

Agenda Item:	5.2
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Site:	Model Dairy Farm, Grafton Road, Stapenhill, Burton Upon Trent , DE15 9BZ
Proposal:	Reserved Matters application for the erection of 77 dwellings with associated garaging, roads, landscaping and substation (amended description and amended plans received)

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](#)

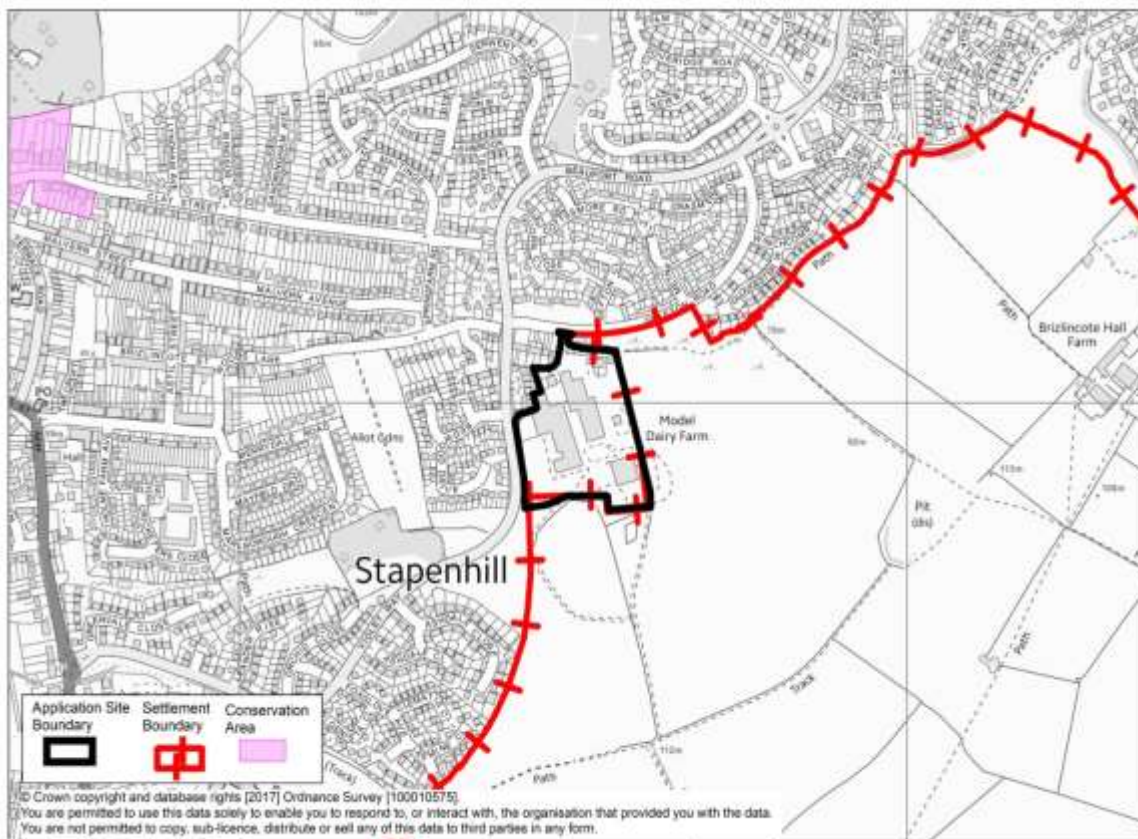
Application Number:	P/2017/00590	
Planning Officer:	Emily Summers	
Type of Application:	Reserved Matters	
Applicant:	Strata Homes (Yorkshire) Limited	
Ward:	Brizlincote	
Ward Member (s):	Councillor B G Peters Councillor C D Wileman	
Date Registered:	02 June 2017	
Date Expires:	29 August 2017	

1. Executive Summary

- 1.1 The application site is within the settlement boundary for Burton upon Trent in the adopted Local Plan and is located on the southern side of Brizlincote Valley, covering an area of approximately 3.48 hectares. The application site is located on the south eastern side of the junction of Violet Way and Grafton Road.
- 1.2 The application is a reserved matters submission for the erection of 77 dwellings, including six affordable units, together with associated landscaping and substation. Reserved matters of access, appearance, landscaping, layout and scale are to be determined.
- 1.3 Statutory consultees have raised no objections that cannot be overcome via planning conditions.

- 1.4 Local residents have been notified of the application and a site notice posted. Three representations have been received raising objections/concerns in respect of the proposals.
- 1.5 It is considered that the scheme is in line with the criteria of the outline planning approval - and its associated Section 106 Agreement - and compliant with the provisions of the relevant development plan policies and the National Planning Policy Framework.
- 1.6 The proposal would not be likely to adversely affect the amenities of occupiers of existing and proposed nearby dwellings, and would provide an acceptable level of amenity for the occupiers of the new dwellings. The proposal will not have an unacceptably adverse impact on the wider existing highway network nor give rise to any environmental concerns. The scheme would also provide necessary mitigation and compensatory measures in relation to protected species and biodiversity.
- 1.7 The application was previously scheduled as an item on the October Committee agenda and was withdrawn at the request of the applicant to review the site area. These issues were resolved and no changes are proposed to the application site area. Limited changes to the layout have been made to confirm parking arrangements and the confirmation of boundaries to two properties. A re-consultation took place following the receipt of the amended plans.

Map of site



2. The site description

- 2.1 The application site is within the settlement boundary for Burton upon Trent in the adopted Local Plan and is located on the southern side of Brizlincote Valley, covering an area of approximately 3.48 hectares. The application site is located on the south eastern side of the junction of Violet Way and Grafton Road. The only other development on this side of the junction is a pocket of houses to the north west of the site, with a row of 11 dwellings facing onto Grafton Road and a relatively new development that faces onto Violet Way. To the north and west of the application site, but on the opposite side of Grafton Road and Violet Way respectively, are dwellings forming part of the Brizlincote Valley development. To the south and east of the site are agricultural fields that are outside of the settlement boundary and are designated as Green Belt. There are small areas of woodland to the south west and north east of the application site.
- 2.2 The application site is in agricultural use, with the majority of the site covered by three large metal clad agricultural buildings, a slurry pit and associated parking and access areas. In addition to the agricultural use are three dwellings and some commercial units, all located towards the north of the application site. Vehicular access is gained from the north of the site from Grafton Road and the ground slopes up from the access point by approximately 10 metres to the southernmost part of the site. The northern boundary of the site is formed by the rear boundary of the dwellings that face onto Grafton Road and the woodland to the north east of the site. The eastern boundary of the site is lined with a variety of soft landscaping, but still maintains a degree of openness to the agricultural fields beyond. The south of the site is open to the fields beyond and the western boundary is formed by a tree lined bank that rises up to the level of Violet Way.
- 2.3 The application site is adjoined by an area of land to be used for public open space should this development come forward. This was secured by the S106 agreement under the outline consent. The public open space was the subject of separate planning applications as set out in the Planning history section below. The most recent approval provides an area of land which spans across the full width of the southern boundary of the development site. It currently comprises grassland and a small copse of trees.

3. Planning history

- 3.1 P/2016/00992: Change of use to agricultural land to public open space – Approved
- 3.2 P/2012/00795: Outline application to develop land by the erection of up to 84 houses – Approved
- 3.3 P/2011/01026/JPM - Outline application to develop land by the erection of up to 84 dwellings including details of the means of access – Withdrawn
- 3.4 P/2011/01027/JPM - Change of use of agricultural land to public open space – Withdrawn

4. The proposal

- 4.1 The application is a reserved matters submission for the erection of 77 dwellings (including six affordable units), together with associated landscaping and substation, including details of access, appearance, landscaping, layout and scale. The outline application was approved on 16th May 2014 following consideration of the scheme at Planning Committee.
- 4.2 The residential accommodation comprises:
- 6 no. 2 bedroom dwellings
 - 1 no. 3 bedroom dwellings
 - 44 no. 4 bedroom dwellings
 - 26 no. 5 bedroom dwellings
- 4.3 The proposed dwellings are a mix of detached and semi detached. There is a mix of two and two and a half storey dwellings, along with a single bungalow. In terms of the proposed facing materials these comprise brickwork and/or render with grey roof tiles.
- 4.4 The proposal also includes details of a substation. This would be located to the northern boundary of the site, to the side of the proposed plot 9.
- 4.5 A landscaping scheme has been submitted with the application and consists of tree planting mainly to front gardens along with amenity grassland, specimen shrub and shrub planting and hedgerows. A number of trees are to be removed from the site to facilitate the development.
- 4.6 Proposed boundary treatments consist of a mixture of post and rail, close boarded fencing and walling.
- 4.7 Amendments have been negotiated since the original submission to address officer concerns regarding the layout. Additional local consultation was carried out on these amendments.

List of supporting documentation

- 4.8 The following documents have been provided as part of the application:
- Location Plan
 - Proposed Site Layout Plan
 - Proposed Landscaping Plans
 - Proposed Materials Plan
 - Proposed Dwelling and Garage Type Drawings
 - Proposed Massing Plan
 - Proposed Boundary Treatment Plan
 - Streetscape Drawings
 - Proposed Refuse Tracking
 - Proposed Surface Finishes
 - Drainage Strategy
 - Affordable Housing Statement

- Surface Finishes Plan
- Road and sewer layout

4.9 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	There does not appear to be any public open space shown on the drawings and consequently there is no access shown thereto.
5.3	SCC Highways	No objection subject to conditions
5.4	SCC Education	Request that the education contributions are brought forward in line with the extant outline approval/Section 106 agreement.
5.5	Environment Agency	No objection
5.6	Severn Trent Water	No objection
5.7	The National Forest	Provided comments on the original submission and amended. Commented that the submission lacked connectivity to the open space, however this has now been provided on the revised layout plans. Note that Condition 7 of approved application P/2016/00992 requires details of proposed planting within the public open space and have requested to be consulted on any discharge of condition application in the future.
5.8	Architectural Liaison Officer	Provided guidance on crime reduction.

Internal Consultees		Response
5.9	Environmental Health	No objections subject to conditions.

6. Neighbour responses

6.1 Neighbours have been notified of the application, a press notice published and a site notice posted. 3 respondents have raised the following objections/concerns summarised below:-

Neighbour responses	
Highways Impacts	What arrangement has been made to deal with an increase in vehicles using the Grafton Road access point?

	Concern relating to construction vehicles during the development. Will the public footpath running parallel to Grafton Road be retained?
Flood and drainage impacts	Will existing drainage and sewage systems have capacity
Other	Impact on gas, electricity and water supply

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
- SP9 Infrastructure Delivery and Implementation
- SP10 Education Infrastructure
- SP16 Meeting Housing Needs
- SP17 Affordable Housing
- SP23 Green Infrastructure
- SP24 High Quality Design
- SP26 National Forest
- SP27 Climate Change, Water Body Management and Flooding
- SP29 Biodiversity and Geodiversity
- 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

Principle of Development

- 7.1 The principle of the development of the site has been established with the approval of the outline planning permission. This reserved matters application will be subject to the requirements of the conditions and the Section 106 Agreement attached to the related outline planning permission. These provisions are referenced where relevant in the following sections of the report.

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

- 8.1 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.

- 8.2 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.
- 8.3 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.
- 8.4 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.
- 8.5 The East Staffordshire Design Guide is applicable to the policy provisions 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.
- 8.6 Policy DP2 aims for development to achieve high sustainability and environmental credentials adopted energy efficiency techniques and other standards where possible.
- 8.7 The existing character of the site is dominated by the agricultural function, with a number of large metal clad agricultural buildings. However, the site retains a sense of openness with large open areas around these buildings. Located in a valley, there are no key views from the site, but the site does form a prominent feature when looking back towards the site from certain points on the opposite side of the valley. Only a small number of dwellings on the southern side of Grafton Road and those dwellings in Buttercup Close directly adjoin the application site. The key characteristic of these

properties is that they face onto these arterial roads, whilst being set back significantly from them. There is no consistency in the architectural style of these two sets of properties and there are a mixture of finishes and materials.

- 8.8 The layout shows a density of approximately 22 dwellings per hectare, which is considered appropriate in this semi-rural context and allows for dwellings to be located in generally spacious plots, with ample separation distances between. The development is arranged around one main loop with cul de sacs and the main entrance to the site is located off it. In addition there would be private drives serving a number of dwellings on the periphery of the site. The main access road would retain a relatively spacious, open feel given both the separation distance between the front elevations of the proposed houses and the soft landscaping proposals.
- 8.9 The dwellings would be arranged to generally front roads across the site with the backs of dwellings generally facing onto each other. This would increase surveillance onto both public and private spaces. There is a good mixture and distribution of size of properties to add variation to the street scene. The majority of the properties are two storeys with a few 2.5 storey properties located sporadically to provide interest in the scheme. The proposed layout is not untypical of the general area and will still contribute to a sense of local distinctiveness, due to the high quality design of dwellings and the proposed materials. Where side boundary walls are exposed these have been broken up with proposed grass verges and tree planting.
- 8.10 The scheme incorporates a mix of traditional and more contemporary styles 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 grey tiles will be used across the site, to provide consistency for the scheme.
- 8.11 Planning approval P/2016/00992 relates to the provision of open space and National Forest planting that would relate the housing development proposed in outline application P/2012/00795. These applications are tied to one another through the Section 106 agreement to ensure that neither of the applications could be implemented independently from the other. The application site within planning application P/2016/00992 is located directly to the south of the proposed housing and adjoins existing areas of planting on the on the edge of the settlement. It is considered that when combined the result would be a high quality built environment providing sufficient open space, positively responding to its context. The proposal includes a number of dwellings to the south of the site which will look on the public open space, which would provide invaluable surveillance.
- 8.12 Boundary treatments in individual plots consist of walling, traditional close boarded fencing or post and rail fence. The public open space is not defined by any boundary treatment keeping an open and organic feel to the development.
- 8.13 The landscaping scheme proposed to be included in the development is of an acceptable quantity, and will result in the significant 'greening' of the development. Whilst a number of existing trees are to be removed the

development proposes tree planting across the site as well as shrub and hedgerow planting.

- 8.14 In conclusion, it is considered that in terms of design, siting, scale and materials the proposal will respect the mixed character of the surrounding area and would be in accordance with polices DP1, DP3 and SP24 of the Local Plan.

9. Residential Amenity

- 9.1 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.
- 9.2 The site borders residential properties to the west of the site on Grafton Road and Bluebell Close. The pattern of development results in back gardens of existing and proposed bounding each other albeit to no.16 Grafton Road, which the access road runs parallel with. The proposal achieves separation distances between rear elevations of no less than 18.5m, with garden depths of no less than 9m, although the majority achieve in excess of 10m. These are both considered acceptable distances as to not result in overlooking or loss of privacy for future or existing residents. The separation distances between existing dwellings and proposed are also considered acceptable.
- 9.3 In terms of distances between front elevations within the development these are no less than 13m; although the majority of distances in excess of 15m. These distances along with the orientation of properties is considered to be acceptable and will not result in any significant impacts relating to overlooking, loss of light, loss of privacy or overbearing effects to existing or future occupiers.
- 9.4 The low density character of the development gives rise to some generous front and back gardens. The floor layout plans indicate a good level of residential accommodation and therefore it is considered that the proposals would result in a good standard of living accommodation for future residents.
- 9.5 Environmental Health have not objected to the proposal subject to internal noise levels being in line with those recommended within the noise assessment. Considering the proposed layout which includes gardens which are side on to Violet Way, Environmental Health have recommended a planning condition for mitigation measures to ensure that external noise levels in affected gardens do not exceed 55dB_{LAeq}. Following these comments amended plans have been submitted which show a proposed wall and acoustic fencing in these locations. These address the concerns raised by the Environmental Health team.
- 9.6 With regard to residential amenity during the construction process, the submission of a construction management plan has been secured by the outline consent to require details of the parking and vehicles for site operatives and visitors, location for unloading and loading plant and

materials, storage of equipment and detailed of noise mitigation measures. Times of construction and demolition are also to be expected as part of these condition submission details.

- 9.7 In conclusion, the proposal is likely to lead to an element of additional noise and disturbance through increased activity from comings and goings. However, it is not considered that this would unacceptably affect the amenities enjoyed by the occupiers of neighbouring dwellings. Similarly the layout would not give rise to any impacts on residential amenity that would result in the scheme not complying with the provisions of Local Plan Policies SP24 and DP3.

10. Sustainability (energy efficiency and low carbon)

10.1 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;

10.2 The proposed dwellings will be constructed using modern and efficient methods resulting in buildings that are well insulated and energy efficient. Whilst there is no specific design for solar gain or other such highly sustainable design techniques it is considered that the proposed dwellings will be much more energy efficient than those in the vicinity and will not result in a significant increased carbon footprint. It is therefore considered that the proposals would accord with policy SP2 of the Local Plan.

11. Highway Matters

- 11.1 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.
- 11.2 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.
- 11.3 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.
- 11.4 The proposals meet the standards required by the Car Parking Standards SPD for residential developments. Parking comes in the form of driveway parking, integral garages and stand alone garages. The Highway Authority recommends that conditions be attached to any approval to secure parking/garaging before any dwelling is first occupied and that any dwelling without access to a garage be provided with a secure weatherproof cycle storage facility. It is also recommended that a condition be put in place removing permitted development rights for garage conversions retaining the future use of the garages for the parking of vehicles. Parking is situated close to properties to facilitate easy access for residents to the housing and the proposed integral garages to properties have a width of 3 metres. The parking requirements therefore conform to the Council's parking standards.
- 11.5 In terms of wider highways issues, the Travel Assessment submitted with the outline application identified a concern in relation to the increase in traffic on the junction of Grafton road, Beaufort Road and Violet Way and the long standing issue of the speed of vehicles coming across this junction from Beaufort Road to Violet Way and vice versa. Therefore a Grampian condition was added to the outline requiring the details of the junction to be submitted and approved by the Local Planning Authority and for the improvements to be completed prior to the first occupation of the site.
- 11.6 A Travel Plan was also submitted with the outline application and the Section 106 agreement makes provision for monitoring its implementation. A Grampian condition also makes for the provision of a bus shelter on Violet Way. It is envisaged that these would promote methods of transport other than private car.

11.7 It is not therefore considered that the proposal would prejudice the safe or efficient use of the highway network.

11.8 There are no public rights of way which cross the lands the subject of this submission and as such there will be no impacts on rights of way.

12. Historic Environment

12.1 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.

12.2 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.

12.3 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.

12.4 Strategic Policy 25 states that Development proposals should protect, conserve and enhance heritage assets and their settings, taking into account their significance, as well as the distinctive character of the Borough's townscapes and landscapes.

12.5 Detailed Policy 5 goes into more detail regarding Historic Assets, Listed Buildings, Conservation Areas and Archaeology. Detailed policy 6 aims to protect other heritage assets which are not necessarily covered by listed building or conservation area status, such as shopfronts and the setting of important historic landscapes.

12.6 There are no designated above ground heritage assets - conservation areas or listed buildings - within 800m of the application site. The nearest asset being the Grade II Listed The Old Farm on Holly Street. Given this separation distance, it is not considered that the proposal will have any impact on any listed building or its setting nor on any conservation area and

the statutory duties under Section 66 and under Section 72 are not therefore engaged.

12.7 There are no archaeological implications for the site.

13. Flood Risk and Drainage

13.1 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.

13.2 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.

13.3 The site is currently served by a positive surface water drainage system which connects to the public sewer system via an attenuation lagoon adjacent to Grafton Road and Wood Lane and a small part of the site drains to an existing sewer in Violet Way without attenuation. The Flood Risk Assessment provided as part of the outline application proposed to remove the surface water sewer connection in Violet Way to reduce the peak flow in the public sewer system as this is currently unattenuated and the Addendum to the Flood Risk Assessment confirms that the residential development of the site would reduce runoff rates and volumes in excess of 20% due to the increase in permeable area, which would mitigate the expected rainfall increase as predicted by climate change modelling. It was not considered that the proposed development would be at an unacceptable risk of flooding, or that the proposal would increase the risk of flooding in the surrounding area and to ensure this a condition was attached to the outline requiring the development to be carried out in accordance with the Flood Risk Assessment and the Addendum to the Flood Risk Assessment. Drainage details.

13.4 The applicant has submitted a Drainage Strategy with the application. This concludes that by adhering to the proposed strategy outlined in the report it is considered that appropriate drainage outfalls can be achieved for both the foul and surface water flows which will be generated by the proposed dwellings.

Contamination

13.5 The site is currently used for a mix of agriculture, residential and industrial uses. In line with the Land Contamination Desk Study submitted with the outline application and the response from the Environmental Health Manager, the site is considered acceptable for residential development,

subject to the recommendations within the report, which includes a Phase II Ground Investigation. The requirement for further investigation was secured by condition at the outline stage.

14. Affordable Housing and Housing Mix

14.1 The NPPF states that Local planning authorities should have a clear understanding of housing needs in their area. Local Authorities should address the need for all types of housing, including affordable housing and the needs of different groups in the community. Strategic Policies 16 and 17 along with the guidance set out in the Housing Choice SPD responds to this requirement.

14.2 Strategic Policy 16 states that residential development in the main towns and Strategic Villages shall provide an appropriate dwelling or mix of dwellings given the mix required in that part of the Borough according to the Council's evidence base or other evidence.

14.3 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%

14.4 Strategic Policy 16 states that all dwellings providing ground floor accommodation should meet Building Regulations 2010 Standard M4(3) relating to accessible and adaptable dwellings. Further guidance has been prepared setting out how this policy will be applied. The guidance states that the standard will be expected on 10% of major applications. The standard should be applied to a range of properties and not just those larger properties.

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

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

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

14.7 The Housing Choice SPD provides guidance on the expected affordable housing mix of sites.

14.8 Whilst the housing mix is not in accordance with the current Housing Choice SPD the position is one which has been negotiated with the developers and takes account of the conditions on the outline application and the limited scope to control all matters at the reserved matters stage. The applicant has provided a detail submission to support this position. To assist the planning assessment, they state that they have undertaken their own market research and have concluded that the housing mix proposed meets with demand in the area. This conclusion is based on sales and enquiries from prospective purchasers on other sites locally. The applicant considers that whilst the proposal contains a proportion of four bedroom houses, consideration should be given to the variety of dwelling sizes in terms of floorspace, rather than the number of bedrooms. The 4 bed units range from 1,421 square feet to 2,028 square feet. Given that the price of the dwellings will be generally based on floorspace, it is considered that the proposal provides a good variety of house types and sizes, which will offer customer choice and accord with the intentions of Strategic Policy 16 of the Local Plan and with the SPD. The outline permission included a condition requiring 10% of dwellings to meet Building Regulations 2010 Standard M4(2). Providing this standard on 10% of the properties will ensure the needs of older people and those with specialist housing need will be met on the site, representing a benefit of the proposal.

14.9 Insofar as affordable housing provision is concerned, the scheme provides for 6 number affordable housing units. This is pro-rata in line with the requirements of the provisions of the Section 106 Agreement on the outline approval. The affordable housing provision is not in a cluster of more than 8 dwellings on any street frontage and affordable housing mix is in line with the aims of the Housing Choice SPD.

15. Green Infrastructure and National Forest

15.1 The National Planning Practice Guidance is clear that green infrastructure is important to the delivery of high quality sustainable development, alongside other forms of infrastructure such as transport, energy, waste and water. Green infrastructure provides multiple benefits, notably ecosystem services, at a range of scales, derived from natural systems and processes, for the individual, for society, the economy and the environment.

To ensure that these benefits are delivered, green infrastructure must be well-planned, designed and maintained. Green infrastructure should, therefore, be a key consideration planning decisions where relevant.

- 15.2 Strategic Policy 23 states that development should contribute towards the creation, enhancement or ongoing management of a series of local green infrastructure corridors. The policy lists 10 standards green infrastructure is expected to meet.
- 15.3 Strategic Policy 26 supports the National Forest Strategy expects developments within the National Forest to contribute towards the creating of the Forest by providing on-site or nearby landscaping that meets the National Forest planting guidelines.
- 15.4 The linking of planning approval P/2016/00992 and outline application P/2012/00795 secures the provision of 20% National Forest planting.

16. Biodiversity

- 16.1 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.
- 16.2 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.
- 16.3 Strategic Policy 29 lists criteria including development retain features of biological interest produces a net gain in biodiversity in line with Staffordshire biodiversity action plan species and supporting developments with multi-functional benefits.
- 16.4 The Ecological Appraisal and Bat and Owl survey submitted as part of the Outline consent made recommendations to ensure that the proposal would not have any adverse impact on protected or notable species. These measures include a watching brief by an experienced ecologist, provision of bat boxes during demolition works, the erection of a hibernaculum (for reptiles), the storage of materials, the retention of trees, the surveying of trees for protected birds prior to removal or works, retention of the drystone retaining wall. A condition was placed on the outline approval to ensure the development is carried out in accordance with the aforementioned recommendations and it is considered that the development would not impact adversely on biodiversity or European protected species. The proposal therefore satisfactorily meets the policy provisions of the Local Plan and the NPPF in respect of ecology.

17. Open space

- 17.1 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.

- 17.2 Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.
- 17.3 SP32 and SP33 set out the requirements of open space provision across the Borough.
- 17.4 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.
- 17.5 Developers should provide open space to the local standard identified for the area. Local Standards are identified in the Local Plan Supplementary Planning Document
- 17.6 Linking planning approval P/2016/00992 and outline application P/2012/00795 secures the provision of open spaces detailed previously within the report. This also includes 20% National Forest planting. The permission requires the provision of equipped play areas and a kick about area. The open space is located on the edge of the development and, given the scale of the proposed housing development, would be easily accessible by all residents. It would also encourage residents out towards the countryside, making the most of the location of the site on the edge of the settlement.

18. Education

- 18.1 Strategic Policy 10 identifies areas where new schools will be expected in Uttoxeter and Burton Upon Trent. In addition, the policy describes how proposals for education facilities will be assessed. Applications will be required to demonstrate that the location is accessible for the need for which it is intended to meet.
- 18.2 The development will have a significant impact on the provision of both primary and secondary education in the Borough. The outline permission secured financial contributions to education through the S106 agreement.

19. Section 106 Contributions

- 19.1 As set out in this report the proposals are in line with the requirements of the Section 106 attached to the outline approval and include contributions towards education, refuse bins, Travel Plan monitoring, junction improvements and a bus stop on Violet Way.

20. Conclusions

20.1 This proposal will result in the development of a site for which the principle of development has previously been established by the granting of outline planning permission in 2014.

20.2 The submitted details demonstrate that the development will fit into the context of adjoining existing and proposed built form by way of its siting, scale, massing and design. The proposed layout shows that separation distances between existing and proposed dwellings are such that the site can be developed without having a significant detrimental impact on the reasonable amenities of any existing or proposed neighbouring properties. The Highway Authority has confirmed that there are no issues in relation to highway safety.

20.3 The proposal is considered to be in line with the outline approval and with the aims of the policies of the adopted Local Plan and the National Planning Policy Framework.

20.4 The proposed development is not within a conservation area and given the separation distances and the form of existing built development, it is not considered that the proposal would have an impact on views into or out of, the nearest conservation area nor is any Listed Building or its setting affected. The statutory duties under Section 66 and 72 are therefore not engaged.

20.5 RECOMMENDATION

PERMIT subject to the following conditions

1. Compliance with the approved plans (Standard Condition No. 0002)
2. Parking and turning facilities to be provided before each dwelling is first occupied(Standard Condition No. 00004a)
3. Garages to be retained as being available for parking at all times(Standard Condition No. 00004d).
4. Provision of waterproof cycle shelters to those dwellings without garaging(Bespoke).
5. Provision of surface water interceptor where private drive falls towards the public highway(Bespoke).
6. Precise details of bin stores/bin collection points which are required to be provided before the dwelling(s) they serve are first occupied (Bespoke)

Informatives

1. Standard Engagement informative.
2. Notification of outline permission conditions addressed by the reserved matters submission and which remain outstanding.
3. Standard Pre-commencement conditions informative
4. Contact ESBC Waste Management in relation to provision of bins/communal bins.

21. Background papers

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

- The Local and National Planning policies outlined in the report above
- Papers on the Outline Planning Application file reference: P/2012/00795 and associated Section 106 Agreement
- Papers on the Planning Application file reference: P/2016/00992 and associated Section 106 Agreement
- Papers on the Planning Application file reference: P/201

22. Human Rights Act 1998

22.1 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.

23. Crime and Disorder Implications

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

24. Equalities Act 2010

24.1 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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