

Agenda Item:	6.1
Site:	Hazelwalls Farm, Timber Lane, Uttoxeter, ST14 8DQ
Proposal:	Erection of 429 dwellings, public open space, landscaping, drainage attenuation areas, access roads and associated works and the demolition of existing buildings

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/2015/01497	
Planning Officer:	Emily Christie	
Type of Application:	Full	
Applicant:	David Wilson Homes, Barratt Homes & Jennings Estates Ltd	
Ward:	Uttoxeter Town	
Ward Member (s):	Cllr Mrs S J McGarry	
	Cllr Mr P Hudson	
Date Registered:	02/12/2015	
Date Expires:		

1. Executive Summary

- 1.1 The proposal is a full application for the demolition of existing buildings and the erection of 429 dwellings, provision of public open space and landscaping works, drainage attenuation areas, access roads and associated works. The application site comprises two individual parcels of land.

- 1.2 70 dwellings are proposed on the smaller of the two parcels of land. The development is proposed to be accessed through Sorrell Close, an existing cul-de-sac. 359 dwellings are proposed on the larger of the two parcels of land. This part of the development is proposed to be accessed via a new roundabout on the B5013 Abbots Bromley Road.
- 1.3 The dwellings have been arranged to take into account the changes in the topography across the two sites.
- 1.4 The application proposes the provision of affordable dwellings on the site, equating to 15% of the overall properties. The affordable units range from 1 bed to 4 bed units.
- 1.5 The proposed dwellings are predominantly a mix of detached and semi-detached units with some terraced properties comprising three dwellings. The dwellings are a mix of one, two and two and a half storey.
- 1.6 Statutory consultees have raised no objections. The Parish Council and Local MP have raised objections to the scheme. 323 responses have been received as well as a report from a local action group. Issues raised are dealt with in the report.
- 1.7 The application site is allocated in the adopted Local Plan in Strategic Policy 7 as a smaller allocated sustainable urban extension. The development of this site for residential purposes, as proposed in this application is therefore supported in principle by the development strategy as set out in local planning policy.
- 1.8 There is a comprehensive package of contributions proposed that mitigates the impact of the development relating to community infrastructure and services.
- 1.9 It is considered that the layout and design of the proposed residential scheme accords with the principles and provisions of Local Plan policy and the East Staffordshire Design Guide, and demonstrates that the site can provide a high quality development appropriate to its context and that the proposed layout shows each new dwelling is sufficiently distant from both existing residential properties and proposed residential properties to avoid causing them an unacceptable loss of residential amenity. Impacts on residential amenity relating to the construction phase of the development, as well as impacts on the local road network during this phase, can be appropriately addressed through the submission of details required by planning condition. With this requirement in place it is considered that the development would not unacceptably affect the amenities enjoyed by the occupiers of existing or future residential occupiers.
- 1.10 The highway and access arrangements proposed are considered to be suitable and there will be no significant negative impact on the road network or highway safety arising from the proposal. The provision of a bus service and improved pedestrian links onto the existing green infrastructure network will ensure there is choice of

transport modes. Parking provision is also considered to be adequate across the site.

- 1.11 There is an identified harm to local designated heritage assets. In such circumstances, considerable importance and weight has to be attached to that harm. However, there are significant public benefits arising from the proposal including the provision of housing, community infrastructure and services and green infrastructure. The balancing of the identified harm against the public benefits of the proposed development, has been undertaken and it is concluded that in this instance the public benefits clearly outweigh the limited harm.
- 1.12 The flooding and drainage related to the proposal has been assessed. The proposed drainage strategy will limit the discharge of surface water from the site by a series of attenuation ponds, providing a significant reduction in the contribution of the site to the known downstream drainage issues. It has been identified that there is a need to upgrade the public sewers in the area to facilitate the implementation of the development. The requirement to upgrade the public sewerage system can be secured by the imposition of an appropriate planning condition.
- 1.13 The policy requirement for on-site affordable housing provision would be for a total of 56 properties. The scheme includes an additional 8 affordable properties above this requirement and this is considered to be a planning benefit. There is a variance to the housing mix and access standards set out within the Council's Housing Choice SPD guidance. This needs to be weighed up against the overall proposed affordable housing provision on site and the practicality of meeting the guidance.
- 1.14 There is provision of public open space in excess of the policy guidance within the Open Spaces SPD resulting from the topography of the site and the need to accommodate and protect the identified ecological interests on the site. The provision is therefore considered to be appropriate. The Council's Infrastructure Delivery Plan also identifies a deficit of open space within Uttoxeter. The application proposals for over 8 hectares of green infrastructure and open space which will therefore serve both the residents of the development and contribute towards addressing the existing local deficit. The provision of the public open space is considered to adequately mitigate the impact of the development by providing and maintaining a soft landscaped edge to the development in keeping with the semi-rural location of the application site.
- 1.15 The development of the site will inevitably result in the loss of some habitat and foraging grounds for local wildlife. However appropriate mitigation and enhancement measures can be secured. In addition, appropriate landscaping and management of areas of open space, and the retention and provision of new trees and hedges, maintaining habitat connectivity to the open countryside beyond, will ensure that habitat loss is minimised. Subject to compliance

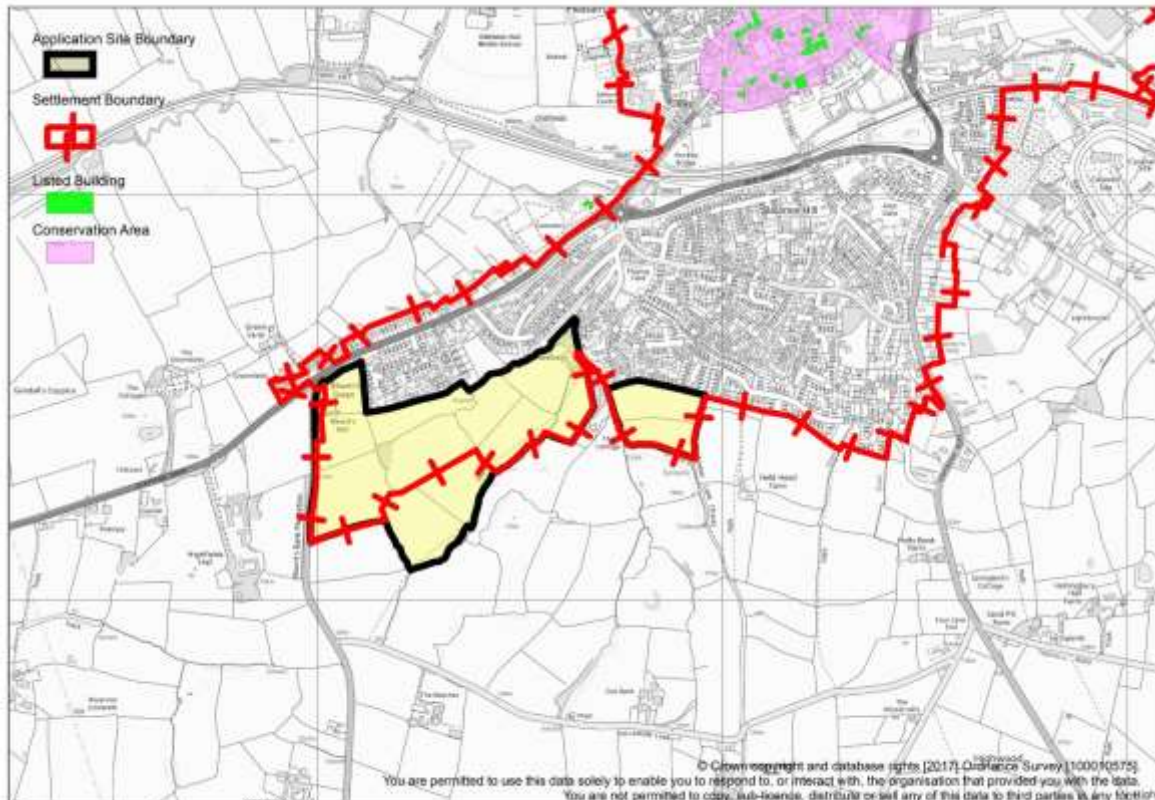
with the conditions, the development should result in a net gain for bio-diversity in the area and not impact adversely on protected species.

1.16 Whilst there are challenges to compliance with guidance provided by the Council's prescribed housing mix as set out in the Housing Choice SPD, the ability for the proposed dwellings to meet building regulation standard M4(2) relating to adaptable dwellings, the proposal will still provide a suitable mix of dwellings which will cater for those with different needs.

1.17 Overall it is considered that the proposal is supported by relevant development plan policies and there are no material considerations that would outweigh the significant benefits of delivering the application proposal. The application is therefore recommended for approval subject to the completion of a S106 legal agreement and the imposition of a comprehensive range of reasonable planning conditions.

Members are advised that the above is a brief summary of the proposals and key issues contained in the main report below which provides 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 two parcels of agricultural land located in Uttoxeter to the south of existing urban edge of the town.
- 2.2 The smaller of the two parcels comprises 3.07ha of land bound by existing dwellings to the north on Sorrell Close, Elder Close, Silver Birch Drive and Demontfort Way. The site is accessed through Sorrell Close which is the sole access into and out of the site.
- 2.3 The larger parcel of land comprises 21.3ha of land which is bound by properties on Westlands Road, Stafford Road (A518), Chartley Gate Close, Stanway Close and Blounts Drive to the north; Timber lane to the east; the B5013 Abbots Bromley Road to the west and agricultural land to the south. The site is to be accessed off the B5013 via a new vehicular access and roundabout.
- 2.4 The parcels of land are separated by Timber Lane and a privately owned residential property and its access track known as The Cottage.
- 2.5 The land comprising the application site is classified as Grade 3 (Good to Moderate) agricultural land in the Agricultural Land Classification map West Midlands Region (ALC004) published by Natural England (August 2010).
- 2.6 There are two existing dwellings on the application site, known as Hazelwalls Farm and Blounts Hall. Both dwellings and associated outbuildings and farm buildings are proposed to be demolished as part of the development.
- 2.7 On the northern boundary with Stanway Close there are four mature Oak trees that are the subject of a Tree Preservation Order (TPO 81). Both parcels are bound primarily by hedgerows and there are a number of matures trees, both on the boundaries of the sites and within the sites themselves. There is a copse of mature trees located in the western portion of the larger parcel of land and a second area of trees to the western boundary adjacent to the B5013.
- 2.8 The topography of the land varies across both parcels. The smaller of the two parcels slopes gently down to the south, whilst the larger parcel has several undulations creating valleys and areas of higher ground generally in the west and southern portions.

3. Planning history

- 3.1 OU/20420/004 – Land to the rear of 75 Stafford Road. Outline to develop 0.2ha of land for residential development. Approved 16/09/1998
- 3.2 PA/24603/001 - Infilling of pit hole with sub-soil. Refused 12/11/1998
- 3.3 PA/05834/019 – Erection of cattle building. Approved 10/08/1999

- 3.4 PA/24603 - Infilling of pit hole with sub-soil and top soil, for a temporary 9 month period. Refused 22/02/1999
- 3.5 PR/05834/012 – Hay Barn. Approved 18/02/1999
- 3.6 PA/05834/004 – Storage Building. Approved 13/08/1990
- 3.7 PA/19700/005 – Erection of 12 dwellings. Refused 25/09/1990
- 3.8 PA/2013/01227 – Screening Opinion. No objections. 18/10/2013
- 3.9 P/2017/00231 – 4 Stanway Close. Change of use from agricultural land to residential curtilage. Approved 6/03/2017

4. The proposal

- 4.1 The application seeks consent to develop the 24.37ha by way of the erection of 429 dwellings, the provision of public open space and landscaping works, drainage attenuation areas, access roads and associated works. The proposal also includes the demolition of existing buildings including two dwellings and associated outbuildings and farm buildings.
- 4.2 70 dwellings are proposed on the smaller of the two parcels of land. The development is proposed to be accessed through Sorrell Close, an existing cul-de-sac. The density of the development equates to approximately 23 dwellings per hectare.
- 4.3 An area of public open space and a sustainable urban drainage system (SUDS) feature by way of an attenuation pond are also proposed on the site.
- 4.4 359 dwellings are proposed on the larger of the two parcels of land at a density of approximately 17 dwellings per hectare.
- 4.5 The overall residential accommodation proposed comprises:
 - 8 No. one bedroom flats;
 - 72 No. two bedroom dwellings;
 - 134 No three bedroom units; and
 - 215 No. four bedroom dwellings.
- 4.6 Of the above provision, the number of affordable units and intermediate housing equate to:
 - 8 No. one bedroom Flats;
 - 31 No. two bedroom dwellings;
 - 18 No. three bedroom dwellings;
 - 7 No. four bedroom dwellings.
- 4.7 The total number of affordable and intermediate housing units on site is 64, equating to 15% of the overall dwellings proposed.

- 4.8 A significant area of public open space, including an equipped play area and two further SUDS attenuation ponds, is proposed on the site.
- 4.9 The dwellings have been arranged in a fairly organic manner, taking into account the changes in the topography across both sites resulting in clusters of development separated by areas of green, open space. The overall provision of public open space equates to 8.17 hectares.
- 4.10 The proposed dwellings are predominantly a mix of detached and semi-detached units with some terraced properties comprising three dwellings. The dwellings are a mix of one, two and two and a half storey.

List of supporting documentation

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

- Application Form
- Location Plans
- Proposed Site Layout Plans
- Proposed Landscaping Plans
- Proposed Boundary Treatment Plans
- Proposed House Type Drawings
- Proposed Garages drawings
- Streetscenes
- Site Sections
- Details of Roundabout and Light Controlled Junction
- Cross Sections of Attenuation Ponds (SUDS)
- Design and Access Statement
- Flood Risk Assessment and Drainage Strategy
- Ecological Submissions
- Planning Statement
- Landscape and Visual Impact Assessment
- Health Impact Assessment
- Transport Assessments
- Travel Plan
- Road Safety Audit
- Tree Survey
- Statement of Community Involvement
- Groundwater report and appendices
- Heritage Assessment
- Air Quality Assessment
- Note on Housing Mix
- Services and Diversions Plan

- 4.12 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 Parish Council	<p>Uttoxeter Town Council gave consideration to the application at its meeting held on 14 March 2017 and submitted the following objections:</p> <p>(a) Economic Case for Housing – The decision on this development should be deferred until a significant start has been made on the 1200 houses within Uttoxeter which have already been granted planning permission. Despite the plan to build the additional houses, to date, very few houses have been built, clearly showing the demand is not there.</p> <p>(b) Traffic Impact on Uttoxeter – The decision should be deferred until Traffic Assessment Reports for the whole of Uttoxeter have been carried out for the 1400 planned houses in the Local Plan. Note 1: If this application is approved there will be more that 1400 houses which have been granted planning permission since the Plan was adopted and this figure should be used in the assessment and the additional retail outlets (Waitrose, Asda, etc.) and proposed industrial units within Uttoxeter. Note 2: When the East Staffordshire Local Plan was drafted, SCC Highways acknowledged that no such Traffic Assessment Reports had been carried out at that time for the additional homes, retail and industrial sites included within the above mentioned Local Plan and have not been carried out to date.</p> <p>(c) Sorrel Close – This residential cul-de-sac road is not suitable for the additional traffic from the proposed properties due to the close proximity of the existing drives, street parking, and open gardens together with the width of road. Safety to the pedestrians would be seriously compromised; therefore, access should be from the A518 only.</p> <p>(d) Flooding Concerns – The decision should be deferred until a scheme is designed to get the flood water from the development site to Picknalls Brook without relying on the existing culvert under Hazelwalls Park. This must be carried out prior to any development works commencing. Currently, the park floods and relies heavily on the screen of the culvert being cleaned/maintained regularly to minimize the amount of flooding.</p>

	<p>(e) Housing Allocation – The Town Council objects to the number of properties included within the application which is not consistent with the figure in the Adopted East Staffordshire Local Plan for this location. The reduction in the number of properties would allow the Developer to reposition the proposed houses within the development site to minimise the impact on the existing properties sited within the boundary, creating a buffer zone between the development and the existing estates.</p> <p>(f) Greenfield and Brownfield sites – The Town Council requests that works are significantly completed on the existing Brownfield sites prior to a decision being made on the proposed development.</p> <p>(g) Housing Mix – The proposals conflict with the approved Local Plan, the SPD and the made Uttoxeter Neighbourhood Plan’s Housing Policy H2, and does not address the housing needs for Uttoxeter as assessed by ESBC. The Town Council requests that the proposals for this application should be revised to meet the assessed housing needs of the community prior to approval.</p> <p>(h) Planning Mix – There is insufficient, (only 10), 1 and 2 bedroom bungalows included within the proposed development which are poorly located for the elderly to access the Town centre being sited on the far edge of the development.</p> <p>(i) Affordable Housing - The requirements, with respect to affordable housing, have not been met by the applicant.</p> <p>(j) Uttoxeter Neighbourhood Plan – The application does not comply with Policies T3, T4, D1, E1, E2, H2 and C2 of the made Uttoxeter Neighbourhood Plan and the Developer must provide evidence of compliance prior to approval.</p> <p>(k) Buffer zone – There is no green buffer zone between the new development and the existing properties included within the proposed development.</p> <p>(l) Employment – Employment opportunities within the Town should be sufficient to warrant new housing demand prior to commencement of the proposed development.</p> <p>(m) Education – There is a lack of education provisions included within the application.</p>
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Council requests that the provision of a new school be reinstated within the development as included within the earlier proposals for the scheme. If this is to be covered by Section 106, the Town Council request to be involved within the consultations.

(n) Additional Services - The requirement for additional provisions for Doctors and other NHS services have not been adequately addressed within the proposed development and must be fully addressed by Section 106 provision prior to approval.

(o) B5013/A518 Junction - The proposed traffic light scheme is an inadequate solution. The Town Council contends that a more appropriate solution would be for the developer to purchase adjacent land and incorporate a roundabout to eliminate the need for traffic lights and reduce noise and traffic pollution.

(p) Construction Traffic – If the application is approved all construction traffic, throughout the development, should only be permitted during school hours (9am-3pm) to ensure maximum safety to pedestrians (parents, school children, etc.) on route to the local schools. All construction traffic must be precluded from using the existing estate roads, e.g. Foxglove Avenue and Sorrell Close.

(q) Community Facilities – The Town Council contends that a Community Centre should be included within the plans for the development prior to approval.

(r) Sustainability – If this application is approved, the number of houses proposed for development with the Town will greatly exceed those included within the Local Plan and this level of development is therefore unsustainable within the existing infrastructure of the Town. (The roads, drain sewage systems, etc. will be inadequate and the education, health and social care facilities will be unable to cope with the additional population).

(ii) The Town Council seeks clarification from the Borough Council on the following:

(a) The development complies with the Borough Council's existing Policy Statement on Greenfield Developments.

(b) Provisions for Storm Water – Within the proposed application, the Developer has designed for the scheme for 100 year storm plus 30%. The Town

	<p>Council seeks the reason why 30% has been determined as acceptable.</p> <p>(c) The Town Council seeks confirmation from ESBC that the Town Council shall be consulted on any Section 106 proposals emerging from the proposed development prior to being considered by the Planning Committee.</p> <p>(d) When and where the additional 100 or so off-site affordable housing units required to meet the 40% requirement are to be provided.</p> <p>(e) A Town Council Representative to attend and speak at the Borough Council's Planning Committee meeting.</p> <p>(f) With respect to the Town Council request that the objections as recorded within 13(i)(a)-(r) as above, be addressed by the developers prior to the application being considered further by the Planning Committee.</p> <p>(iii) Upon receipt of responses with respect to Planning Application P/2015/01497 Hazelwalls Development, this matter be included for further consideration by Council at a future meeting.</p>
5.3 SCC Highways	<p>No objections subject to conditions relating to:</p> <ul style="list-style-type: none"> - Schedule of off-site highway works and programme of phased implementation. - Construction management plan - Drainage interceptors where private accesses adjoin public highways - Integral garages retained for the parking of vehicles. <p>Section 106 Requirements:</p> <ul style="list-style-type: none"> - Residential Travel Plan - £6,430 Residential Travel Plan monitoring fee - Prior to occupation of the 50th dwelling the provision of public transport between the western site and Uttoxeter Town Centre at no less than half hourly intervals between 0700hrs. and 1900hrs. Monday to Saturday. - The provision of a lit surfaced pedestrian/cycle link to Blounts Drive (D2580)

	<ul style="list-style-type: none"> - The provision of a lit surfaced pedestrian/cycle link to Fennel Close (D2590) - £750,000 public transport. - Retention of access over private drive to allow for pedestrian access to Blounts Drive.
5.4 SCC Education	No objection subject to an Education Contribution for 95 First School places, 44 Middle School places, 22 High School places. This gives a total request of £2,022,017 to be secured under the S106 agreement.
5.5 SCC Flood Risk Team	<p>No objection subject to being in the detailed design of the surface water for the development as we have local knowledge of flooding in the area and would appreciate what assistance the developer could give in our efforts to solve the flooding problem downstream.</p> <p>Alterations to the exiting watercourses will require the prior Land Drainage Consent of this office.</p>
5.6 SCC Countryside	<p>Public Footpath No 16 Uttoxeter Town runs across the proposed western application site and Public Footpath No 15 appears to run around the perimeter of the eastern application site.</p> <p>The attention of the developer should be drawn to the existence of the paths and to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path network. The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the rights of way or their closure or diversion. For further information the applicant should be advised to read section 7 of DEFRA's Rights of Way Circular (1/09).</p>
5.7 SCC Archaeology	No objection subject to a condition securing a programme of archaeological work and any subsequent mitigation works.
5.8 SCC Principal Ecologist	<p>A condition is recommended requiring felling of trees to be carried out in accordance with section 7 and Table 5.2 in the Ecological Assessment and supervising ecologist advice.</p> <p>A condition is recommended requiring pre-demolition re-survey of buildings 1, 2, 3, 10, 11, 12 and 13 for bats, the survey to comprise buildings inspection and activity surveys. This should inform a demolition method statement to be submitted to the LPA for approval that takes account of survey findings and potential of buildings to support bats and breeding birds and the measures found in section 7 and</p>

Table 5.1 in the Ecological Assessment and re-survey unless varied by Natural England licence requirements.

A condition is recommended requiring development to take place in accordance with the bat mitigation measures found in s 7 of the Ecological Assessment and the Illustrative Landscape Masterplan unless varied by a Natural England licence.

A pre-commencement condition is required for a tree and hedgerow protection plan, in accordance with Tree Survey Tree Protection Plans, to be maintained throughout development. The tree Protection Plans do not appear to cover the eastern area. Tree and hedgerow protection plans should be submitted for this section of the site.

A standard condition the recommended for protection of breeding birds during vegetation removal

In accordance with s.7.29 of the Ecological Assessment, a pre-commencement condition is recommended for submission of a lighting plan that takes account of bats and their foraging and commuting routes and avoids lighting spill on to these, considering lighting column position and spill in locations where roads and lit paths cross foraging routes. Lighting of footpaths through greenspace should be avoided.

Given local barn owl records, a pre-commencement condition for re-survey for barn owls is recommended as this species is protected from disturbance under the Wildlife and Countryside Act Schedule 1. Should breeding owls be found a mitigation plan, to prevent disturbance will be required. It should be noted that barn owls may breed at any time of year.

The veteran trees are a highly significant feature of this site and the standing and lying dead wood associated with these trees needs to be retained wherever health and safety allows. In detailed layout and design siting of features such as buildings, roads, footpaths, play areas and benches close to veteran trees should be avoided to prevent conflicts.

A condition is recommended for submission of a detailed landscape plan that is compliant with the Illustrative Landscape Masterplan and that includes detail of species, grassland species mixes, detailed SuDS design and establishment methods. It is recommended that, if possible wildflower grassland is created by use of local seed sources, applied through green hay or locally harvested seed. A contact can be provided for this. Otherwise a commercial seed mix needs to be carefully selected as many include species not appropriate for Staffordshire or mixes that are

	<p>not ecologically compatible and cannot be effectively managed.</p> <p>A condition is recommended for submission of a long-term landscape and ecology management plan to include a programme of veteran tree and dead wood management, hedgerow management, grassland management. Tree management should take account of potential use by bats and deadwood should be retained unless a safety hazard or long term tree survival means it is required.</p> <p>In accordance with s.7.20 of the Ecological Assessment, a condition is recommended requiring detail of installation on some of the proposed buildings, of swift boxes, house martin cups and/or nest sites for swallows to replace the nesting opportunities lost to these species through demolition. As a guide it is recommended that 10% of buildings in include one of these features.</p> <p>An ecological mitigation strategy is proposed by s.7.22 and s.7.49 of the Ecological Assessment. Much of the above could be included in a pre-commencement condition for submission of this strategy. The condition would need to be suitably detailed.</p> <p>In regard of the proposed s106, the obligations for the future management and maintenance of the open space should incorporate management for biodiversity in accordance with the mitigation proposed to ensure that habitats and features are maintained.</p>
5.9 Environment Agency	<p>No objection subject to conditions requiring:</p> <ul style="list-style-type: none"> - Landscape management plan with long term objectives, management responsibilities and maintenance schedules for all landscaped areas. - A method statement/construction environmental management plan (protection of wildlife and supporting habitats) - Ecological enhancement measures
5.10 Severn Trent Water	<p>No objection subject to condition limiting the number of dwelling units to a maximum of 70 being occupied until the need for foul sewerage improvements has been investigated and the resulting foul sewerage improvements have been fully implemented and completed by Severn Trent Water Limited. This will ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.</p>
5.11 Natural England	<p>No objection.</p>

	The Code of Practice for the Sustainable Use of Soils on Construction Sites should be adhered to.
5.12 East Staffs Clinical Commissioning Group	A contribution to the local facilities for primary and community care services is required to the sum of £152,160.
5.13 Ramblers Association	Footpath No.16 Uttoxeter Town should be incorporated into green corridors and other landscaping features across the site.
5.14 Architectural Liaison Officer	No objection in principle but provides guidance on good practice to be applied to the scheme.
5.15 Historic England	No objection.
5.16 Sport England	Sport England wishes to object to this application unless adequate indoor and outdoor sports provisions are provided. A monetary contribution of £369,082 would go towards securing this provision.
5.17 CPRE	<p>The Borough Council has objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the Framework.</p> <p>The Borough Council has identified key sites which are critical to the delivery of the housing strategy over the plan period.</p> <p>The Borough Council now has a housing land supply in excess of NPPF requirements.</p> <p>The Borough Council has identified sites which are available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the sites is viable. This has been endorsed by the Inspector.</p> <p>The Borough Council has identified developable sites in suitable locations for housing development where there should be a much better than reasonable prospect that the sites are available and can be viably developed at the point envisaged.</p> <p>The Borough Council has illustrated the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the</p>

	<p>full range of housing describing how it will maintain delivery of a five-year supply of housing land to meet the agreed housing target.</p> <p>There is no justification for allowing this application for the development of the current, greenfield site on NPPF housing land supply and related grounds.</p> <p><u>Our Request</u></p> <p>It is requested that this application be dismissed as being clearly contrary to both national and local planning policy.</p>
5.18 Open Spaces Society	No objections subject to the two footpaths on or adjacent to sites remaining open and free of obstructions.

Internal Consultees	Response
5.19 Environmental Health	<p>No objection subject to conditions relating to:</p> <ul style="list-style-type: none"> - Contaminated land. - Analysis of imported soils. - Schedule of works to monitor and mitigate against dust.
5.20 Waste Services	<p>The developer will be required to provide the appropriate external storage containers for refuse and recycling collection (in accordance with the Council's specification) or pay a financial contribution to the Council for their provision via a Section 106 Agreement. If a Section 106 Agreement is not appropriate, this should be referenced by way of a suitable condition/informative. For 429 dwellings, this will equate to £32,175.</p>
5.21 Open Spaces	<p>A scheme with 429 homes in this location requires the provision of open space made up of the following typologies</p> <p>Play pitches 1.17ha Equipped children's play 0.03ha Parks & gardens 1.39ha Semi natural green space 0.30ha Amenity green space 0.16ha Allotments 0.24ha</p> <p>Total 3.29ha</p> <p>Deficiencies in some typologies can be offset with provision in others.</p>

	<p>The footpath link to Fennel Close requires upgrading to provide adequate access to all abilities.</p> <p>Contribution of £5000 is required for the works to be secured through the S106 agreement.</p>
5.22 Planning Policy	Compliance with Local Plan policies is dealt with in the main body of the report below
5.23 Sports Development	A contribution is sought for swimming pool and sports hall provision in Uttoxeter. The contribution will be shared between new provision at the sports hub and improving capacity at Uttoxeter Leisure Centre. This will ensure there is capacity for sports hall and swimming pools to cater for a larger population.

6. Neighbour responses

6.1 323 letters have been received over the course of two formal consultation periods.

Neighbour responses	
Principle	<ul style="list-style-type: none"> • The proposal is contrary to the NPPF, Local Plan and Neighbourhood Plan. • The number of dwellings to be built has increased twice and is in excess of numbers allowed in the local plan. • Excessive development in Uttoxeter • unsustainable location for housing growth • No new employment opportunities to support residents of the development – leading to the creation of ‘dormitory estate or commuter estate’ • Brownfield sites should be used not Greenfield land and sites with permission should be encourage to implement development before any others are granted consent • Initial assessment of site by ESBC concluded that it was not suitable and would have a negative impact upon countryside and be unsustainable. • This site should not be developed until the other sites i.e. land west of Uttoxeter and the JCB site are completed – reducing construction traffic etc and to see if additional housing is required in the town. • The site allocation was bought forward despite strong local objections. • The scheme shown at the exhibition as part of the consultation exercise is significantly different to that proposed and this has misled residents.

	<ul style="list-style-type: none"> • Loss of high quality agricultural land • There should be more bungalows for older people in the scheme and greater mix of housing for disabled residents • The housing mix should be predominantly 1 and 2 bed properties to allow for first time buyers to get on the housing ladder • Unsustainable development due to lack of services and facilities to serve the development contrary to local plan and NPPF • Numbers to be built should be reduced to reduce impact upon neighbouring properties • Density is higher on smaller site B • The development is at odds with the aspirations of the Uttoxeter Neighbourhood Plan. • The proposal does not comply with the Housing Mix SPD. More bungalows should be included. • The proposed houses will not be affordable for existing residents of Uttoxeter. The price and scale of the houses proposed will be too expensive. The affordable units will not be occupied by people of Uttoxeter but rather external people. • Housing density is too high and not commensurate with surrounding development. • The character of the town will be eroded significantly by the level of development and expansion. • The type and quality of dwellings proposed do not reflect the quality and type of adjacent developments. • Homes specifically aimed at elderly residents should be included and retained as such. • There is no infrastructure phasing schedule submitted with the application. • There are no public/community facilities proposed as part of the scheme. • No EIA has been submitted. • The HIA is not sufficient in line with PPG Guidance.
Impacts on Amenity	<ul style="list-style-type: none"> • Dwellings along northern boundary should be orientated so that they do not overlook existing properties.

- Noise and disturbance to existing dwellings during construction and after.
- Overlooking.
- The footpath link from the development through to Stanway Close and Blounts Drive will be used by residents of the development resulting in noise and disturbance to existing residents.
- The footpath link will compromise the safety of the children using the play area – worries about ASB and crime
- The development adjacent to existing dwelling should be low density to reflect the surrounding built form.
- Loss of private amenity space by way of overlooking
- Dust and noise during construction needs to be managed.
- Lack of community facilities in the vicinity to serve the development.
- Site B has not open space provision
- There is no green buffer proposed between existing and proposed dwellings.
- Green open spaces should be positioned at the rear of existing dwellings to provide a buffer.
- Currently residents have low fences overlooking the land – boundaries need to be renewed by the developer to reduce loss of privacy.
- Due to the topography of the site – views will be afforded over the properties on Stanway Close resulting in an overbearing impact and loss of privacy
- More development will result in crime and vandalism
- Impact upon quality of life of existing residents.
- Play area close to Silver Birch Drive will exacerbate ASB issues already experienced.
- Loss of light to existing properties
- Play areas do not have protective fencing which may lead to conflict between children and the highway
- The footpath through to Blount's Drive has the potential to encourage anti-social behaviour by way of a route through to the rear of neighbouring properties, and

	<p>endangers the children using the park as it was a safe place with only one access.</p> <ul style="list-style-type: none"> • The location plan does not accurately show the boundary with 4 and 5 Stanway Close which will in turn affect the curtilage of plots 147-149.
Visual Impact	<ul style="list-style-type: none"> • The southern edge should be a transition between the rural fringe and the development to soften the transition between the development and prevailing countryside • The visual impact of this development will be significant and seen from miles around • Landscape impact.
Highways Impacts	<ul style="list-style-type: none"> • A traffic light controlled junction on Stafford Road is not appropriate – a roundabout should be considered as a more appropriate solution. • The single access is not sufficient to serve the larger parcel of development. • Increased traffic in the town. • The increased traffic using the junction of Abbots Bromley Road and Stafford Road will result in accidents. • The junction of Abbots Bromley Road and Stafford Road is dangerous and needs updating to cope with more traffic movements. • Increased traffic through existing built areas • Sorrel Close is not adequate to deal with additional traffic – it is narrow due to cars parking on the road • The transport assessment and audit do not adequately assess the impact upon Sorrel Close, Fennel Close, and the junctions with Westlands Road, Kingfisher Way, Hockley Road and Old Knotty Way. • A construction management plan is required. Sorrel Close and Foxglove Avenue should not be used by construction traffic. Construction staff should not be allowed to park on the surrounding roads. • The transport assessment is not accurate – the vehicle count was undertaken in January – outside of peak season for local attractions such as Alton Towers. • The junction of Stafford Road and Abbots Bromley Road should be light controlled.

- Inadequate provision has been made for pedestrians and cyclists.
- Emergency access point is not practical or sufficient.
- Bus routes need to be provided
- The increase in traffic will further impact upon the ability to leave Blounts Drive and other roads/properties by car
- Garages will not be used for parking
- Garages should not be set back on sites as this brings them closer to neighbouring properties
- Accident records in transport assessment are not accurate – there are many more unreported smaller accidents and near misses that have not been taken into consideration.
- Pedestrian access to Stafford Road highlighted in planning statement is a dead end.
- Speed limits need to be revised to address additional traffic and reduce danger on roads.
- An independent, cumulative highways impact assessment should be conducted to take into account the overall impact of all new development proposed in Uttoxeter.
- Lack of pedestrian crossing on surrounding roads – danger to pedestrians
- The number of dwellings served off the cul-de-sac in site B exceeds the accepted numbers when added to existing dwellings.
- The predicted increase in traffic on sorrel close and foxglove avenue is unacceptable
- The distance between the roundabout and Stafford road junction is too short to accommodate traffic waiting and will result in a back-up on Stafford Road.
- Traffic using kingfisher way junction will increase highway safety concerns.
- Studies used as examples in traffic assessment are outdated – some undertaken 7 years ago
- Inadequate provision for the safety of pedestrians
- Increased traffic will further degrade the condition of the roads in the vicinity.

	<ul style="list-style-type: none"> • The road safety audits are completely inaccurate and do not reflect the levels of traffic in the area at all. • The position of the roundabout on Abbots Bromley Road is dangerous – the approach from Stafford Road is a blind corner and vehicles will be met by queuing traffic. • The footpath link through to Blount’s Drive is not acceptable. • Inadequate parking provision for larger properties which will result in on street parking within the developments. • There are inadequate crossing places for school children on the local highway network – this has not been addressed. • Public transport needs to be improved. Both rail and bus provision. • No traffic calming measures are proposed within the development or on surrounding highway network. • The development by way of its location away from the town centre will result in residents being dependant on private cars rather than sustainable forms of transport. • Walking distance from the development to the schools in the area exceeds the prescribed guidelines for distance. • In times of poor weather, vehicles struggle to leave the existing estate and surrounding roads. This issue will not go away. • Bus service data presented is out of date and is not reflective of the existing situation. • Rail service is inadequate to deal with surge in population. • The lack of lighting along timber lane is an omission that needs addressing. • Poor pedestrian links to the town.
Flood and drainage impacts	<ul style="list-style-type: none"> • Flood risk concerns – loss of ground to take run off • The FRA is based on 407 dwellings – therefore it is not reflective of the proposed development and is therefore flawed • The report is completely flawed and does not represent the land to which it relates. The modelling is inaccurate. A full hydrological assessment should be carried out.

	<ul style="list-style-type: none"> • Flood risk mitigation proposed is inadequate • Balancing ponds – waterborne diseases and risk of drowning, who will maintain the ponds to ensure they work efficiently? • The ponds need to be maintained – costs from the developer should be sought for this • The development will exacerbate existing drainage issues to the detriment of the existing dwellings. • No water should be discharged into Picknalls Brook from the development. • The ground is predominantly clay and as such flooding and drainage issues will prevail. • No plan to upgrade existing sewers to take the additional waste is proposed/detailed. • Standing water in balancing ponds will result in pests such as mosquitoes and stagnant smells to the detriment of the enjoyment of neighbouring properties. • The balancing ponds pose a health and safety risk.
Ecology	<ul style="list-style-type: none"> • Significant impact on ecological interests on the site. • Loss of habitat • Impact upon/loss of known badger sets on the site and foraging ground • Ditch along northern boundary is key foraging area for protected species • Open spaces will not provide alternative habitat lost through development • Trees subject to TPOs will be impacted upon – northern boundary of Site A • Loss of tranquillity required for many species • Have the ditches been surveyed for the presence of newts? • Root protection areas need to be adhered to to prevent damage to existing mature trees. • To accommodate the roundabout a number of mature trees and hedges will need to be removed. • Hedgerows are not accurately shown in the ecology survey

	<ul style="list-style-type: none"> • Loss of hedgerows. • The TPO trees on the boundary with Stanway Close have not been given due consideration. • The entrance to Sorrel Close is a crossing for Toads which may be protected Natterjack Toads. Therefore a survey should be carried out to assess the impact. • Wildlife corridors need to be incorporated into the scheme. • Newts recorded in area. • Bats are present in existing buildings.
Environmental Issues	<ul style="list-style-type: none"> • The HIA is inaccurate and too brief • An EIA should be submitted • Effect on air quality • Dust and noise during construction • Pollution • Noise and disturbance to neighbouring properties • In the past 19 years there have been several animal deaths on the land to the rear of Stanway Close – is this linked to contamination in the land/ground? • Green and renewable technologies should be implemented throughout the development • The additional pollution will directly affect the health of local residents. People with conditions such as asthma will be affected greatly. • Pollution, noise and disturbance by lorries starting up on Stafford Road when stopped by the traffic lights. • Climate change – more developments of this scale will exacerbate climate change issues.
Affordable Housing	<ul style="list-style-type: none"> • Location of affordable housing units adjacent to existing properties is not acceptable – they should be closer to facilities in the town to enable easy access on foot • The clusters of affordable units should be smaller and dispersed across the whole site • The provision needs to be adequate to address local housing needs

	<ul style="list-style-type: none"> • The scale of the properties do not lend themselves to first time buyers and the larger units are not reflective of the local average wage brackets. • The proposal is not policy compliant.
Facilities and Services	<ul style="list-style-type: none"> • Development is a significant distance from shops • Pressure on existing facilities such as schools and healthcare • Schools are over prescribed and underfunded already and cannot cope with more children • A school should be included on the site. • The link through to the existing play area is unacceptable and will endanger children • There is no fencing around the play park which is adjacent to a road posing danger to users • Pressure on emergency services, postal services, public transport • The time to walk to local facilities and shops is too far and not reasonable – therefore increasing vehicular movements within the town centre. • Local leisure facilities cannot cope with an increased population. The leisure centre is overcrowded and inadequate at present – these issues will only get worse. • A community centre should be incorporated into the scheme to provide a community facility. • A letter from the manager of the Balance Street Surgery stating that they have provision to employ additional GPs to deal with a higher demand of patients as a result of housing growth in Uttoxeter.
Other	<ul style="list-style-type: none"> • No public consultation has taken place since 2014. • People of Uttoxeter are predominantly Christian – what is being done to encourage diversity into the town? What facilities are there for other religions/beliefs? • The loss of the two farm houses is regrettable – they tell the history of the area and should be retained. • Additional police officers will be required in the town to cope with the growing population. At present police presence is being reduced!

Non Material Considerations	<ul style="list-style-type: none"> • Loss of view from existing dwellings • Loss of value to existing properties.
Hazelwalls Impact Group	<p>The Hazelwalls Impact Group submitted representations in the form of a powerpoint presentation on behalf of over 200 members. The content of which is summarised below:</p> <ul style="list-style-type: none"> - Object to the development on the following grounds: - The cumulative impact of this development teamed with other development currently being implemented in the town will put undue pressure on local infrastructure and services to the detriment of the local population. - The number of houses permitted in Uttoxeter has exceeded the overall number allocated in the local plan. - The proposal is contrary to the Uttoxeter Neighbourhood Plan. - Insufficient parking is proposed on site. - Brownfield sites should be utilised before greenfield sites. - No community facilities are proposed within the development – a multi-faith facility is required. - Additional pressure on schools and healthcare provisions. - Housing mix does not meet policy requirements. - Impact upon the character of the town and erosion of the surrounding countryside/landscape. - Loss of hedgerows and impact upon local biodiversity through loss of habitat. - Loss of valuable agricultural land. - Affordable homes provision is insufficient. - Impact upon local area by exacerbating existing flooding issues. - Concerns regarding the safety of SUDS features – could endanger children and domestic animals. - Concerns for highway safety. - Road surveys submitted do not give a true reflection of the area. - The cumulative impact of all other developments in the town has not been given due consideration.

	<ul style="list-style-type: none"> - The access through Sorrell Close is far too narrow to cope with additional traffic and is not suitable to support the development. - Insufficient pavements and access routes for pedestrian use resulting in safety concerns. - Pressure on local schools within and outside of the catchment area. - The site is outside of the recommended maximum distance for children to walk to school. - Public transport surveys submitted are inaccurate. The proposed bus service is only promised for 5 years – what happens after that? - Pollution and impact upon the natural environment. - Air quality concerns. - The ecology survey is inaccurate. There are more hedgerows on the site than stated in the report. - Protected trees on the boundary of the site should be afforded the correct protection during construction phases. - Local residents do not see the need for additional houses given the low uptake of new units on other developments in the town. - Detrimental impact upon the quality of life enjoyed by local residents as a result of the development, both during and after the construction phases. - This is not a sustainable development. - The representations from the Town Council have not been addressed. - The density of the development is too high and properties are proposed in too closer proximity to existing dwellings. - The proposal contravenes the policies in the NPPF, the East Staffordshire Local Plan and the Uttoxeter Neighbourhood Plan and as such should be refused.
Andrew Griffiths MP	<p>Writes having been contacted by a number of constituents who are concerned with the impact the development will have on them, the local environment, the roads, and other local transport links. The adopted Local Plan by East Staffordshire Borough Council (ESBC) outlines the development of 1497 new homes in Uttoxeter between 2012 and 2031.</p>

	<p>To date ESBC has granted permission for 1606 new homes in Uttoxeter despite only being five years into the plan. Approving the application for 429 further properties as part of the Hazelwalls development would mean that over 2000 homes would have already been granted despite the fact there are over fourteen years left to run the Local Plan as adopted. To have awarded so many applications so early on in the delivery of the Plan will make it impossible for the necessary infrastructure improvements required within this timeframe.</p> <p>It also means further developments and windfall sites that may come forward in the future may not be forthcoming. In the interests of good planning, urge the Council to reject this application at the present time. Points the Council to the thorough and comprehensive submission made by the Hazelwalls Impact Group which in great detail highlights why it would be inappropriate to grant this proposal at this present time.</p>
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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
- SP5 Distribution of Employment Growth 2012 – 2031
- SP6 Managing the Release of Housing and Employment Growth 2012 – 2031
- SP7 Sustainable Urban Extensions
- SP8 Development Outside Settlement Boundaries
- SP9 Infrastructure Delivery and Implementation
- SP10 Education Infrastructure
- SP13 Burton and Uttoxeter Existing employment Land
- SP16 Meeting Housing Needs
- SP17 Affordable Housing
- SP20 Town and Local Centres Hierarchy
- SP21 Managing Town and Local Centres
- SP22 Supporting Communities Locally
- SP23 Green Infrastructure
- SP24 High Quality Design
- SP25 Historic Environment

- SP27 Climate Change, Water Body Management and Flooding
- SP28 Renewable and Low Carbon Energy Generation
- SP29 Biodiversity and Geodiversity
- SP30 Locally Significant Landscape
- SP31 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
- DP10 Blue Infrastructure and Water Recreation
- DP11 European Sites

'Made' Neighbourhood Plan

- Policy D1 – Residential Design
- Policy D3 – Space between buildings
- Policy T1 – Sustainable Transport
- Policy T2 – Links to the Town Centre
- Policy T3 – Parking Standards
- Policy L2 – Local Green Spaces
- Policy L3 – Public Open Space
- Policy E1 – Uttoxeter's Network of Green Infrastructure
- Policy E2 – Landscape and Setting
- Policy E3 – Green Links
- Policy H2 – Housing Mix and Standards
- Policy C2 – Health Provision
- Policy C3 – Education and Childcare Provision

8. Principle of Development

- 8.1 The starting point for decision making on all planning applications is that they must be made in accordance with the adopted development plan unless material considerations indicate otherwise.
- 8.2 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.
- 8.3 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 2017 and concludes there is 5.29 years of supply. Therefore the housing supply 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 These principles are covered in more detail in subsequent sections of this report.

10.4 The Local Plan sets out in Strategic Policies 2 and 4 a development strategy directing growth to the most sustainable places. Burton upon Trent and Uttoxeter are identified as the main settlements to take housing development mostly in the form of sustainable urban extensions. Strategic Policy 4 lists the application site as an allocation, with an assigned level of growth of 400 dwellings.

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. The application site is listed in Strategic Policy 7 as a smaller allocated sustainable urban extension.

10.6 The development of this site for residential purposes, as proposed in this application is therefore supported in principle by the development strategy.

10.7 Many representations received have stated that the level of development proposed in the current application exceeds that in the Local Plan. However it is important to note that housing figures in the Local Plan do not represent maximum figures. Interpreting the policy in such a way would in effect restrict development in a way which would conflict with the aims of the NPPF.

- 10.8 In addition many of the representations received request that the development should not proceed until other developments within Uttoxeter have been completed. The Local Plan identifies a total of 1497 dwellings on allocated sites at Uttoxeter, plus an element of a development requirement shared with Burton upon Trent. The Local Plan strategy is accompanied by a trajectory illustrating the likely delivery of all sites identified in the plan. The trajectory shows a number of sites under construction during the same period. With this in mind, it is unreasonable to resist development until other sites have been completed. No evidence has been submitted to suggest that there would be difficulty or significant impacts arising from simultaneous development across a number of development sites in Uttoxeter. In addition, the Infrastructure Delivery Plan that accompanies the Local Plan does not indicate any infrastructure difficulties regarding the timing or delivery of different sites at Uttoxeter which would not be addressed through the delivery of infrastructure requirements from S106 contributions.
- 10.9 The Local Plan identifies a total number of 11,648 dwellings over the plan period. Of this figure 1,850 have been completed and a further total of 8,769 have been granted permission. Therefore the reference within the neighbour comments about over provision of housing is not accurate. The NPPF (2012) sets out policies for delivering sustainable development, in sections 1 to 13. Section 11 addresses “conserving and enhancing the natural environment”. Paragraph 112 states the following: *“Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.”*
- 10.10 Therefore the up-to-date Development Plan and the NPPF both identify the need to protect the best and most versatile agricultural land as a resource for the future. Referring to Natural England’s land classification information, the application site is on land classed as grade 3 or ‘good to moderate’ land. The breakdown of land grades across England identifies that only 20% of England is mapped as being of Grades 1 (excellent) and 2 (very good) quality, indicating the relative rarity of this land resource. Grade 3 makes up 54% of agricultural land in England. Land immediately surrounding Uttoxeter is Grade 3 apart from areas to the east which is grade 4, poorer quality agricultural land, due to much of the land being in the floodplain. There is an area of very good quality agricultural land to the west of Uttoxeter, at Bramshall, and also at land approximately 1.7km west of the application site, south of the A515. Therefore it is considered that grade 3 is typical of the land quality on the immediate edge of Uttoxeter and the proposal would not conflict with the aim of conserving and enhancing the natural environment nor safeguarding the best and most versatile agricultural land on other land, further away from Uttoxeter and the application site.

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 The layout shows a relatively low density development, which is considered appropriate in this semi-rural context. The built form is set back from the Abbots Bromley Road behind a landscaping strip to retain the rural character of the area and to ensure that the setting of the Listed pound stones is not compromised. The development sites have been designed to have clear and legible development blocks, and identified key character areas within the development, with lower densities and more informal arrangement of buildings used to soften the transition between built development and the adjacent open countryside. The layout of the smaller of the two parcels of land is more densely populated and reflects the density and layout of the built form of the adjoining existing development. The larger parcel has a somewhat more organic arrangement with a much lower density taking into account the undulating topography of the site, forming blocks of development that are broken up by significant areas of public open space and landscaping features.
- 11.8 The scheme incorporates over 8 hectares of open space (excluding the SUDS features) the majority of which is incorporated within the larger of the two parcels of land. The public open space provides a buffer between the southern and south eastern boundaries of the site providing an effective transition between the built form of the development and the rural edge of the site into the open countryside beyond, softening the impact of the development.
- 11.9 There are pedestrian access points within the development which allow for permeability for residents of surrounding dwellings to use the public open space on the site and also allow for residents of the proposed site to walk through the development and access surrounding areas and existing routes to the town centre.
- 11.10 The scheme establishes a hierarchy of streets. Main internal streets run into each parcel from the Sorrel Close and Abbots Bromley Road accesses. These streets are regular in width and include formal frontage planting of heavy standard trees to create boulevards and reflect the semi-rural context of the site and more specifically the character of Abbots Bromley Road. The main internal streets are connected to a network of road providing access to the distinct blocks of development. The internal roads are more irregular in nature, they are articulated by shared surface materials and informal building positions framing and deflecting views and informal parking arrangements. Generally parking is provided immediately beside the property for ease of use and to protect against car dominated spaces.
- 11.11 It is considered that the design of the dwellings is appropriate for this semi-rural context. The scheme incorporates a mix of traditional and more contemporary styles across the site. The David Wilson House types which will occupy all of the smaller parcel, and part of

the larger parcel, are traditional in form and proportion with classic design details. The Barratt house types that will occupy the other plots on the larger site have a contemporary twist to their design creating an effective contrast across the site. There is a mixture in the proposed palette of materials from brick to render. It is proposed that blue tiles will be used across the site. Due to the number of dwellings, pepper potting different roof tiles would not create a cohesive development. This is the approach advocated by the East Staffordshire Design Guide and is appropriate in this context.

- 11.12 The application when originally submitted raised some areas of planning concern and the applicant has engaged in , a positive approach with amendments being achieved to the proposals. These were principally amendments to the design of the Barratt house types and work to break up the affordable housing units across the site more effectively, avoiding large clusters of dwellings to create a more integrated community.
- 11.13 In terms of the design of the open space and landscaping, the wider strategic planting areas will be formed of a mix of wildflower meadowland and amenity grassland. The three attenuation ponds which will be seeded as wildflower meadow seek to improve biodiversity and assist in cleansing the surface water discharges from the development.
- 11.14 The landscaping scheme proposed to be included in the development is of an acceptable level, and will result in the significant ‘greening’ of the development. Whilst a number of existing trees are proposed to be retained in the areas of public open space there are also a number of new trees proposed to line streets within the development. The type and scale of the trees would be conditioned seeking to achieve larger set trees that would provide early and noticeable tree coverage to the area. It is considered that the landscaping details are in accordance with the requirements of both local and national planning policy and guidance.
- 11.15 Boundary treatment in individual plots has not yet been formally agreed but it is intended that the scheme will consist of either walling or traditional closely boarded fencing.
- 11.16 A landscaping condition relating to these boundaries is recommended to provide appropriate details. Public realm areas are proposed to be defined by native hedgerows, both new and retained existing hedges, and areas of shrub planting, keeping an open and organic feel and allow adequate surveillance. This approach to landscaping accords with the Local Plan policies SP23 and SP24.
- 11.17 It is considered that the layout and design accords with the principles and provisions of the East Staffordshire Design Guide, and demonstrate that the site can provide a high quality development appropriate to its context which accords with East Staffordshire Local Plan Policies SP24, DP1 and DP3.

12. Residential Amenity

- 12.1 The National Planning Policy Framework and DP1, DP3 of the Local Plan seeks to ensure new residential development will not have an adverse impact on the amenities of new or existing residents by way of loss of light, overlooking or overbearing.
- 12.2 The site is predominantly bound by residential development with the smaller of the two parcels of land bound by existing dwellings to the north on Sorrell Close, Elder Close, Silver Birch Drive and Demontfort Way.
- 12.3 The larger parcel of land is bound by properties on Westlands Road, Stafford Road (A518), Chartley Gate Close, Stanway Close and Blounts Drive to the north.
- 12.4 At present the properties adjacent to the site boundaries are afforded views over the open countryside and as such the proposed development will have an impact upon the outlook of the dwellings. Whilst the loss of a view is not a material planning consideration, the Local Planning Authority has a duty to ensure that any impacts on the private amenities enjoyed by the occupants of neighbouring residential properties are taken into account as a result of the development.
- 12.5 Occupiers of properties on Stanway Close have raised concerns that the boundary line shown on the submitted plans does not accurately represent the extent of the land ownership of their properties. This matter have been investigated and revised plans were submitted in March 2017 showing the accurate boundary position in line with the land registry title documents submitted by the residents.
- 12.6 The relationship between the new dwellings and the existing residential properties adjacent to the site boundaries has been assessed and the potential for loss of privacy and light and any overbearing impacts has been taken into consideration. Most of the properties on the northern boundary adjacent to Blount's Drive, Stanway Close are positioned so that their side elevations are facing the existing properties. The development has a similar relationship with the properties on Westlands Road. Conditions will be recommended to ensure that there are no first floor principle windows on the properties that would directly overlook the existing dwellings and their amenity space.
- 12.7 The property known as The Cottage which is accessed off Timber Lane is separated from the development by areas of public open space and by Timber Lane and the existing trees and landscaping. There will not be any significant detrimental impact upon the occupiers of this property by way of loss of amenity.
- 12.8 The proposed dwellings to the rear of 4 to 6 Stanway Close are positioned so that their rear elevation face north towards the existing properties. The separation distance between the existing and proposed dwellings, at a minimum of approximately 18m (rear

elevation to rear elevation) is such that that there would not be any significant adverse impact on the amenity of the occupiers of these properties. There is also approximately 11 metres from the rear elevation of the proposed dwellings to the boundary of the site.

12.9 On the smaller of the two parcels of the site, the closest relationship is between the properties on the northern boundary and the existing properties on Sorrel Close, Elder Close and Silver Birch Drive. The relationship and the distance between the existing and proposed dwellings has been assessed and it is considered that the separation distances of 11 metres from the rear of the proposed dwellings to the boundary and at least 18 metres from the rear elevation of the existing properties to the proposed properties will result in no significant detrimental impact with regard to neighbouring residential amenity. No. 14 Silver Birch Drive is situated with its side elevation of approximately 2 metres from the boundary. The proposed new dwellings would be at least 10 metres from the boundary and this is considered an acceptable relationship.

12.10 A condition requiring a detailed landscaping plan is recommended to ensure that any impact is further mitigated by of the provision of additional screening and landscaping and a scheme of appropriate boundary treatments.

12.11 The proposed layout shows that the dwellings can be accommodated on the site without compromising the reasonable amenities of their future occupiers, and allowing for sufficient outdoor private amenity space. The proposed development integrates satisfactorily with the adjoining built form, in compliance with the provisions of Local Plan Policy DP1 and DP3.

12.12 On balance the proposed layout shows each new dwelling is sufficiently distant from both existing residential properties and proposed residential properties to avoid causing them an unacceptable loss of light or privacy or any overbearing impacts. The scheme is therefore compliant with the provisions of Local Plan Policies SP1, SP24, DP1 and DP3, the East Staffordshire Design Guide and Section 7 of the NPPF.

12.13 Whilst it is acknowledged that there will be a level of noise and disturbance during the construction phases of the development. A condition is recommended to manage the impact of the development on the amenities of nearby dwellings and on the local road network by way of requiring a construction management plan which will require details of the following:

- Any temporary construction site access;
- The routing of construction vehicles in excess of 7.5T to and from the eastern and western sites including measures to mitigate the impact on the local highway network. The measures shall include the timing of movements to avoid traffic congestion;
- Parking facilities for vehicles of site personnel, operatives and visitors;
- Arrangements for the loading and unloading of plant and materials;

- Areas of storage for plant and materials used during the construction of the proposed development;
- Measures, including designated wheel cleaning areas and means of preventing the discharge of water onto the public highway, to prevent the deposition of deleterious material on the public highway during the construction of the proposed development.

12.14 The condition will ensure that the construction management plan is adhered to for the duration of the construction phase of the development.

12.15 In conclusion the proposal is likely to lead to an element of additional noise and disturbance through increased activity and comings and goings associated with residential development. However, it is not considered that this would unacceptably affect the amenities enjoyed by the occupiers of neighbouring dwellings subject to relevant condition requirements being imposed on any approval.

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 Whilst the proposal does not propose to incorporate any renewable energy sources or specific green construction techniques it does propose the incorporation of a Sustainable Urban Drainage System

(SUDS) and ecologically sensitive design features as recommended in the ecology report. The measures include the provision of bat boxes and bird boxes and appropriate landscaping and lighting schemes to limit the impact upon ecological interests within the area.

- 13.3 In the design and access statement it is stated that other sustainable development techniques could be employed across the site to individual properties to include water conservation measures and renewable energy systems among others. A condition is recommended to require further details of the energy efficiency, renewable technologies and water conservation measures to be employed across the development.

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. This is addressed in more detail later in this report.
- 14.4 Many neighbour comments have raised concern about the cumulative highways impact of the development, in combination with other developments at Uttoxeter. The Local Plan is accompanied by an Integrated Transport Strategy. The Transport Strategy explains how Staffordshire County Council will deliver a transport network that is capable of taking the level of development set out in the Local Plan. The Transport Strategy concludes that evidence does not suggest that traffic congestion on local roads is not a significant problem in Uttoxeter. However, taking into account the level of development expected over the plan period (2012-2031) the strategy identifies a number of individual projects, expected to be delivered through a combination of countywide initiatives, connectivity proposals in the Borough, schemes identified in the Divisional

Highway Programme and Local Transport Packages. The Strategy also includes proposals to improve bus services along Stafford Road in Uttoxeter, reference improvements to the cycle network, enhanced signage from Uttoxeter bus station to the town centre, the rail station and Uttoxeter Racecourse. These improvements, whilst not referenced within the application itself, are material considerations in determining the application.

14.5 Prior to the application being formally submitted, the Highway Authority discussed the content of the transport assessment and required the developer to take into account the committed developments within Uttoxeter as part of their assessment to address the cumulative impact of new development in the town: these included:

- Re-development of the JCB site off Balance street,
- The re-development of Uttoxeter Cattle market, (Housing/retail),
- Housing/employment site off Doveway,
- Proposed development off Bramshall Road, (250 dwellings),
- Land West of Uttoxeter, (750 dwellings + employment),

These sites were included in the submitted Transport Assessment.

14.6 Uttoxeter Train Station has hourly services between Crewe and Derby between 7am and 10pm. This is considered reasonable for those residents commuting to these larger settlements for work. In addition, Network Rail have not commented on the application proposal or raised concern about the impact on their operations or services.

14.7 The application proposes, via a S106 to provide a half hourly bus service to Uttoxeter Town Centre. This service will run through the application site (the larger parcel accessed off the B5013 Abbots Bromley Road) itself in order to be accessible. This service will run for 5 years, by which time the bus service operator will have determined whether the service has sufficient patronage to continue the service. This is considered a reasonable approach and will offer a suitable alternative from the car to travelling to access the town centre services and facilities.

14.8 The site is not near an Air Quality Management Area and no concerns or objections have been raised by the Councils pollution team regarding air quality impacts.

14.9 With regard to the access arrangements to serve both parcels of land, it is considered that suitable arrangements can be implemented which are commensurate with the size of the development and the vehicular movements generated by it.

14.10 Local representations have queried the suitability of Sorrel Close in accommodating additional traffic movements as the sole access and egress route from the smaller parcel of land accommodating 70 dwellings. The Highway Authority has assessed the proposed

access route and has concluded that Sorrel Close is a typical residential estate road, 5.5m in width with footways either side. It is therefore capable of accommodating additional traffic and with separate footways; pedestrian safety will not be compromised.

- 14.11 With regard to the local residents' comments that many cars park on the road along Sorrel Close; it is considered that there is sufficient room to negotiate the parked vehicles and provide sufficient access to the site. The highway authority is aware of the circumstances at the site and has raised no objections to the proposals. It is not considered that there is any significant harm resulting from the proposed access arrangements taking into account relevant standards, policies and guidance.
- 14.12 The proposed access to the larger parcel of land, accommodating 359 dwellings, is via a roundabout on the B5013 Abbots Bromley Road. The proposal also includes the signalisation of the junction of the B5013 and the A518 Stafford Road to manage the subsequent additional vehicular movements generated by the development. In support of the planning application a Transport Assessment was submitted in which the junction capacity assessment for the Stafford Road (A518)/Abbots Bromley Road (B5013) junction showed that mitigating measures were required. The appropriate mitigating measure identified by the Developer's Transportation Consultant was the signalisation of the junction and it is this design that has been the subject of on-going technical audit. A number of representations from local residents questioned the suitability of the signalised junction and suggested that a second roundabout would be more appropriate.
- 14.13 The Highway Authority responded to these queries and stated that in terms of the provision of a roundabout at this location there are a number of issues that would need to be investigated and addressed including the acute approach angle of Abbots Bromley Road (B5013) to Stafford Road (A518); the potential need to acquire third party land to accommodate the required geometry; and the impact a roundabout would have on the private accesses on the northern side of Stafford Road (A518) at this location.
- 14.14 The proposed highway works include the signalisation of the B5013/A518 junction and the Highway Authority has no technical reason to reject an acceptable proposal by the developer and suggest an alternative based on a roundabout.
- 14.15 The internal road layouts on both parcels of land are both fairly organic, taking account of the topography of the site and avoiding long straight stretches of road. The road layout is of a sufficient width to accommodate the bus route through the larger western parcel.
- 14.16 The layout of the dwellings is such that each property has a parking provision commensurate with the scale of the accommodation. Most garages have an internal measurement of 6m by 3m to accommodate the required cycle parking as required by the

Highway Authority. Where garages do not meet this size requirement, additional cycle storage is proposed within the curtilage of the property in line with the Highway Authority's requirements. A total of 1065 spaces are provided which is made up 1 space for 1 bed units, 2 spaces for 3 bed units and 3 spaces for 4 bed units. There are three 4 bed units where only 2 parking spaces are provided. This falls short of the parking standard by 1 unit. However, as set out later in the report, the Uttoxeter Neighbourhood Plan includes a specific policy on parking standards which sets a different standard. It is noted that the highway authority are satisfied with the level of parking provision across the site.

14.17 In conclusion, the highway and access arrangements proposed are considered to be suitable and there will be no significant negative impact on the road network or highway safety arising from the proposal. The provision of a bus service and improved pedestrian links onto the existing green infrastructure network will ensure there is choice of transport modes. Parking provision is also adequate across the site.

15. Neighbourhood Plan Policies

15.1 This section sets out an assessment of the proposal against the relevant policies in the Made Uttoxeter Neighbourhood Plan.

15.2 Policy D1 – Residential Design sets out the following criteria for what schemes should seek to do:

- 1) Deliver a strong network of green and blue infrastructure, improving biodiversity and appropriate public and private spaces
- 2) Reinforce character and identity through locally distinctive design and architecture
- 3) Establish a gateway to the site and, where appropriate, to the town itself
- 4) Establish a clear hierarchy of streets and spaces including pedestrian priority routes and integrated existing footpaths
- 5) Deliver a scale, mass and density commensurate with the surrounding townscape (particularly for apartment proposals)
- 6) Establish a sensitive transition with the wider landscape where a new settlement edge is created
- 7) Use sustainable drainage systems and water management, through water catchments and green spaces to avoid increasing surface water run-off into watercourses to alleviate flooding and improve water quality.

Where appropriate developers should demonstrate how they have addressed their criteria through the use of masterplans, design coding and design briefs for specific sites. In appropriate

circumstances planning conditions may be placed on planning applications to ensure that any design codes and planning briefs are respected as part of the development concerned.

15.3 These criteria are broadly consistent with the Local Plan Design policy and overall it is considered that the house types and the layout of the scheme ensures that the criteria set out above are met. The use of suitable materials can be controlled via condition.

15.4 Policy D3 aims to see quality public realm between developments. The relevant part of the policy is set out below:

Appropriate contributions will be sought from developments to establish a high quality environment within streets and public spaces. Applications which offer high standards of public realm design as part of residential, and town centre developments – specifically on the key sites identified in policy TC2 - will be strongly supported, subject to meeting the other policies of this Plan and the Local Plan. Schemes should ensure routes and spaces are well lit and subject to passive surveillance. Applications must provide a materials palette consistent with that found in the Uttoxeter vernacular.

15.5 The proposal includes a large area of green infrastructure with quality links to other areas in the town.

15.6 Policy T1 – Sustainable Transport states that all applications, regardless of scale, should consider their wider impact on traffic and road safety. It also states that all new developments, excluding householder applications should seek to encourage a modal shift (or transition) by integrating into existing walking/cycling links and bus routes and provision of bike storage.

15.7 Policy T2 states that new development, where appropriate, should contribute towards the provision and enhancement (including servicing and lighting) of pedestrian and cycle links to the wider town and to routes identified under Policy E3 (Green Links). The policy also seeks improvements to existing key walking and cycling routes, including from development sites to the town centre.

15.8 The proposal includes; a 5 year bus service through the site and to the town centre, walking and cycling links to the other areas of the town through the introduction of pavements and safe linkages to existing green infrastructure and sufficient space within garages or within residential plots for the storage of cycles. The impact of the proposal on traffic and road safety on the wider local road network has been fully considered through the transport assessment and the travel plan submitted with the application. Having taken all relevant matters raised by the proposal into account, it is considered that the proposal meets the policy requirements.

15.9 The Uttoxeter Neighbourhood Plan includes a specific policy (T3) on parking standards. The policy states:

Proposals for new residential development in Uttoxeter (including new build, replacement dwellings and conversions to flats or houses in multiple occupancy) will be required to demonstrate that the development will provide the necessary car parking to the Borough Council's standards in operation at that time

Where new development of any type will result in increased demand for car parking spaces, applications should demonstrate how this demand will be met, either by providing satisfactory evidence that there is sufficient on- street capacity to accommodate the additional parking required or providing off-street parking spaces.

Where appropriate, new residences of three or more beds should be allocated two parking spaces and residences of less than three bedrooms should each have one space, excluding affordable housing and housing above shops.

New development that provides additional car parking for visitors to Uttoxeter town centre will be supported.

15.10 As set out earlier in this report, the proposal will provide 1065 car parking spaces. The level of provision overall is above the level of provision required in the Neighbourhood Plan policy as the policy only requires 1 space for properties with less than 3 bedrooms. The policy also states the requirement is excluded from affordable housing.

15.11 The level of provision is short of the standard set out in the Parking SPD by 3 spaces. The deficit relates to provision of spaces for three of the 4 bedroom properties, which only provide 2 parking spaces rather than 3 spaces required by the SPD and Neighbourhood Plan policy. On balance, taking into account the two sets of requirements and the level of provision on the site overall, it is considered that the proposal provides a sufficient level of parking spaces.

15.12 Policy T4, Traffic and the Town Centre requires the following:

All major applications should take account of the consequent traffic impact on the town centre. Where appropriate major planning applications should be designed to reduce and manage journeys and reduce environmental and road safety impacts.

Applications that are likely to generate heavy commercial vehicle movements will only be supported if they commit to a routing strategy that avoids the town centre. Applications that through their location or design are able to help reduce the number of heavy commercial vehicles through the town centre will also be supported.

15.13 As set out above the application is accompanied by a travel plan. The travel plan outlines a package of initiatives that are designed to encourage more efficient use of the private car and promote a choice of alternative travel modes.

- 15.14 The travel plan states that the developer will appoint an appropriately skilled Travel Plan Coordinator for the residential development. The Travel Plan Coordinator will be responsible for the implementation, administration and monitoring of the travel plan, including measures such as a welcome pack including information on public transport and walking and cycling routes and undertake a travel survey of the occupants of the site – when certain completions have been carried out. The travel plan will be monitored annually thereafter to ascertain whether the measures are working. Taking this into consideration it is concluded that this neighbourhood plan policy has been complied with.
- 15.15 Policy L3 requires the provision of new public open space as part of large residential developments. The public open spaces should be new allotments, parks and play spaces and playing pitches. Other recreational facilities such as trim trails and other forms of social space will also be supported. For developments over 11 dwellings, public open space should be provided on site in line with the Open Space SPD.
- 15.16 The proposals for open space are set out elsewhere in this report and include a variety of different types of space, many of which will be multifunctional. The proposal meets this neighbourhood plan policy.
- 15.17 Policy E1 seeks to establish a network of green infrastructure, including existing trees, hedgerows, historic field patterns, the Strategic Green Gap and other such assets across the town linking the landscape setting with the urban area. Applications which retain and enhance such features and take the opportunity to re-introduce them into key sites, will be supported. Schemes which seek to establish lines of trees or hedgerows to contribute to this network within the urban street scene will also be supported.
- 15.18 The proposals for green infrastructure are set out elsewhere in this report and include a variety of different types of space and features. The proposal meets this neighbourhood plan policy.
- 15.19 Policy E2 states that new development should protect and where appropriate enhance the landscape setting of the town, and with a particular emphasis on the Picknal, Tean and Dove valleys.
- 15.20 Planning applications that would result in the loss or fragmentation of this setting will not be supported. Planning applications that sensitively manage flood risk issues will be supported. All planning applications should demonstrate the extent to which they have respected and reinforced historic landscapes in general, and field patterns in particular.
- 15.21 Flooding and landscape considerations are set out elsewhere in this report, however it is considered that flood risks can be sensitively managed through the use of SuDS and the layout of the scheme has been designed to soften the edge of the proposal, to ensure a sensitive transition between the urban and rural edge.

- 15.22 H2 states that in order to secure a sustainable and mixed community, outside the town centre, each development site of greater than ten houses should provide a mix of dwelling types, including bungalows, executive housing and starter homes, and a range of tenures, including affordable housing provision in line with the East Staffordshire Local Plan. Affordable housing should be in accordance with the East Staffordshire Local Plan policy. All new residential development should demonstrate how it will be suitable, flexible and accessible for all users and Occupants
- 15.23 The housing mix assessment is covered elsewhere in the report and it is considered on balance it provides a suitable mix and includes properties that are suitable for a range of users and occupants.
- 15.24 Policy C2 relates to health provision and states that where appropriate, contributions for primary healthcare infrastructure will be sought to meet housing and employment growth. The Neighbourhood Plan will support applications for development which demonstrably seek to improve health through play and sports space, high quality and attractive walking and cycle links suitable for all users, subject to compliance with other Plan policies.
- 15.25 The application is supported by a Health Impact Assessment which shows how health has been considered in the design and layout of the development. Overall it is considered that the quantity and type of open space and green infrastructure on the site will offer opportunities for health and wellbeing. In addition, a contribution is sought to address the need for additional GP health provision to address an increased population.
- 15.26 Policy C3 relates to Education and Childcare Provision and seeks to ensure the provision of education and childcare facilities in sustainable urban extensions. Staffordshire County Council are seeking contributions towards education provision, as set out elsewhere in this report.
- 15.27 Taking the above context into account and having taken into account the representations made in response to the consultation on the application, it is considered that the proposal complies with the provisions of the relevant policies in the Neighbourhood Plan and the minor conflict with regard to the provision of parking standards SPD is negligible.

16. Historic Environment

- 16.1 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.
- 16.2 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.

- 16.3 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.
- 16.4 Strategic Policy 25 of the Local Plan 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.
- 16.5 Detailed Policy 5 of the Local Plan 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.
- 16.6 Having regard to the relationship with heritage assets, the Uttoxeter Conservation Area is located approximately 630m to the north east of the development. The nearest listed structures are located immediately adjacent to the application site; the closest being the old pound stones which are located on the junction of the B5013 Abbots Bromley Road and the A518 Stafford Road and a milepost located on the verge of Stafford Road.
- 16.7 The statutory list entry for the Grade II Listed old pound stones indicates that it is thought to date back to the late 18th Century and comprises a group of 12 rough-hewn tapered stone posts each with sockets which housed 4 rails on each side of a square enclosure. It is recognised that this location may not have been their original siting, as it is thought that they may have originally stood in Pinfold Street and were subsequently moved to the current site, however it is not known when.

- 16.8 The Grade II listed milepost located adjacent to Stafford Road survives in its original location and forms part of a group, many of which are listed, marking out routes in East Staffordshire. The mileposts are reminders of the growing importance of road transport of people and goods in the 19th Century. The chapels located in the cemetery approximately 270m to the North West are also Grade II listed and date to around 1870. The gothic style buildings sit within the cemetery grounds adjacent to the roundabout on Stafford Road.
- 16.9 Views of other listed buildings in the town centre, including the Grade II* listed St Mary's Church (with its prominent spire) and properties on Balance Street, are visible from the western and southern reaches of the application site where the land rises up to its highest points.
- 16.10 The application is accompanied by a heritage statement which has identified the relevant significant listed buildings within the vicinity, the location of the Uttoxeter Conservation Area and assesses the potential for archaeological interests within the development site.
- 16.11 Having regard to the circumstances set out above it is evident that the development will have an impact upon the setting of listed buildings/structures within the vicinity given both the proximity of the listed buildings/structures directly adjacent to the application site and the distant intervisibility between the site and listed buildings located within the town centre.
- 16.12 With regard to the nearest listed buildings a new footpath which runs along Stafford Road linking up to the Plough public house will be introduced adjacent to the listed milepost. The proposed works to the junction upon which the old pound stones sit will lead to a reduction in the size of the junction 'island' and the introduction of new traffic lights. In terms of impacts, it is considered that there will be some harm to the setting of the listed buildings concerned having regard to their existing environment. It is considered that this harm will be limited as the impact will be predominantly resulting from new street works and the introduction of road safety equipment within a locality which already features extensive highway related infrastructure including the road signage and lighting columns associated with an urban environment.
- 16.13 In the context of the application proposals it is considered that the addition of a footpath and related infrastructure will result in limited harm to the setting of the listed mile post, as its principal significance will remain as a surviving historical directional aid alongside the highway. Similarly, the pound stones will remain in situ and notwithstanding the introduction of the traffic light columns, footpaths and other infrastructure, it is considered that they will retain their visual prominence in the locality and there will only be limited harm from the proposed development. In addition, the built form of the residential development proposed in the application is set back from the Abbots Bromley Road behind a landscaping strip

to retain the rural character of the area and to ensure that the setting of the listed pound stones and mile post is not compromised by the proposed residential development.

- 16.14 With regard to the impact upon the setting of the cemetery chapels, there is no direct intervisibility between the development and the chapels given the topography of the area and it is not considered that there will be any direct impact upon their setting as a result of the development.
- 16.15 The listed buildings within the town centre - with its conservation area designation - are visible in the distance from the higher points of the development site. Nevertheless, whilst there is some visibility from the site towards the town centre/conservation area, the separation distances and the density of development between these heritage assets and the application site provide a significant visual separation which means that the scheme would have no direct impact upon setting of the heritage assets concerned.
- 16.16 It is considered that in this case, both the statutory duties under Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 have been engaged and the historic environment implications of the proposed development have been assessed.
- 16.17 With regard to the archaeological potential of the site, the submitted assessment identifies the presence of historic land features and earthworks within the site including a medieval moated site (Blounts Hall) in the western portion of the scheme and while earthworks associated with it do not survive in good condition there is the potential for significant below ground remains to have survived subsequent agricultural activity during the post-medieval period. Ridge and furrow (the remnants of medieval and post-medieval ploughing) are recorded across areas of the scheme, below this there is the demonstrable potential for late prehistoric activity to survive. This is evidenced by the discovery of a Bronze Age burnt mound approximately 100m to the southeast of 'The Cottage'; two further burnt mounds have been investigated recently in fields to the south. The function/s of these mounds are at present not known although their presence along small watercourses close to the development area does indicate levels of activity in the area during the late prehistoric. Similar cut features (possibly dried up) appear to head west and southwest across the site from Hazelwalls Farm itself.
- 16.18 Taking into account the demonstrable archaeological potential and taking into account the scale of the proposed development, it is considered that the scheme has the potential to impact up on significant archaeological remains relating in particular to the late prehistoric, medieval and post medieval periods. A condition securing a programme of archaeological works is therefore recommended to include a detailed earthwork survey and staged archaeological evaluation in line with paragraph 141 of the NPPF.

The results of this work will inform the need for and scope of any subsequent archaeological mitigation.

16.19 In conclusion, there are significant public benefits arising from the proposal including the provision of housing, community infrastructure and services and green infrastructure. It is also necessary to lessen adverse impacts on heritage assets and provide appropriate mitigation as far as possible. The identified impact on the setting of heritage assets has been taken into account in the preparation of the application. This resulted in the proposal to promote a highway solution to access the site based on a traffic light solution rather than a roundabout solution. The latter would have resulted in a more significant adverse impact on heritage assets. In balancing the identified harm against the public benefits of the proposed development, as required by Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework, it is concluded that whilst there is limited harm to the setting of designated heritage assets, when weighed in the balance, the considerable importance and weight which has to be given to any harm to heritage assets is, in this instance, clearly outweighed by the public benefits of the proposal Flood Risk and Drainage

17. Flood Risk and Drainage

17.1 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.

17.2 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.

17.3 The site is classified as being wholly located within Flood Zone 1 with a very low risk of flooding. That being said it is acknowledged that locally there have, in recent times, been issues with the brook which runs adjacent to Timber Lane and across to Hazelwalls Park to the north. Flooding has occurred at times of heavy, persistent rainfall. The brook, which runs adjacent to Timber Lane from the higher ground to the south east, is identified as a known flooding hotspot in the vicinity of Sorrel Close, Fennel Close and Foxglove Avenue. Whilst the brook does not run across either parcel of land subject to this application and is not in the ownership or under the control of

the applicant, it is a material consideration and the development must not exacerbate the existing situation further.

- 17.4 The application is accompanied by a flood risk assessment and proposed drainage strategy. The proposed strategy includes the provision of three sustainable urban drainage attenuation ponds (SUDS); two on the larger site and one on the smaller site. The SUDS will provide a storage facility for excessive surface water run-off and will reduce the rate at which it enters watercourses downstream. This means that surface water will not leave the site in an unrestricted, uncontrolled manner. The management of the surface water on-site will help to alleviate some of the issues currently being experienced on the existing neighbouring development.
- 17.5 The attenuation ponds on the larger parcel will have a combined capacity of 4400m³. These attenuation ponds will store surface water arising from the development and discharge it at a suitable rate.
- 17.6 The surface water storage for the smaller site is proposed to remain separate from the existing brook course channel that runs adjacent to Timber Lane. Due to the position of the proposed attenuation pond, on higher ground above the brook course, it is not possible to route the channel through the attenuation area. The attenuation basin will have an approximate capacity of 850m³ and will limit flows arising from the site. Further capacity within the sewer network by way of oversized pipes will also aid in the disposal of surface waters arising from the development.
- 17.7 The proposed drainage strategy will limit the discharge of water from the site by way of storing it in the attenuation pond and discharging it at a steadier rate providing a significant reduction in the contribution of the site to the known downstream drainage issues.
- 17.8 Whilst it is not the developer's responsibility to address the existing localised flooding issues in the area on land outside of their control, it is necessary, as set out above, that the development does not exacerbate these existing issues. It is considered that the reduction in the run off rate from the application site by managing the rate at which it is dispersed will in turn alleviate some of the issues being experienced.
- 17.9 The Environment Agency has been consulted on the proposed drainage strategy on the site and has raised no objections to the proposal provided that there is a long term management plan in place to manage the landscaped areas and attenuation basins.
- 17.10 The Flood Risk Officer at Staffordshire County Council has been consulted and has offered support to the developer in the designing of the surface water drainage strategy for the development in a bid to address some of the issues being experienced on Foxglove Avenue. The developer has made contact and discussions are ongoing between the two parties.

17.11 With regard to the disposal of foul water from the development, Severn Trent has been consulted and has identified that there is a need to upgrade the public sewers in the area to facilitate the implementation of the development. Severn Trent have stated that the existing public sewer network can serve a maximum of 70 dwellings once occupied before works will be required to implement improvements to the existing sewerage network. This requirement will be secured by condition. The number of dwellings permitted to discharge to the public sewerage system is similar to the number of dwellings proposed on the smaller parcel of land and as such the developer would be able to implement the development on this site prior to the upgrading works being implemented.

17.12 In light of the above, it is considered that a suitable drainage strategy can be employed to adequately address the drainage requirements for the proposed development and this is likely to assist in reducing the existing localised flooding issues being experienced in the area. The proposal is therefore considered to be compliant with Local Plan Policy SP27 and Section 10 of the NPPF.

18. Affordable Housing and Housing Mix

18.1 The NPPF states that Local planning authorities should have a clear understanding of housing needs in their area. Strategic Policies 16 and 17 along with the guidance set out in the Housing Choice SPD responds to this requirement.

18.2 Paragraph 50 of the National Planning Policy Framework (NPPF) addresses housing mix:

“To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.”

18.3 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.

18.4 The Housing Choice SPD expects the following housing mix:

	Burton			Uttoxeter	Strategic Villages
1-bedroom homes (flats, houses or bungalows)	3%			3%	2%
2-bedroom homes (flats, houses or bungalows)	2%			20%	20%
	Branston	Angelsey	Brizlincote		
	Burton	Horninglow	Stapenhill		
	Eton Park	Shobnall	Winshill		
	Outwoods	Stretton			
Housing for Older People**	11%	20%	50%	10%	35%
2-bedroom houses	14%	13%	8%	8%	6%
3-bedroom houses	32%	29%	17%	30%	23%
4-bedroom houses	26%	23%	14%	20%	10%
5-bedroom houses	11%	10%	6%	9%	4%

18.5 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 was prepared and adopted in 2016 setting out how this policy will be applied. The guidance states that the standard will be expected on 10% of dwellings on major applications for residential development over 10 dwellings. The standard should be applied to a range of properties and not just those larger properties where it is easier to apply the standard due to space.

18.6 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 an Uttoxeter; 25%
- On greenfield sites within and on the edge of Burton and Uttoxeter; 33%
- On other land; 40%

18.7 SP17 states that affordable housing provision should be delivered across the site and not in clusters of more than 8 dwellings.

18.8 The Housing Choice SPD provides guidance on the expected affordable housing mix of sites which for Uttoxeter includes a mix of affordable rental properties and intermediate houses ranging from 1 bed to 4 bed 6 person dwellings.

18.9 It is important to note that the application was submitted 6 months before the adoption of the Housing Choice SPD and associated M4(2) guidance.

18.10 The applicant proposes the following mix:

- 8 No. one bedroom bungalows ;
- 72 No. two bedroom dwellings;
- 134 No three bedroom units; and
- 215 No. four bedroom dwellings.

18.11 Below is the proposed market mix compared to the requirements set out in the Housing Choice SPD:

	Proposal	Housing Choice / Policy requirement
1 bed	0	3%
2 bed	30 (8%)	28%
3 bed	116 (32%)	30%
4 bed	209 (57%)	20%
5 bed	0	9%
6 bed	N/A	N/A
Housing for older people	10 bungalows (3%)	10%
Total	429 (365 market housing)	

18.12 SP16 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, including Housing for Older People. There is provision within the policy to consider evidence prepared by the applicant to justify an alternative housing mix.

18.13 The applicant has been requested and has provided additional evidence regarding how the proposed mix has been derived. The applicant, confirms that the Local Plan supporting evidence suggests that there is a need to encourage the development of smaller properties to provide choice in terms of both size and price and suggests the level of 'need' does not factor in critical issues such as aspirations, viability and demand.

18.14 Turning to demand and aspirations, the applicant cites research by CABA which shows that semi-detached and detached houses are the preferred house type for the majority of households,

particularly families (but not limited to this household type). Older couples also aspire to live in detached houses with downsizing an increasingly common trend nationally. This research is generally consistent with the aims of the Housing Choice SPD which doesn't specify house types in terms of detached properties.

- 18.15 The applicant goes on further to state that the ability of households to pay for 'more' housing than they strictly need has resulted in increasing housing consumption (in terms of numbers of rooms for most household types), especially in owner occupied properties. This means that, in reality, house purchasers' aspirations are generally for larger homes, larger than the size of dwelling that people actually 'need' (as determined by SHMA analysis).
- 18.16 The applicant, responding to the Council's request, has provided evidence of market research. The market research shows that the majority of new homes sales occurs at an average of £243k across the assessment area (which includes postcodes ST14 5, ST14 7 and ST14 8 and across the postcode area (all of ST) of £165k. The research shows a difference amongst different house types across the postcode area and assessment area. The price of existing property sales is considerably lower at £162k and £125k.
- 18.17 The applicant has also provided information on demographics for all households within a 1 mile radius of the proposed scheme. The data shows there is a distinct weighting towards Growing Families, Older Affluent and Senior Settlers, accounting for 65% of the population. The applicant states that these market segments demand a range of larger, more executive family homes.
- 18.18 The applicant has taken into account these pieces of research alongside site costs and expected infrastructure requirements in the proposed housing mix. The applicant claims that whilst the housing mix as set out in the Housing Choice SPD is not strictly adhered to, the mix responds to the needs and demands of the market and offers a suitable mix in terms of expected costs a large proportion of occupiers will be willing to pay in the current market. The applicant has prepared the following table, demonstrating what price bracket the house types are expected to meet, and subsequently, how that meets the Housing Choice SPD standards.

Price range	No of houses	%	House Type	Policy Requirement	Price Range	No of houses	%
£150-£200k	114	31	1b, 2B % elderly	41	£150k - £210k	142	39
£200-£250k	95	26	3B	30	£210k - £250	67	18
£250k-£300k	73	20	4B	20	£250k - £300k	73	20
£300k+	83	23	4 and 5B	9	£300k +	83	23

18.19 The applicant therefore proposes a mix of housing types which meet housing demand in terms of both what willing purchasers actually need and what purchasers aspire towards. The largest area of conflict with the standard is the under provision of smaller properties and over provision of larger properties. However, taking into account the expected prices of the properties and the need of those residents within the area expected to move to new properties, this balances out the proportion of dwellings compared to the table above. The comparison to the Housing Choice SPD requirement using prices, as set out above, shows a separate price bracket, going up to £210,000. The reason for this is that 28 units fall just over the £200k limit, between £200k and £210k and so this set of columns is a more accurate representation of how the scheme will meet the requirement of the Housing Choice SPD.

18.20 The proposal includes 8 x 1 bed bungalows. Officers have carried out a review of completions since the beginning of the Plan Period and there have been no bungalows completed in Uttoxeter during this time. Therefore the inclusion of 8 1 bed bungalows is considered to be a benefit of the scheme.

18.21 As stated above, the application proposes 64 of the dwellings to be affordable, representing 15% of the site. The remaining 18% will be an off-site financial contribution, meaning the requirement to provide 33% affordable housing as set out in SP16 is met. The on-site properties will either be affordable rent or shared ownership and the mechanism for ensuring the properties remain affordable in perpetuity will be secured through the S106 agreement. The affordable units are made up of the following properties:

- 8 No. one bedroom Flats;
- 31 No. two bedroom dwellings;
- 18 No. three bedroom dwellings;
- 7 No. four bedroom dwellings.

18.22 The flats will have the external appearance of a house with one flat on the ground floor and one on the first floor. Each unit will have its own external ground level front door. This is consistent with guidance set out in the Housing Choice SPD.

18.23 The following table shows the affordable housing proposal against the requirements in the Housing Choice SPD.

	Proposal	Housing Choice / Policy requirement
1-bedroom 2-person rented or owner occupied flats or houses	8 (13%)	32%
2-bedroom 4-person rented or owner occupied houses	31 (48%)	53%

3-bedroom 6-person rented houses	18 (28%)	10%
4-bedroom 6-person rented houses	7 (11%)	5%
Total	64	

18.24 Overall the proposed development provides a higher number of larger properties than set out in the Housing Choice SPD. This needs to be weighed up against the overall proposed affordable housing provision on site. A total of 13% on site affordable provision would be policy compliant which would require a total of 56 properties. The scheme includes an additional 8 affordable properties above this requirement and this is considered to be a planning benefit of the scheme.

M4(2)

18.25 The Government has taken steps to rationalise housing standards to simplify regulatory costs and burdens on development as part of a package of measures to help boost house building, known as the national ‘Housing Standards Review’.

18.26 The Government published a Written Ministerial Statement (WMS) in March 2015 which outlined policy and announced that Councils should not set any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings over and above the national ones.

18.27 The Government has withdrawn the Lifetime Homes standard and replaced this with a new approach that introduces ‘optional’ building regulations requirements for access. The technical housing standards came into effect on the 1 October 2015.

18.28 M4 (2) of Building Regulations (2010) is seen as an equivalent of ‘Lifetime Homes’ standard. However, to comply with requirement M4 (2), reasonable provisions must be made for people to gain access to; and use, the dwelling and its facilities. The provision made must be sufficient to meet the needs of occupants with differing needs including some older or disabled people; and to allow adaptation of the dwelling to meet the changing needs of occupants over time.

18.29 Policy SP16 of the East Staffordshire Local Plan states that all dwellings must comply with M4(2) of the Building Regulations (Accessible and adaptable dwellings) (2010). The Council accept that due to site constraints such as topography, size of site and location the standard cannot be achieved.

18.30 Since adoption of guidance in 2016, it is the Council’s approach to require all dwellings to meet the M4(2) standard where practical and viable. The Council will expect the following:

- Major applications (for 10 dwellings or more) to provide 10% of dwellings which meet M4(2) standard
- Those dwellings should be provided across the site as part of the mix of dwellings and not just for those larger properties
- Where achieving the standard for major applications is not viable or practical, the applicant will be expected to provide evidence to support this

18.31 Meeting M4(2) requires compliance with a number of elements, which include:

- Step free access to the dwelling
- Step free access to the WC and any outside space
- A range of people, including the elderly, disabled and wheelchair users are able to use the accommodation and sanitary facilities to be demonstrated through sufficient space for turning
- Features are provided to enable common adaptations to be done
- Wall mounted switches and sockets are reasonably accessible.

18.32 In order to comply with the standard, all five areas must be met. Due to the topography of the site, none of the properties are able to provide step free access and so no element of the scheme meets all requirements of the standard.

18.33 In terms of internal circulation space, most of the house types, and all of the affordable units meet the requirement in some of the rooms, but not all rooms.

18.34 The applicant has confirmed that switches and sockets will be located in accordance with part M4(1) of the building regulations. The criteria does not significantly differ between the two sets of requirements and sockets will be fitted between a zone between 450 and 1200mm above floor level, considered to be reasonably accessible.

18.35 Overall, it is clear that achieving the standard across the whole site is not possible, principally due to topography. A further significant factor is the viability of the scheme. The applicant states that to meet all other factors of the standard would add significant costs, impacting on the scheme overall and ability to pay the full suite of S106 contributions. This needs to be weighed up against the fact that due to topography, none of the properties will be capable of meeting the standard and so it is recognised that where possible, other parts of the standard will be met.

18.36 Overall, taking into account the NPPF, evidence prepared by the applicant, site character and the information set out in the viability report, it can be concluded that the proposed housing mix is satisfactory. The proposed housing mix is not significantly disproportionate to the Council's expectation as set out in the SPD and it is evident that any amendments to the mix will impact on the viability of the overall scheme and ability to pay the full suite of S106 contributions. Whilst there are a higher proportion of larger

dwellings, the site includes a higher proportion of on-site affordable homes and bungalows. The mix overall provides a reasonable balance and range of housing choice, which will allow existing housing stock to be released through second and third time movers / growing families moving from existing to the new build, providing opportunities for both existing local residents looking to move and those looking to move into the town.

19. Green Infrastructure

- 19.1 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 in planning decisions where relevant.
- 19.2 Strategic Policy 23 states that development should contribute towards the creation, enhancement and/or ongoing management of a series of local green infrastructure corridors. The policy lists 10 standards green infrastructure is expected to meet
- 19.3 The plans have been amended through the application process to create linkages to the existing green infrastructure network at Blount's Drive and Hazelwalls Community Park, off Foxglove Avenue. There will also be large areas of green infrastructure within the development which will contain a variety of natural and semi natural areas aswell as formal play areas.
- 19.4 The development proposes over 8 hectares of public open space across the two sites including the provision of a local equipped area for play (LEAP) and two non-equipped local areas for play (LAP); along with large areas of informal open space with wildflower meadows, native shrub planting and amenity grassland. The areas will have both formal surfaced footpaths and mown footpaths over the more informal natural areas.
- 19.5 A management company will be responsible for the maintenance of general landscaping and areas of public open space. Some areas, particularly those to the development edges, bordering farmland to the south, will be left as very low maintenance, natural areas to further enhance ecological potential.
- 19.6 The amount and type of green infrastructure ensures that it will offer something for a variety of residents. The green infrastructure will be multi-functional, which contributes towards the overall sustainability of the development by performing a range of functions including flood risk management, the provision of accessible green space, climate change adaptation and supporting biodiversity.

19.7 The provision of public open space is in excess of the policy guidance within the Open Spaces SPD adopted in 2010, for the scale of the development. However this is a result of the topography of the site and the need to accommodate and protect the identified ecological interests on the site. The provision is therefore considered to be compliant with Local Plan Policy SP23 and the guidance within the NPPF and NPPG.

20. Landscape

20.1 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.

20.2 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.

20.3 The development proposal has been informed by a comprehensive Landscape and Visual Impact Assessment, which identifies the rural character of the site on the edge of the southernmost part of Uttoxeter. The study also identifies key views of the town and important landmarks such as St Mary's Church and the distant ridgeline of the Dove Valley which have been acknowledged in the design of the scheme to provide views through the development to the local features and landmarks. The development has been designed to keep a rural feel to the site, with a considerable provision of public open space which is situated predominantly in the southern portion of the larger site to maintain a transition between the development and the prevailing open countryside.

20.4 The development will inevitably alter the character of the landscape by introducing additional built form within the natural environment and agricultural land. It is considered that, given the form and layout of the proposal which takes account of the undulations in local topography; coupled with the retention of most existing mature trees and the generous areas of open green space and proposed landscaping to the rural edge of the development; the proposed development will be sympathetic to and in context with the existing built form of the town and will not have a significant adverse impact on the local landscape.

21. Biodiversity

21.1 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.

- 21.2 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.
- 21.3 Strategic Policy 29 states that in considering proposals for development the Council will seek to protect, maintain and enhance the biodiversity and geodiversity of the Borough. The policy goes on to list criteria that proposals should meet including the requirement for development proposals to retain features of biological interest and produce a net gain in biodiversity in line with the Staffordshire biodiversity action plan.
- 21.4 As part of the proposal the existing mature trees and hedgerows on the site are to be retained where possible which will add significant value to the natural landscaping of the development. This is considered to be important given the semi-rural location of the site on the edge of the town and will reduce some of the visual impact of the development within the wider countryside.
- 21.5 The hedgerows to be removed within the site have been assessed and whilst they provide valuable habitat and foraging opportunities for wildlife the quality of the hedgerows is such that they would not warrant protection given the number of species present within them. The hedges have been managed in line with the agricultural practices and management of the land.
- 21.6 The landscaping masterplan identifies the trees which are to be retained as part of the development and those that require removal to facilitate the development. The tree survey submitted identifies fourteen individual trees, equating to 10% of the trees on site, that will be removed. Seven of these trees have been identified as having a limited amenity value and life expectancy. A small tree group comprising four trees, within the hedgerow to the south east of Blount's Hall will also be removed to facilitate the creation of an access road. The tree group comprises an Ash, Elm, Hawthorn and an Oak. The remainder of the trees along the hedgerow are to be retained.
- 21.7 There are four mature Oak trees on the boundary of the site adjacent to and within gardens of existing properties on Stanway Close. The trees are protected under Tree Preservation Order 81. Whilst no works are proposed to the trees, it is paramount to ensure that no harm is caused to the health and longevity of the trees as a result of the development. Therefore the trees will be subject to protection during the construction phases of the development to ensure they are not compromised as a result of the development.
- 21.8 A pre-commencement condition is recommended to require a tree and hedgerow protection plan to be submitted and approved and subsequently implemented prior to the start of works on site and to be maintained throughout all phases of the development. The plan

will cover both parcels of land and include the four Oak trees on the boundary with Stanway Close.

- 21.9 The application is accompanied by a detailed ecological assessment which provides surveys of the site with regard to the presence of protected species. The surveys conclude that the site is a valuable ecological site supporting wildlife, typical of well-maintained farm land. The buildings on the site have been surveyed and it is considered that they too provide habitat for bats and nesting birds.
- 21.10 With regard to the bat population, it is considered that the site provides suitable roosting and foraging opportunities and surveys have shown a healthy population. The site has trees and hedges which provide ideal foraging grounds for bats. The value of the landscape has been identified in the ecology appraisal and advises on suitable habitat mitigation and enhancements measures to lessen the impact upon the local population. The landscaping of the site is considered key to ensure that there are still foraging and roosting opportunities. The landscaping master plan shows clearly defined green corridors across the site, providing good connectivity from key locations within the site; including the existing copse of trees to the south east of Blount's Hall within which there is a Beech Tree identified as an important feature; and out to the open countryside beyond. It is also recommended that an open space strategy is developed that provides designated footpaths and litter bins, dog waste disposal bins and interpretation boards to manage visitor pressure within the area.
- 21.11 The areas of public open space have been designed to maintain habitat connectivity to the wider countryside. The provision of mitigation measures such as bird boxes, bat boxes, an artificial badger sett and barn owl boxes; combined with the retention of hedgerows and trees and the provision of new native hedgerows and trees across the site will provide habitat and foraging opportunities.
- 21.12 In the southernmost part of the Public Open Space the area is to be kept as natural as possible, with wildflower meadow, amenity grassland and shrub planting. The footpaths through this area will also be kept natural and will be simple mown pathways. The barn owl boxes and artificial badger sett will also be located in the southernmost point of the larger site given its proximity to the edge of the site away from the proposed built form and out provides easy access out towards the open countryside beyond.
- 21.13 Within the smaller of the two sites, a central hedgerow is being retained to provide a wildlife corridor through the site which links to the land to the east which opens out into open countryside. There is also the provision of bat boxes along the southern boundary within the line of existing trees adjacent to the line of the brook course to further enhance habitat and roosting opportunities in the area.
- 21.14 Whilst habitat will be lost by way of developing the site resulting in the loss of buildings, trees, hedges and ditches all of which provide valuable habitat to wildlife; the proposed mitigation scheme and

landscaping scheme will help to retain some of the key habitat features within the site and effectively promotes habitat connectivity to the open countryside to the east of the site. The ecological enhancement measures proposed will be secured by condition to ensure they are installed as agreed. The measures include the provision of bat and bird boxes, bat roosts in the roofs on new dwellings and the provision of an artificial badger sett within the site.

21.15 The application site lies 14 km from Cannock Chase Special Area of Conservation (SAC) which is a European Designated Site. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations').

21.16 The Borough Council is a partner in 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 policy 'Detailed Policy 11 – European Sites'.

21.17 Following the publication of a revised mitigation regime the SAC Partnership authorities have agreed to implement a tariff for collection of developer contributions within 0-8km of the SAC. As a result no developer contribution is required for the proposed development and significant effects upon the Cannock Chase SAC can be screened out. The Cannock Chase SAC Partnership have now set up a Joint Strategic Board to oversee the delivery of mitigation measures on the SAC. Mitigation measures are to be funded from S106 monies collected from developments within the 0-8km zone. The 8-15km zone of influence is estimated to encompass the area from which 75% of visits to the Chase are generated. However, there is still a likelihood that there will be some recreation pressure as a result of development. This impact can be mitigated through the inclusion of a welcome pack for new residents setting out alternative destinations as well as directing visitors to the main visitor hubs on Cannock Chase, away from sensitive locations. This approach is advocated in the response from Natural England, who recommend the inclusion of the information packs is secured by the imposition of a suitable planning condition.

21.18 Whilst it is acknowledged that the development of the site will inevitably result in the loss of habitat and foraging grounds for the local wildlife populations, appropriate mitigation and enhancement measures can be secured. Appropriate landscaping and management of areas of open space, and the retention of and provision of new trees and hedges across both the sites, maintaining habitat connectivity to the open countryside beyond, will ensure that habitat lost as a result of the development is minimised. Subject to

compliance with the conditions, the development should result in a net gain for bio-diversity in the area and not impact adversely on any European protected species. The proposal therefore satisfactorily meets the sustainability requirements of the NPPF in respect of ecology and biodiversity interests in accordance with Policy SP29 of the Local Plan.

22. Open space

- 22.1 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.
- 22.2 Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.
- 22.3 SP32 and SP33 set out the requirements of open space provision across the Borough.
- 22.4 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.
- 22.5 Developers should provide open space to the local standard identified for the area. Local Standards are identified in the Local Plan Supplementary Planning Document
- 22.6 The development proposes over 8 hectares of public open space across the two sites including the provision of a local equipped area for play (LEAP) and two non-equipped local areas for play (LAP); along with large areas of informal open space with wildflower meadows, native shrub planting and amenity grassland. The areas will have both formal surfaced footpaths and mown footpaths over the more informal natural areas.
- 22.7 The open space will be maintained by a management company.
- 22.8 Sport England have requested a financial contribution to providing sports pitches to meet the needs of residents. This request accords with Strategic Policy 32 and 33 which state that developers will be expected to contribute either by an onsite or S106 as appropriate towards new provision or enhancing existing facilities. The policy also states that the Council may direct any sports contribution to established or proposed sports hub in place of onsite provision, ensuring that there is sufficient capacity of sports facilities to meet the needs of the Borough. The Uttoxeter Leisure Centre was significantly refurbished and upgraded in recent years and so it is

anticipated that the majority of the contribution will go towards the proposed sports hub at Leasowes Farm to deliver sports facilities.

22.9 The Infrastructure Delivery Plan also identifies a deficit of open space within Uttoxeter. The application proposes approximately a third of the site, over 8 hectares, of green infrastructure and open space which will not only serve the residents of the development but will also go towards addressing the existing local deficit as it will be accessible to other residents of Uttoxeter. This is another planning benefit of the scheme.

23. Education

23.1 There is a need for education facility provision in East Staffordshire, particularly in Uttoxeter and Burton upon Trent. Strategic Policy 10 identifies areas where new schools will be expected in Uttoxeter and Burton upon Trent.

23.2 Thomas Alleyne's High School is projected to have insufficient places available to accommodate all of the likely demand from pupils generated by the development. However, it is currently projected to have limited places available in one year group only and this has been taken into consideration when calculating the necessary education contribution.

23.3 Picknalls First School and Oldfields Hall Middle School are currently projected to have insufficient space to accommodate the likely demand from pupils generated by the development and therefore a request will be made towards First School provision and Middle School provision.

23.4 Staffordshire County Council therefore seek an Education Contribution for 95 First School places (95 x £11,031 = £1,047,945), 44 Middle School places (44 x £13,827 = £608,388), 22 High School places (22 x £16,622 = £365,684). This gives a total request of £2,022,017.

24. Community Infrastructure and Services

24.1 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.

24.2 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 the proposed dwellings. Where the contribution would provide wider infrastructure provision, the contribution will not take the pooling threshold above 5.

24.3 The following contributions are sought. These contributions are set out below:

Item	Planning Obligation	Cost (where applicable)
Education	95 First School places (95 x £11,031 = £1,047,945), 44 Middle School places (44 x £13,827 = £608,388), 22 High School places (22 x £16,622 = £365,684).	£2,022,017
Refuse Containers	Contribution to provide refuse storage containers at £75 per dwelling	£32,175
Open space	Provision & maintenance	Management Company
Affordable Housing	15% on site, 18% off site	£3,102,800.
Public Footpath connectivity	The provision of pedestrian/cycle links to Blounts Drive and Fennel Close.	£5,000
Bus service provision	5 year service accessing the development and providing services to the local area	£750,000
Health	Extension to existing healthcare facilities	£152,160
Travel Plan	Residential Travel Plan monitoring fee	£6,430
Sports provision	Creation of additional swimming pool and sports hall capacity at Uttoxeter. Money to be shared between new provision at Uttoxeter Sports Hub and increasing capacity at Uttoxeter Leisure Centre.	£369,082

24.4 Many local representations received on the proposal have focused on the lack of a community facility or community hub within the development. The Local Plan is accompanied by an Infrastructure Delivery Plan which sets out what type and level of infrastructure is required over the plan period to support the level of development envisioned over the plan period. The Infrastructure Delivery Plan concludes that East Staffordshire Borough currently provides a good provision of community facilities, with adequate meeting space, libraries and places of worship. In particular much of this provision is as expected, within the key service towns of Burton

upon Trent and Uttoxeter. The study recommends community facilities are enhanced at the outskirts of Burton and Tutbury, but not at Uttoxeter.

- 24.5 In terms of daily shopping needs, whilst the proposed development does not include any on-site facility, the application has been made to improve linkages either by foot, bicycle or bus to Uttoxeter Town Centre or local centres elsewhere in the town to ensure the day to day needs of residents are met. Therefore the proposal is satisfactory in this regard and the lack of onsite facilities is not sufficient reason to refuse the development.
- 24.6 The NPPF states that pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Local Plans should be deliverable and therefore the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. The NPPF also states that to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable. Decision-taking on individual schemes does not normally require an assessment of viability. However viability can be important where planning obligations or other costs are being introduced. In these cases decisions must be underpinned by an understanding of viability, ensuring realistic decisions are made to support development and promote economic growth.
- 24.7 The applicant has confirmed that the proposed development taking account of the above contributions is viable and the contributions are agreed.

25. Other Issues

- 25.1 Further concerns have been raised regarding the failure to consider public opinion. Minimum requirements for consultation by the Local Planning Authority on planning applications are primarily set out in the 'Town and Country Planning (Development Management Procedure) Order' (DMPO). In addition to the DMPO, the Council has carried out consultation on planning applications in accordance with the adopted Statement of Community Involvement 2013. In this instance, the planning application has been publicised twice (September 2014 and April 2015) and all comments have been considered and are summarised in this report. Furthermore, the applicants also engaged with Local Communities before the application was submitted through a local public exhibition.
- 25.2 The Council has also engaged widely with Local Communities and other interested groups concerning the proposal through the adopted Local Plan. In particular, the Council has held a number of road show exhibitions and discussion forums across the Borough in

2007, 2011 and 2012 and 2013 to give local residents the opportunity to engage in development of the Local Plan. The plan was publicised through a dedicated web-site, press notices, notification by letter, e-mail alert and media releases. The application site was identified as a site allocation in the Pre-Submission Local Plan, which was consulted on during October and November 2013. The Local Plan Inspector considered all representations made regarding the site through the examination process in 2014 and 2015.

26. Conclusions

- 26.1 This application should be considered by applying S 38(6) of the Planning and Compulsory Purchase Act 2004 by forming a view on the development plan and other material considerations,
- 26.2 Potential environmental impacts of the proposal have been appropriately addressed and can be adequately mitigated subject to the recommended conditions and obligations within the section 106 legal agreement.
- 26.3 The assessed harm to the setting of the designated heritage assets, is assessed to be limited. This nevertheless needs to be given considerable importance and weight and should be weighed against the public benefits of the proposal given the need for clear and convincing justification where harm will be caused. The application site constitutes a site allocation in the Local Plan. Although the application would see the development of a greenfield site, the principle of residential development is considered appropriate given the site is identified as a sustainable urban extension, adopted in 2015. The proposal is for a higher number of properties than set out in the Local Plan, however housing figures in the plan are not maximum figures. The proposal does not extend beyond the settlement boundary as identified on the Local Plan Inset Map.
- 26.4 The proposal accords with the prevailing planning policy context provided in the Local Plan and Neighbourhood Plan and will significantly boost housing supply whilst ensuring that there is a long term future for the heritage assets.
- 26.5 The proposed development would provide a significant contribution towards maintaining the 5 year housing land supply and also going forward through the remaining plan period. It represents a comprehensively planned proposal of a scale capable of providing essential infrastructure necessary for a Sustainable Urban Extension. The Council's Local Plan considers the site to be sustainable. This is an important material consideration that can be given weight in making a decision on the proposal.
- 26.6 It is acknowledged that there is significant local opposition to the scheme, and this must be taken into account appropriately when reaching a decision on the application. However, opposition to the

proposal in principle should be considered in light of the fact it complies with policies brought forward through the plan making process for the Local Plan and will contribute to the Council's overarching vision for the Borough over the next 14 years.

26.7 Having taken all material representations received into account, including the limited conflicts with guidance provided in the Council's Parking Standards SPD and the Housing Choices SPD, as well as the identified harm to heritage assets, it is considered that the proposal constitutes sustainable development which accords with the development plan provided by the policies the East Staffordshire Local Plan and the Uttoxeter Neighbourhood Plan.

26.8 It is considered that for this planning application, proposing a comprehensively planned, sustainable development including benefits such as schools funding, a wide choice of housing including affordable housing, road infrastructure, a significant and immediate contribution to the Council's land supply and other infrastructure contributions clearly outweighs any resulting harms that have been identified. The application is therefore recommended for approval as set out below.

26.9 RECOMMENDATION

PERMIT subject to the following conditions and the completion of a Section 106 agreement relating to the contributions set out in paragraph 24.3 of this report:

1. Time limit for commencement (3 years)
2. Approved plans
3. Submission and approval of samples and details of materials of construction 00002F
4. Submission and approval of slab levels and land regrading works
5. Submission and approval of drainage details 00005a
6. Submission and approval of ecological surveys including bats and barn owls on the buildings to be demolished and subsequent method statement/construction environment management plan (protection of wildlife and supporting habitats) (Bespoke)
7. Submission and approval of details of a phasing plan for the provision of the Public Open Space
8. Submission and approval of lighting plan (Bespoke)
9. Submission and approval of ecological and biodiversity enhancement measures

10. Submission and approval of a construction management plan and implementation of plan works to monitor and mitigate against dust 00016g
11. Submission and approval of details of a site waste management plan (Bespoke)
12. Submission and approval of landscape and ecology/biodiversity management plan with long term objectives, management responsibilities and maintenance schedules for all landscaped areas to include a tree and hedgerow protection measures during construction (Bespoke)
13. Submission and approval of a program of archaeological works
14. Submission of landscaping scheme 00003a
15. Submission and approval of information pack to go into the welcome pack for each property to provide information relating to the Cannock Chase Sac and alternative recreational facilities in the area (bespoke)
16. Mitigation measures to be submitted and agreed if during the course of development contamination is found to be present
17. Imported soils condition 00010c
18. Occupation of the development hereby permitted, above the first 70 units, shall proceed at a rate to be agreed with Severn Trent Water while the required local sewerage improvements are carried out (Bespoke)
19. Implementation of landscaping 00003b
20. Implementation of fencing and walling
21. Development to be carried out in accordance with mitigation measures set out in ecology appraisal (bespoke)
22. Vegetation removal outside of the bird breeding season. An inspection of buildings undertaken to check for active nests prior to their demolition – nests must remain unaffected until chicks have fledged. (bespoke)
23. Development to accord with the recommendations of the FRA (bespoke)
24. Development carried out in accordance with Defras Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (Bespoke)
25. Parking spaces shall be retained at all times for their designated purpose and integral garages indicated on the approved plans shall be retained for the parking of motor vehicles and cycles. They shall at no time be converted to living accommodation

without the prior express permission of the Local Planning Authority (Bespoke?)

26. Any soakaways shall be located a minimum of 5.0m rear of the highway boundary (Bespoke?)
27. Where a private access falls toward the public highway a surface water drainage interceptor, connected to a surface water outfall (Bespoke)
28. The relevant bin storage points to be provided before the dwellings they serve are first occupied and therefore retained for their stated purpose (Bespoke).
29. Obscure glazing of first floor windows on side elevations of plots 1(N), 105(E), 114(E), 127(N), 138(N), 139(N), 366(N) and 375(N), with opening parts more than 1.7 metres above the floor level
30. Rooflights to have a black finish
31. Removal of PD rights for wall and means of enclosure to front of properties except those approved by this consent.

Informatives

1. Standard engagement informative.
2. The applicant is advised to note and act upon as necessary the attached comments of the Police Architectural Liaison Officer. However, where there is any conflict between the recommendations of the Architectural Liaison Officer and the terms of the planning consents the latter take precedence
3. Pre-commencement conditions standard informative
4. Footpaths informative – remain unaltered, open and obstruction free. Public Footpath No.16 in the Parish of Uttoxeter Town runs through the site and no works should be undertaken which might adversely affect the rights of users.
5. This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. The developer should be advised to contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works. agreed
6. The Condition above requiring off-site highway works shall require Major Works Agreements with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a further link to a Major Works Agreement Information Pack and an application form for the Major Works Agreement. Please complete and send to the address indicated on the application form which is Network Management Unit, Staffordshire County Council, 2 Staffordshire Place, Tipping Street, Stafford. ST16 2DH. (or email to nmu@staffordshire.gov.uk)

<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>

27. Background papers

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

- Planning File for P/2015/01497
- Local Plan Evidence base document Infrastructure Delivery Plan 2013
- Local Plan Evidence base document East Staffordshire Borough Integrated Transport Strategy 2014-2031
- Natural England Land Classification Maps

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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