middle of the community and there are several listed buildings nearby ensuring this guidance is pertinent to this development. The document states that “*redevelopment in older streets need to maintain the continuity of the street edge and avoid creating gaps*”, whilst also advising that “*towards the outskirts of the village, grass verges are an important feature*”. In addition this document also states that new development should avoid bringing a suburban feel to the street scene.

11.9 The site lies to the south west of the Yoxall Conservation Area with the north east corner of the development immediately adjacent to the conservation area boundary. Paragraph 126 of the National Planning Policy Framework states that Local Planning Authorities should recognise that heritage assets are an irreplaceable resource and should seek to conserve them in a manner appropriate to their significance.



11.10 The application for development is submitted in outline with all matters, except access, reserved for subsequent approval. However, the following plans and documents have been submitted to set out how the site may accommodate the level of development proposed:-

- An illustrative layout plan
- A Planning, Design and Access Statement

11.11 The area surrounding the application site is predominantly agricultural land on the rural southern edge of the village with a 1970s residential estate immediately to the north of the site.

11.12 The illustrative layout shows a development of up to 35 dwellings served via a new access road off Bondfield Lane. However the application is for up to 35 dwellings which would give a low density of **25** dwellings per hectare gross. Dwellings are arranged around the new access roads, with an area of open space in the north east corner of the site. The public footpath that crosses the site is also annotated.

11.13 The layout of the site also raises a further issue for consideration. Firstly, given the location of the site to the edge of the village, the proposal will have a negative impact upon the landscape character of Yoxall, especially when travelling along the A515 from the south. However, given the low level of the land and sweep of the prevailing road network, this harm is localised and subject to the use of a good layout and design, will not amount to a significant impact.

11.14 The indicative scheme does not present a strong frontage to the A515, and instead retains a landscaping buffer incorporating existing hedgerow and trees on the eastern boundary. As noted above, the scheme is submitted in outline with all matters reserved with the exception of the access arrangements for later approval, however the illustrative layout shows the site is of a shape and scale conducive to accommodating the level of development proposed, and on balance it is considered that, subject to the submission of appropriate reserved matters, up to 35 dwellings can satisfactorily be accommodated on the site whilst preserving the character of the area and the adjacent Conservation Area. The statutory duty under Section 72 set out in section 15 below is therefore considered to be complied with.

## **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 Whilst an indicative layout has been submitted, details of the design and position of windows of the proposed dwellings have not been included at this stage, however, the illustrative layout plan and Design and Access Statement

demonstrate that there is sufficient space within the site to accommodate the number of dwellings proposed.

- 12.3 The proposal is likely to lead to an element of additional noise and disturbance through increased activity and comings and goings, however, it is not considered that this would unacceptably affect the amenities enjoyed by the occupiers of neighbouring dwellings to the north.
- 12.4 The key elements of residential amenity will be fully considered at reserved matters stage, however at this stage the submitted information is considered sufficient to show that the site can be adequately developed for the purposes applied for without being detrimental to the amenities of neighbouring residents, whilst providing acceptable living conditions for future residents. It is therefore considered that the proposal satisfactorily accords with the aforementioned policy and would meet the sustainability requirements of the NPPF by providing acceptable living conditions for both new and existing residents.

### **13. Sustainability (energy efficiency and low carbon)**

13.1 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;

13.2 The proposal is in outline only so specific details regarding sustainability would come via a reserved matters application if approved. It is quite reasonable to presume that the dwellings could be sustainably constructed and energy efficient based on current national targets and requirements of the building trade.

#### **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 The application proposes a single point of access to serve up to 35 dwellings. The new vehicular access would be located off Bondfield Lane between the junction of Lightwood Road and the A515.

14.5 Whilst it is noted that there have been a number of concerns raised regarding the suitability of the site chosen for the access, its location and the visibility splays available to it have been assessed by Staffordshire County Council Highways and determined to be acceptable, subject to suitably worded conditions requiring a construction management plan, further details of the works to widen Bondfield Lane, and the provision of parking spaces within the development. Taking this response into account, it is not considered that the proposal would prejudice the safe or efficient use of the highway network.

14.6 The site is served by an existing pavement/footpath which extends into the centre of the village to allow for safe pedestrian access from the site to local services.

## **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 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.

15.6 The application is accompanied by an archaeological assessment which concludes that there are no designated archaeological heritage assets within the study site and moderate potential for archaeological remains. However the development must address the adjacent conservation area to the north east of the site, and, if permitted, will be an important consideration at reserved matters

stage. Subject to the archaeological assessment condition recommended by the County Council, it is not considered that the proposal would unacceptably affect archaeological or heritage interests in the area.

- 15.7 The closest listed buildings are 20 Swarbourne Close 50m away and Bond End Farm 155m away. Yoxall Conservation Area adjoins the site along its north-eastern edge. There is little inter-visibility between the two listed buildings and the site so given these separation distances and the form of existing built development, if permitted, the development would not result in impacts that would affect the heritage assets and therefore the statutory duty under Section 66 would not be engaged.
- 15.8 The Conservation Area will be directly affected based on its immediate location but if permitted the potential design and layout of the buildings via a Reserved Matters Application could be of a sufficiently high quality to not have a detrimental impact and therefore the statutory duty under Section 72 could be complied with.

## **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). 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 Staffordshire County Council's Flood Risk Officer had raised concerns regarding the surface water discharge from the site and considers insufficient information had been submitted to address this issue in the submitted documentation. However this issue has now been resolved between the applicant and the Flood Risk Officer with further detail to be provided in an update to this report.

## **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 Local Plan 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 Councils evidence base or other evidence, including Housing for Older People'*. Yoxall is a Tier 2 settlement and therefore this paragraph of the policy does not apply. It is the second paragraph which is relevant for Yoxall which states *'Residential development elsewhere shall provide a dwelling or mix of dwellings to best meet local need according to a local housing needs survey or where applicable the Councils evidence base'*.
- 17.3 As part of the preparation of the Neighbourhood Plan, the Neighbourhood group sent a questionnaire relating to housing needs to residents. The results lead to criteria 5 of policy D2: Design of New Development which states development *MUST provide a mix of housing types and tenures that suit local housing needs, including housing suitable for older persons as appropriate*. Whilst the application is in outline only the planning statement sets out the homes would be 'family homes' with a potential mix of 2, 3, 4 and some 5 bedroom dwellings.
- 17.4 The applicant has not demonstrated how the proposal meets the needs of the settlement nor has any housing needs survey been carried out to justify the potential mix proposed.
- 17.5 The affordable housing provision and contributions will be resolved through the S106 should the proposal be approved as noted in the submitted Affordable Housing Statement. The mix of house types will be resolved through the reserved matters application should the proposal be approved.

## **18. Green Infrastructure and National Forest**

- 18.1 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.
- 18.2 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

- 18.3 The proposal involves the inclusion of the existing public footpath which currently crosses the site. Its inclusion allows for a diagonal strip of more open space running through the development. There is some basic landscaping proposed including an amenity space to the north east corner of the site but there is no strategic green infrastructure contribution as part of the development nor does it affect existing GI corridors.
- 18.4 Strategic Policy 26 supports the National Forest Strategy expects developments within the National Forest to contribute towards the creating of the Forest by providing on-site or nearby landscaping that meets the National Forest planting guidelines.
- 18.5 The site does fall within the National Forest Area and contributions have been sought via S.106 of £5,600 based on 0.28ha required to mitigate the development.

## **19. Landscape**

- 19.1 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.
- 19.2 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.
- 19.3 Given the location of the site to the edge of the village, the proposal will have a negative impact upon the landscape character of Yoxall, especially when travelling along the A515 from the south. However, given the low level of the land and sweep of the prevailing road network, this harm is localised and subject to the use of a good layout and design, will not amount to a significant impact.
- 19.4 The indicative scheme does not present a strong frontage to the A515, and instead retains a landscaping buffer incorporating existing hedgerow and trees on the eastern boundary. As noted above, the scheme is submitted in outline with all matters reserved with the exception of the access arrangements for later approval, however the illustrative layout shows the site is of a shape and scale conducive to accommodating the level of development proposed, and on balance it is considered that, subject to the submission of appropriate reserved matters, up to 35 dwellings can satisfactorily be accommodated on the site whilst preserving the character of the area and surrounding landscape.

## **20. Biodiversity**

- 20.1 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.
- 20.2 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.
- 20.3 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.
- 20.4 The application is accompanied by an Ecological Appraisal and Great Crested Newt Survey which concludes that there is evidence that protected species are present on site which could be adversely affected by the proposal. The reports therefore identify opportunities for biodiversity enhancements within the development including keeping the loss of trees and hedgerows to a minimum and by employing ecological enhancement measures including a lighting scheme, which could be secured through a planning condition should the proposal be approved.

## **21. Open space**

- 21.1 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.
- 21.2 Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.
- 21.3 SP32 and SP33 set out the requirements of open space provision across the Borough.
- 21.4 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.
- 21.5 Developers should provide open space to the local standard identified for the area. Local Standards are identified in the Local Plan Supplementary Planning Document



- 21.6 The Open Spaces Manager has requested a total space requirement of 0.55ha for the proposed development to allow for an adequate amount of amenity for the residents and local community.
- 21.7 The site is located within the 15km catchment area of the Cannock Chase Special Area of Conservation (SAC) (at an approximate distance of 12.5km) and as such the development could have a potential impact upon the area by way of increasing the recreational pressure to the site.
- 21.8 East Staffordshire Borough Council is a partner of the Cannock Chase SAC Partnership project. The SAC Partnership has published an evidence base, including recommendations on the mitigation of recreation related impacts on the Cannock Chase SAC. Review of this evidence base has shown that recreation associated with new housing development within 15km of this European site would have a significant effect on the SAC unless mitigation measures are put in place. The effects arising from recreation comprise the creation of new paths, path widening, erosion and nutrient enrichment. This evidence base is reflected in Local Plan Detailed Policy 11 European Sites.
- 21.9 Following the publication of a mitigation regime the SAC Partnership authorities have agreed to implement a tariff for developer contributions within 0-8km of the SAC.
- 21.10 The proposed development lies 12.5km from Cannock Chase SAC. The application 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 required under the Habitat Regulations Assessment. The proposed development exceeds the number of homes in the Local Plan. As a result of 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. 35 dwellings which have not been factored into the revised Cannock Chase SAC mitigation regime.
- 21.11 Through work of the Partnership a list of projects have been costed to offset impacts from increased visitor use on the SAC as a result of increased housing. 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. Following Natural England's previous

advice it is considered that this would be a reasonable amount for mitigation as the application is 'additional' to development set out in the plan.

21.12 This is a different arrangement which was made for previous applications which have been permitted in Yoxall and elsewhere within the 15km zone however that approach was prior to the adoption of the Local Plan and approach now agreed by the Cannock Chase SAC Partnership. It is suggested that a fee of £230 per dwelling is sought for Cannock Chase SAC mitigation which for a scheme of 35 dwellings would be a total of **£8,050**. This approach is consistent with advice provided by other authorities within the SAC Partnership

## 22. Education

22.1 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.

22.2 Staffordshire County Council has assessed the proposals against existing school infrastructure. It concludes that the development falls within the catchments of John Taylor High School and Yoxall St Peter's CE (VC) Primary School. A development of up to 35 dwellings would necessitate an education contribution towards additional primary and secondary school places and one sixth form place. The requested education contribution for primary, secondary and sixth form school provision is as follows;

- 7 primary school places (7 x £11,031) = £77,217
- 5 secondary school places (5 x £16,622 = £83,110)
- 1 post-16 place (1 x £18,027 = £18,027)

**This gives a total request of £101,137 made payable via S106 should the proposal be approved.**

## 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 will be sought should permission be granted. These contributions are set out below:

Item	Planning Obligation	Cost (where applicable)
Education	Primary, secondary and sixth form provision <ul style="list-style-type: none"> <li>• 7 primary school places (7 x £11,031) = £77,217</li> <li>• 5 secondary school places (5 x £16,622 = £83,110)</li> <li>• 1 post-16 place (1 x £18,027 = £18,027)</li> </ul>	£101,137
Refuse Containers	Contribution to provide refuse storage containers at £75 per dwelling	£2,625
Open space	0.55ha should be provided as part of the development but if lacking contributions for Provision & maintenance of offsite provision required.	£35,000 if no onsite provision
Affordable Housing	40% will be required but details upon submission reserved matters (if approved).	£TBC
National Forest	Off site contributions	£5,600
<b>Others</b>		
Special Area of Conservation	£230 per property	£8,050

## 24. Conclusions

24.1 Based on the above information it is concluded that the site is not within defined settlement boundaries and is therefore contrary to Policies SP2, SP4 and SP8 of the Local Plan and H2 of the Yoxall neighbourhood Development Plan with no

justification provided as to why development in the location would accord with the criteria of those policies. Whilst certain aspects of the proposed development may help to mitigate any harm they do not overcome the principle objection to the development and it is considered to be unacceptable.

24.2 There is little inter-visibility between the two listed building closest to the site and the site itself so in consideration of the separation distances and the form of existing built development, if permitted, the development would not result in impacts that would affect the heritage assets and therefore the statutory duty under Section 66 would not be engaged.

24.3 The Conservation Area would be directly affected based on its immediate location but if permitted the potential design and layout of the buildings via a reserved matters application could be of a sufficiently high quality to not have a detrimental impact and therefore the statutory duty under Section 72 could be complied with.

## 25. RECOMMENDATION

25.1 For the reasons set out in the above report then **REFUSE** for the following reason:-

The location is not identified as a location for housing development in the adopted Local Plan. Policy SP2 of the Local Plan states that development will be directed to the most sustainable locations in accordance with the settlement hierarchy. Yoxall is identified as a Tier 2 Local Service Village where development will be concentrated within the settlement boundary. Policy SP4 of the Local Plan states that the development requirement for Yoxall is 40 dwellings which will be delivered within the settlement boundary. The Yoxall Neighbourhood Plan in Policy H2 sets out the criteria that proposals for new housing development outside the Yoxall Settlement Boundary must satisfy. It is not considered that the proposal meets the criteria set out in the policy. In addition SP16 of the Local Plan states that residential development outside the main towns and strategic villages shall provide a mix of dwellings to best meet local needs according to a local housing needs survey or where applicable the Councils evidence base. The application does not respond to the local housing needs set out in Neighbourhood Plan policy D2 or provide supporting evidence on local housing needs. The granting of permission would be contrary to SP4, SP8 and SP16 of the Local Plan and policies H2 and D2 of the 'Made' Yoxall Neighbourhood Plan.

## 26. Engagement

26.1 The Local Planning Authority has taken a positive approach to decision-taking in respect of this application concluding, however, that it is an unsustainable form of development which conflicts with relevant development plan policies and material planning considerations including the National Planning Policy Framework. Although it has not been possible to approve this application, possible solutions were proactively considered in an attempt to secure a

development that improves the economic, social and environmental conditions of the area in accordance with the requirements of Paragraphs 186 and 187 of the National Planning Policy Framework.

## **27. Background papers**

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

- All documents listed with this application above.
- All files associated with file P/2015/00512
- NPPF
- NPPG
- Local Plan
- Yoxall Neighbourhood Development Plan
- East Staffordshire Green Infrastructure Study

## **28. Human Rights Act 1998**

28.1 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.

## **29. Crime and Disorder Implications**

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

## **30. Equalities Act 2010**

30.1 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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