

<b>Agenda Item:</b>	5.5
<b>Site:</b>	Land off Weaverlake Drive, Hadley Street, Yoxall, Burton-on-Trent, DE13 8NB
<b>Proposal:</b>	Erection of 6 detached dwellings (Revised Plans)

### 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](#)

<b>Application Number:</b>	P/2017/00505
<b>Planning Officer:</b>	Emily Christie
<b>Type of Application:</b>	Detailed Planning Application
<b>Applicant:</b>	Mr & Mrs T Shilton
<b>Ward:</b>	Yoxall
<b>Ward Member (s):</b>	Councillor A Johnson
<b>Date Registered:</b>	05 May 2017
<b>Date Expires:</b>	28 June 2017

This application has been called in by Councillor Johnson for the following reasons:

- The application falls outside of the Settlement Boundary as identified in the Yoxall Neighbourhood Plan policy H1 which states in Yoxall Strategic Aim 2 to ensure that the great majority of new development in the Yoxall Neighbourhood Area is located inside the development Boundary.
- The site is at the demarcation between the edge of the countryside and the start of the village and should represent a transition from one to the other. Instead the proposal is for six dwellings with little or no gardens thus creating an urban feel to what should be a “soft” village edge.
- The site is adjacent to a listed building and large houses with extensive grounds that model the transition from countryside to village and the proposed development shows no empathy with the adjacent buildings or their setting. Two dwellings on the site would enable a sympathetic development that would complement the transition from countryside to village and meld in with the adjacent properties.
- Policy H2 of the Neighbourhood Plan says that... *the development is on a small site and would provide affordable housing for evidenced local need.*

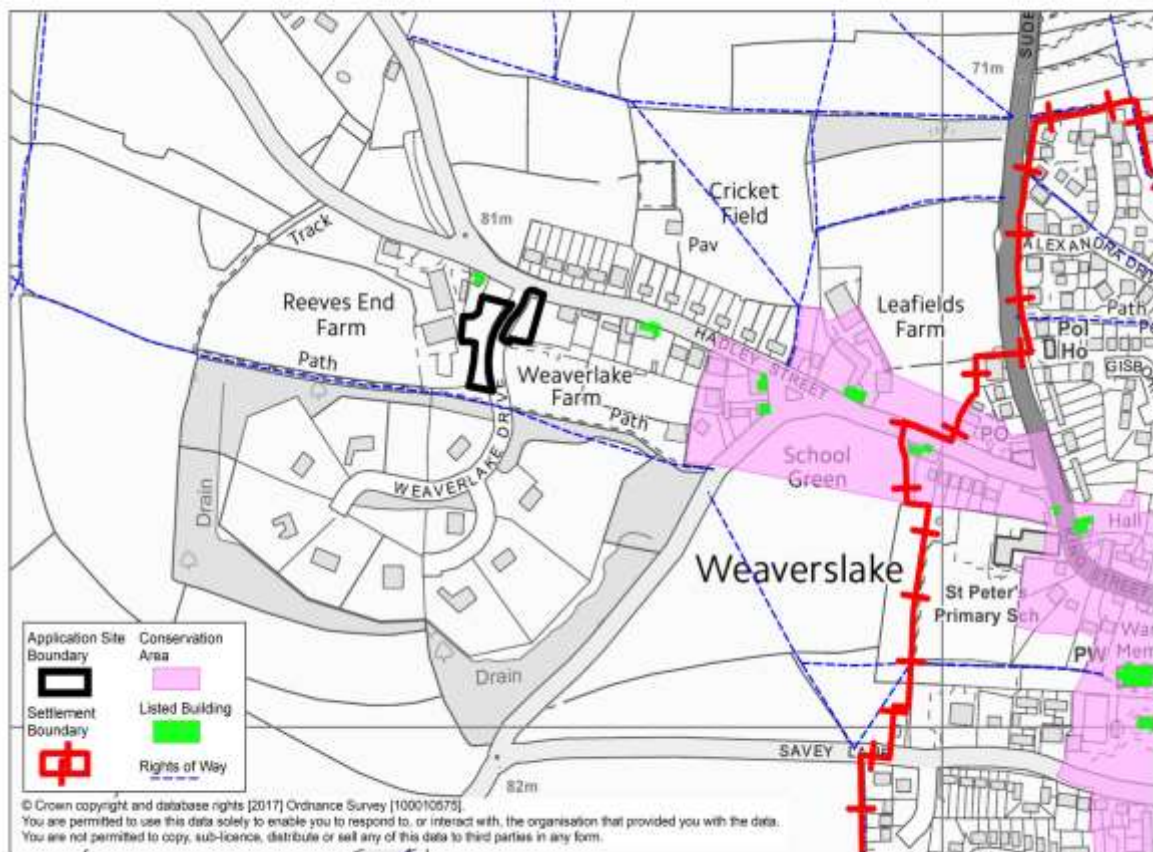
*Small numbers of market homes may be permitted where this is essential to enable delivery of affordable units.”*

- The scale and density of development does not meet the design requirements set out in the Neighbourhood Plan.
- There is a large amount of local opposition to this proposed development from local residents, they are not against development on this site but feel that a development of less property's more in keeping with the existing development of the area.

## 1. Executive Summary

- 1.1 The application site comprises approximately 0.26 hectares of vacant open land, located off the Weaverlake Drive/Hadley Street, which is located to the western edge of the village of Yoxall.
- 1.2 This is a full application for the erection of 6 detached dwellings.
- 1.3 Statutory consultees have raised no objections that cannot be overcome by planning conditions.
- 1.4 There have been 30 letters of objection received from local residents, raising concerns with the development, which include the development being located outside of the development boundary, as designated in the Local Plan and the Made Yoxall Neighbourhood Development Plan. In addition it is contended that the proposal would not comply with the allowances for residential development within the countryside identified within the Yoxall Neighbourhood Plan, that it would have an adverse impact on the character of the rural locality and is adjacent to a listed building.
- 1.5 The site lies outside of the Development Boundary, as set out in both the East Staffordshire Local Plan. In addition, the site is not identified for residential development within the Made Yoxall Neighbourhood Development Plan.
- 1.6 The layout demonstrates that the site can be developed to a high quality respecting the character and appearance of the surrounding area and without having a detrimental impact on the amenities enjoyed by the occupiers of adjoining and nearby dwellings. It is also considered that the character and appearance of the listed building (Weaverslake) adjacent to the application site will be preserved as the proposed scheme does not introduce visually competing built form and successfully preserves the setting of the listed building.
- 1.7 The Highway Authority has raised no objections to the development.
- 1.8 The proposal would have an acceptable effect on protected species and their habitat, would not unacceptably increase flood risk, nor have unacceptable impacts on drainage in the locality.
- 1.9 **Members are advised that the above is a brief summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.**

## Map of site



## 2. The site description

- 2.1 The site comprises an area of vacant land located on Weaverlake Drive to the south of Hadley Street.
- 2.2 The land is located on both the east and west of Weaverlake Drive and equates to 0.26 hectares.
- 2.3 The site is bound on the northern boundary adjacent to Hadley Street by a mature hedgerow with a brick wall creating a feature on the access. The remainder of the land is open with natural vegetation and grassland.
- 2.4 The site level is fairly flat throughout.
- 2.5 The site adjoins a property known as “Weaverslake”, a Grade II Listed former farmhouse located to the north west of the site.
- 2.6 To the south east of the site is a separate parcel of land which benefits from planning permission for the erection of a dwelling. The site is currently fenced off and the site is being cleared.
- 2.7 The application site is situated outside the settlement boundary.

## 3. Planning history

- 3.1 All of the applications below relate to the adjoining plot to the south:-

- 3.2 OU/06309/007 - Outline application for the erection of 10 dwellings with associated access and woodland planting – Approved 17/10/1994.
- 3.3 OU/06309/009 - Outline application for the erection of 27 dwellings including details of siting, access and associated woodland planting – Refused 09/03/1999 and Appeal Dismissed
- 3.4 PA/06309/016 - Erection of two entrance walls – Approved 24/04/2001
- 3.5 P/2014/00023 - Erection of a detached dwelling including the installation of a package sewage treatment plant – Approved 26/03/2014.
- 3.6 P/2015/00751 - Erection of three detached dwellings and car ports – Approved 27/07/2015.
- 3.7 P/2015/01005 – Erection of a detached dwelling and detached garage including installation of a package treatment plant – Approved 23/10/2017
- 3.8 P/2016/00356 - Erection of a detached dwelling and detached garage including installation of a package treatment plant (revised scheme) – Approved 13/06/2016.

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

- 4.1 The application seeks approval for the erection of six detached dwellings.
- 4.2 The proposal comprises three two-bedroomed bungalows for occupation by persons aged 55 and over and one three-bedroomed open market property. The two affordable dwellings comprise one two-bedroomed bungalow and one three-bedroomed two storey property.
- 4.3 The properties are arranged over the two parcels of land in a linear formation with three bungalows and an affordable, two storey dwelling on the western parcel and one bungalow and the open market dwelling on the eastern parcel.
- 4.4 On the eastern parcel, the open market property has been sited to provide an active frontage to Hadley Street and has been designed to reflect the traditional character of the adjacent properties and the listed building.
- 4.5 On the western parcel, the properties are predominantly single storey and have been set back from the boundary with Hadley Street to have regard to the setting of the adjacent listed building within the streetscene and to retain views of it.
- 4.6 The site is accessed via the existing road known as Weaverlake Drive which currently serves the existing development to the south. The proposal includes parking provision for each property within the site boundary.

#### List of supporting documentation

- 4.7 The following documents have been provided as part of the application:
  - Application Form
  - Ecological Appraisal
  - Heritage Statement

- Planning Statement
- Housing Needs Survey
- Topographical Survey
- Site and Location Plan
- Proposed Elevations, Floor Plans and Roof Plans
- Proposed Garage Elevations, Floor Plans and Roof Plans

4.8 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
	Parish Council	The application should be refused as it does not meet the Neighbourhood plans policies regarding development outside of the development boundary, primarily as it is poorly configured in being too many for the plot and delivers little in terms of enhancing the local area. The survey re: affordable housing should be challenged as it attracted a negligible amount of responses, hardly sufficient to be a definitive, accurate view.
	SCC Highways	No objection subject to conditions including a construction management plan, works to the accesses and provision of secure cycle storage for Plot 6.
	Severn Trent Water	No objection subject to conditions

Internal Consultees		Response
	Waste Management	<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. This will be based on £75 per dwelling.</p> <p>The developer must ensure that all containers are provided to residents prior to occupation and prior to the commencement of the Council's collection service. A detailed specification of all container types may be obtained from the Environment section.</p>
	Conservation Officer	No objections in commenting that the design has been improved to be in-keeping with the setting of the adjacent listed building and the proposal is considered to preserve the contribution that this part of the site makes to the significance of the setting of the listed building.

## 6. Neighbour responses

6.1 30 letters of objection have been received from nearby properties.

<b>Neighbour responses</b>	
Principle	<p>The proposal is contrary to the NPPF, East Staffordshire Local Plan Policies and the Yoxall Neighbourhood Plan.</p> <p>The development does not constitute sustainable development.</p> <p>The housing needs survey is insufficient to accurately demonstrate a need for additional housing. The level of response is not acceptable.</p> <p>Any housing identified as required by a housing needs survey should be located within the defined development boundary within which there is sufficient land available.</p> <p>The proposed development is not in keeping with the existing development within the locality.</p> <p>Local facilities such as healthcare centres cannot cope with additional housing in the village.</p> <p>The design of the scheme does not reflect the rural edge of the village. The design should represent a transition between the rural edge and the village.</p> <p>The density of the development is too high for the site and does not meet the design requirements set out in the Neighbourhood Plan.</p> <p>Loss of rural character of the area.</p> <p>The proposal does not reflect the style and quality of the adjacent development.</p> <p>The scheme results in the loss of rural open space.</p> <p>The affordable units are too large to be considered affordable dwellings.</p> <p>The amended plans do not alter the strength of objection to the proposal from local residents.</p> <p>The property proposed on Plot 3 will be built on higher ground than the existing neighboring property resulting in a loss of light and an overbearing impact.</p> <p>All properties on the site should be bungalows to reduce the impact on existing properties.</p> <p>The proposed scheme encroaches onto land owned by the Weaverlake Management Company.</p>
Highways	Highway safety concerns as there will be more pressure on the

Impacts	dangerous junction at the end of Hadley Street.
Heritage Impacts	<p>Impact upon setting of adjacent listed building and its setting.</p> <p>Impact upon the conservation area.</p> <p>The heritage report is out of date and insufficient in assessing the impact of the development.</p> <p>The development will have a detrimental impact upon the setting of the adjacent listed building.</p>
Other	It has not been demonstrated that the existing utilities and services can serve additional dwellings in the area.
Ward Member	<p><i>I have been contacted by a number of residents expressing concerns over the revised planning application for Weaverlake Drive.</i></p> <p><i>The main concern being:</i></p> <ul style="list-style-type: none"> <li>• <i>The increase in number from three to six</i></li> <li>• <i>The proposal does not constitute sustainable development</i></li> <li>• <i>The proposal is contrary to the Local Plan, especially policies SP1, SP2, SP4, SP8, SP16 and SP24</i></li> <li>• <i>The proposal conflicts with the Yoxall Neighbourhood Plan as it is outside the village boundary and does not comply with the criteria for such development. It conflicts with Policies H2 and D2 of the NP</i></li> <li>• <i>There is sufficient housing land available within the settlement boundary to accommodate housing requirements</i></li> <li>• <i>The development would harm the setting of listed buildings and the Conservation Area</i></li> <li>• <i>The development would cause harm to the significance of the listed buildings and there is no community benefit attendant upon the development</i></li> <li>• <i>The scale and density of development does not meet the design requirements set out in the NP.</i></li> </ul>

## 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
- SP8 Development Outside Settlement Boundaries
- SP16 Meeting Housing Needs
- SP17 Affordable Housing
- SP18 residential Development on Exception Sites
- SP22 Supporting Communities Locally
- SP24 High Quality Design
- SP25 Historic Environment
- SP26 National Forest
- SP27 Climate Change, Water Body Management and Flooding
- SP28 Renewable and Low Carbon Energy Generation
- SP29 Biodiversity and Geodiversity
- SP30 Locally Significant Landscape
- SP34 Health and Wellbeing
- SP35 Accessibility and Sustainable Transport
- DP1 Design of New Development
- DP2 Designing in Sustainable Construction
- DP3 Design of New Residential Development, Extensions and Curtilage Buildings
- DP5 Protecting the Historic Environment: All Heritage Assets, Listed Buildings, Conservation Areas and archaeology
- DP6 Protecting the Historic Environment: Other Heritage Assets
- DP7 Pollution and Contamination
- DP8 Tree Protection

#### Supplementary Planning Documents/Guidance

- East Staffordshire Design Guide
- Parking Standards
- Housing Choice
- Yoxall Conservation Area Appraisal
- Yoxall Village Design Guide

#### 'Made' Neighbourhood Plans

##### Yoxall

- Strategic Aim 3 – Well Designed New Developments
- H1 – development Inside the Yoxall Settlement Boundary
- H2 – Housing Development Outside Yoxall Development Boundary
- D1 – Protecting and Enhancing the Historic Rural Character of Yoxall
- D2 – Design of New Development
- T1 – Transport Considerations
- RE1 – Flood Risk
- RE2 – Green Infrastructure
- CF1 – Improvement of Public Car Parking Facilities
- E1 – Supporting Local Employment
- IN3 – Public Realm in Villages



## 8. Principle of Development

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

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

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

## 9. 5 Year Housing Land Supply

9.1 The most recent published calculation uses figures as at 31st March 2017 and concludes there is 5.29 years of supply. Therefore the policies in the plan can be considered up to date.

## 10. Development Plan

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

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

- located on, or with good links to, the strategic highway network, and should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of open countryside;
- it is convenient and safe to walk, cycle and travel by public transport between (and for larger sites, around) the site and existing homes, workplaces, shops, education, health, recreation, leisure, and community facilities and between any new on-site provision;
- retains, enhances, expands and connects existing green infrastructure assets into networks within the site and within the wider landscape;
- re-uses existing buildings where this is practicable and desirable in terms of the contribution the buildings make to their setting
- integrated with the character of the landscape and townscape, provides for archaeological investigation where this is appropriate and conserves and

enhances buildings of heritage importance, setting and historic landscape character;

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

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

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

10.4 The site is located outside of any defined settlement boundary within the Local Plan (adopted 15<sup>th</sup> October 2015) and the 'Made' Yoxall Neighbourhood Plan ('Made 17<sup>th</sup> August 2015). Strategic Policy 8 provides guidance and criteria on how to deal with development in the countryside and is relevant in this case. This policy states that outside development boundaries planning permission will not be granted unless:

- essential to the support and viability of an existing lawful business or the relation of a new business appropriate in the countryside in terms of type of operation, size and impact and supported by relevant justification for a rural location; or

- providing facilities for the use of the general public or local community close to an existing settlement which is reasonably accessible on foot, by bicycles or by public transport; or
- in accordance with a ‘made’ (i.e. legally in force) Neighbourhood Plan; or
- development under the Rural Exception Sites policy
- Appropriate re-use of Rural Buildings following guidance set out in the Rural Buildings SPD; or
- Infrastructure development where an overriding need for the development to be located in the countryside can be demonstrated; or
- Development necessary to secure a significant improvement to the landscape or the conservation of a feature of acknowledged importance; or
- Provision for renewable energy generation, of a scale and design appropriate to its location
- Otherwise appropriate in the countryside

10.5 The applicant has sought to demonstrate that the proposal can be considered as acceptable under the Rural Exception Site provisions of Policy SP8 subject to meeting the requirements of Strategic Policy 18.

10.6 Local Plan Policy SP18 states:

Where the Council is satisfied in the light of evidence that there is a need for new affordable housing or Traveller pitches which will not otherwise be met , permission may be granted for a small development to specifically meet that need on a suitable site outside a settlement boundary provided that:

- Evidence of need is provided in accordance with the Housing Choice SPD;
- The development will specifically meet the assessed need;
- The site is within or on the edge of a settlement;
- The site is within easy reach of local services and facilities;
- The scale of development is appropriate given the size of the existing settlement;
- The majority of units (dwellings and pitches) provided on the site will be affordable housing or Traveller pitches to meet the need. A minority of the units provided may deliver a mix of market housing that is appropriate to meet local need based firstly on a housing needs survey and secondly on other evidence of need in that part of the Borough;
- Permission will be subject to agreement of cascade arrangements to provide priority in perpetuity for local people;
- Occupation of Traveller pitches will be restricted to Gypsies, Travellers and Travelling Showpeople;
- Affordable housing will remain affordable in perpetuity.
- The development complies with other relevant policies in this Plan.

10.7 Taking each of the Policy SP18 criteria in turn; firstly the application is accompanied by a Housing Needs Survey. The survey was carried out in accordance with the Housing Choice SPD regarding the methodology and survey questions. This is important as the survey concentrated on questions of the need of those living within the Parish of Yoxall, rather than aspiration. The survey identified a need for 2 affordable homes (a 2 bed bungalow and a 3 bed house) and 5 open market homes (1 x 1 bed, 1 x 4 bed and 3 x 2 bed

bungalows). The proposal will meet the needs of 6 of the 7 identified households. The proposal includes a 3 bed market house rather than a 1 bed or 4 bed dwelling, as identified. The reason for this is that the design of a 1 bed or 4 bed would not integrate into the site as well as a 3 bed dwelling with separate garage and reasonable sized garden. Whilst the scheme has been designed with the housing need as a starting point, it is important that other planning policies relating to design and heritage assets are also met. Therefore, taking this into account the proposed mix can be supported.

- 10.8 It is important to consider if the proposed house types and tenures mix could be met within the settlement boundary. The main new development within Yoxall is the Leafields Farm development, which was granted outline permission for 40 dwellings in 2014. A reserved matters application for 35 dwellings was granted in 2015. The site does not include any bungalows. The on-site affordable units do not include bungalows or 3 bed properties. Whilst there may be some scope over the plan period for windfall on suitable infill sites, these will be limited and unlikely to meet the needs identified. A second site, Lesters garage in Yoxall, is currently under construction for six dwellings in total. Four of those units are three bed dwellings and two are four bed dwellings. None of these dwellings would specifically meet the needs of older people or those wishing to obtain affordable housing. It is likely that over the plan period properties, including bungalows within the settlement, will become available through the natural home ownership cycle. However, it is not evident that appropriate dwellings will be available within the plan period. To be considered appropriate, to meet the identified need, properties would need to be sold (or rented) specifically with an age restriction or controlled by a registered social landlord.
- 10.9 The site is located on the edge of a settlement, within approximately 470 metres of the village centre which has a range of local services and facilities including school, post office, shop, two pubs, church and village hall and hairdressers. The proposal, for 6 dwellings is considered an appropriate scale given the size of the existing settlement and would lie at the entrance of the existing Weaverlake Drive residential scheme, a development of 10 dwellings. It is considered that the distance to local services is not prohibitive for walking. The majority of the proposal is not for affordable housing, and so criteria of the policy is not specifically met. However, 3 of the market units will meet specific needs identified in the Housing Needs Survey, and the 3 bed house will meet other needs in the Borough, as identified in the Strategic Housing Market Assessment (2014) which does identify a need for three bed properties at 'other' locations outside Burton, Uttoxeter and Tier 1 locations.
- 10.10 The proposal aims to meet the affordable housing needs first, then other need identified in the Housing Needs Assessment and thirdly, other need as identified in the Borough wide Strategic Housing Market Housing Assessment. The approach to the number of dwellings and proposed mix is therefore consistent with the approach envisaged by policy SP18. The policy also requires any permission to be subject to agreement of cascade arrangements to provide priority in perpetuity for local people and that affordable housing will remain affordable in perpetuity. These two factors can be included in a S106 or Unilateral Undertaking.
- 10.11 Further guidance on Rural Exception Sites can be found in the Housing Choice SPD, adopted in April 2016. Chapter 7 is relevant and reiterates the criteria in Policy SP18 and provides further guidance. The main update is the

requirement that any additional market housing dwellings shall each not exceed 93 m<sup>2</sup> Gross Internal Area (GIA), to contribute to the wider need in rural areas for smaller dwellings. Three of the proposed market properties are small properties. The final three bed property, for reasons set out above regarding the local environmental context, is considered suitable. It is considered the aim of the policy and guidance is to ensure dwellings on such sites are smaller properties and overall it is considered that the proposal does sufficient to address this.

10.12 It is necessary to consider whether there is scope within the Yoxall Neighbourhood Plan to support an application in these circumstances. The Local Plan, in policy NP1, lists which policies are considered strategic and therefore which ones Neighbourhood Plans must comply with. The policy lists SP18 as a strategic policy. The Yoxall Neighbourhood Development Plan was 'made' by ESBC on 17<sup>th</sup> August 2015 and forms part of the Development Plan. The site is not located within the development boundary for Yoxall, as identified within illustration 5A of the Neighbourhood Plan. It therefore follows the scheme cannot be considered against the requirements of Policy H1, which relates to residential development within the development boundary and it falls for the application to be determined in accordance with Policy H2, which provides allowances for housing outside of the development boundary.

10.13 Development proposals outside the Settlement Boundary will be permitted if it can be demonstrated that:

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

10.14 As part of the preparation of the Neighbourhood Plan, the Neighbourhood group sent a questionnaire relating to housing needs to residents. The results lead to criteria 5 of policy D2: Design of New Development which states development *MUST provide a mix of housing types and tenures that suit local housing needs, including housing suitable for older persons as appropriate*. It is considered that the proposal meets both policy H2 and D2 of the Neighbourhood Plan by providing affordable housing on a small site, with housing to meet the needs of older people and tenures to suit local housing needs.

10.15 The Housing Needs Survey was sent to 850 households in the parish. At the same time, officers are aware that a further survey relating to a current application at Bond End, P/2015/01739 was undertaken. This is a material planning consideration for the current application. Whilst the two questionnaires are slightly different, both surveys ask specific questions in order to provide information on genuine needs, rather than general aspirations. Officers are satisfied that the housing need survey prepared to

support this application followed the broad approach set out in the Housing Choice SPD.

- 10.16 The response rate for the survey was 9%. This response rate is broadly compatible with the survey carried out by the Parish as part of the Neighbourhood Plan process. It is noted that there is no national ‘standard’ for housing needs surveys – either as the format, questions, method or response rate identified in either the NPPF or NPPG.
- 10.17 It is legitimate to have concern over the possibility that two housing needs surveys undertaken at a similar time are drawing out the same identified need. However, Housing Needs Surveys are anonymous and there is no way of knowing if the same people replied to each survey and if this need is then duplicated. However given that the Council’s Strategic Housing Market Assessment identifies needs for housing for older people, the aim in the Neighbourhood Plan to deliver houses for older people and the lack of this type of housing being delivered in the Plan period it is reasonable to conclude that the housing need exists for both proposals. The two proposals also are not offering the same housing mix or type and are therefore seeking to meet separate housing needs.

## **11. Design and Impact on the character and appearance of the area (including impacts on Heritage Assets)**

- 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 Strategic Aim 3 of the made Yoxall Neighbourhood Plan seeks to ensure that all new developments are well designed and therefore integrate successfully into the character of the village.

11.7 Policy D2 of the made Yoxall Neighbourhood Plan provides guidance to be applied to the design of new development within the village. It states that:

New development must deliver good quality design. In order to achieve this all new development must:

1. Respond to the existing pattern of development in terms of enclosure and definition of streets and spaces;
2. Be well integrated with its surroundings by reinforcing existing 23 connections and taking any opportunities for creating new ones;
3. Provide convenient access to community services and facilities;
4. Have good access to public transport or otherwise help reduce car dependency;
5. Provide a mix of housing types and tenures that suit local housing needs, including housing suitable for older persons as appropriate;
6. Create a place with a locally inspired or distinctive character;
7. Take advantage of the local topography, landscape and water features, trees and plants, wildlife habitats, existing buildings, site orientation and microclimate;
8. Provide buildings, landscaping and planting to create well defined streets and spaces;
9. Take advantage of views into and out of the site in order to make the development easy to access and to navigate through;
10. Provide streets which encourage low vehicle speeds and which can function as safe, social spaces;
11. Integrate car parking within landscaping so that it does not dominate the street;
12. Clearly distinguish between public and private spaces, provide appropriate access, and enable the site to be well managed and safe to use;
13. Provide convenient, well-screened storage space for bins and recycling, and for bicycles and motor vehicles;
14. Be of an appropriate scale and density in relation to its setting;
15. Use materials appropriate to the development's context;

16. Help achieve a fibre optic connection to the nearest connection chamber in the public highway.
- 11.8 The Yoxall Village Design Statement provides guidance to be applied to new developments within the village. It states that standard generic house types should be avoided and designs should incorporate design credentials from around the village to reflect the quality of the built environment in the village. Great emphasis is also put on the quality of materials and detailing used within a development.
- 11.9 The area is characterised by its mix of buildings, with both traditional and modern in form. To the north east is a linear development of predominantly post war semi-detached dwellings. To the south, located off Weaverlake Drive, is a development of ten larger detached properties which are of mixed styles and sit in very generous plots. To the east is a linear development of mixed age and style properties, ranging from former farmhouses and traditional agricultural type buildings, to more modern bungalows and two storey dwellings. There is a mix of how the properties sit in relation to the road both abutting the highway boundary and set back in their plots with curtilage to the front. To the west of the site, the density of development is much lower, reflecting the rural edge of the village. There is a Grade II Listed former Farmhouse known as Weaverslake. The listed building dates from the 17<sup>th</sup> century with later alterations, including the raising of the ridge height in the past. The building is a two storey property comprising a timber frame with brick infill panels. Beyond the listed building to the west is a working farm holding which has a number of both traditional and modern farm buildings.
- 11.10 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. 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.
- 11.11 Paragraph 132 of the NPPF requires that “when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”. The document continues to state that should a development result in substantial harm to a designated heritage asset then local planning authorities should refuse an application unless it can be demonstrated that the development achieves substantial public benefits. If the harm is less than substantial then it must be weighed against the public benefits of the proposal. The NPPG ‘Conserving and Enhancing the Historic Environment’ also provides further guidance on the need to preserve and enhance the character of a heritage asset when determining the suitability of an application.



- 11.12 In addition to the requirements of the NPPF and NPPG, special attention must also be paid to the statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which advises that in exercising any functions under the Planning Acts, with respect to any buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area.
- 11.13 The proposal comprises three two-bedroomed bungalows for occupation by persons aged 55 and over; two affordable dwellings comprising one two-bedroomed bungalow and one three-bedroomed two storey property; and one three-bedroomed open market property.
- 11.14 The proposed properties are arranged over two parcels of land situated either side of the entrance into Weaverlake Drive from Hadley Street in a linear formation with three bungalows and the affordable two storey dwelling on the western parcel and one bungalow and the open market two storey dwelling on the eastern parcel respectively.
- 11.15 Contribution of setting to significance of Weaverslake - The historic dispersed rural setting of the former farmhouse has been subject to alteration including development to the north, associated large-scale modern farming structures to the west and south and housing development to the south along Weaverlake Drive. The latter also includes the dissection of the parcel of land (the site) adjacent to the farmhouse with the road and associated works including walled entrance and lamp posts. This has reduced the contribution that this section of land, previously orchard, makes to the setting of the listed building with suburban elements now being introduced. While this land is open in character, it is not 'rural' and therefore the positive contribution that this makes to the setting of the adjacent listed building has been reduced to making a neutral contribution.
- 11.16 The proposals on the western parcel are in closest proximity to the Grade II listed building at 'Weaver Lake' and an existing important historic aspect of the setting of this heritage asset are distant views of the building westwards along Hadley Street. Having regard to this setting the proposed dwellings closest to 'Weaver Lake' itself are single storey in height and have been set back from the boundary to retain views of the listed building within the streetscene. Whilst the amended scheme has brought the built form to some extent closer to Hadley Street (than that originally proposed), the design of the property nearest to Hadley Street has been amended to visually give the form and appearance of an ancillary outbuilding to 'Weaver Lake'. The two storey property proposed for the eastern parcel by reason of its siting would not encroach in the distant views westwards towards the listed building along Hadley Street. Where the two storey dwelling and the listed buildings can be viewed together, the proposed scale and design of the new building is considered to appear as being complementary in this setting.
- 11.17 In design terms, amendments have also been made to the design of the other single storey dwellings/bungalows on both parcels to reduce the bulk of the buildings with a narrowing in the width of gable ends. This linear form and the traditional proportions of the revised single storey dwellings means that they are complementary to the setting of the listed building as well as resulting in a development respecting the architectural qualities of the wider streetscape.

- 11.18 The design of both the two No. two-storey dwellings also reflects the traditional form and proportions of surrounding existing buildings in the streetscape. The three bedroomed market house (on the eastern parcel) provides a frontage onto Hadley Street exhibiting a vernacular design with traditional proportions and continuing the linear development. There is a porch on the front elevation of a canopy design to add interest to the front elevation. To the rear of the property is a two storey gable and smaller single storey gable, which appear as subservient additions to the dwelling. The three bedroomed affordable dwelling (on the western parcel) also exhibits traditional proportions with a gable and porch to the front to break up the massing of the front elevation. Both properties have traditional chimney features.
- 11.19 As such it is considered that the character and appearance of the listed building adjacent to the application site will be preserved as the proposed scheme does not introduce competing built form and successfully preserves the setting of the building. Further, it also considered that the vernacular design of the proposed dwellings is appropriate to the wider locality and in compliance with the Yoxall Design Statement and the relevant policies of the Yoxall Neighbourhood Plan. It is nevertheless considered that the quality of the materials to the dwellings is important in delivering a high quality development, and as such appropriately worded conditions to require samples of materials are recommended. Furthermore, a condition is proposed so that appropriate landscaping and boundary treatments can be secured to respect the semi-rural character of the site and its relationship with the adjacent heritage asset.
- 11.20 The boundary of the Conservation Area is approximately 150 metres to the east of the site, in the lower reaches of Hadley Street (as is indicated on the “Map of Site” included near the start of this report). Given the separation distances involved and location of the development relative to the Conservation Area there is no harm on either the character or appearance of the Conservation Area or its setting.

## **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 layout of the dwellings is such that there is sufficient separation distances between the proposed dwellings and existing nearby properties to ensure that all properties are afforded an acceptable level of private amenity. Furthermore the siting of the properties within the site ensures that all future occupants will benefit from adequate private amenity space.
- 12.3 The property proposed on Plot 3; the two storey dwelling fronting onto Hadley Street; does not include any first floor windows on its the eastern elevation and as such it is not considered that there are any issues of overlooking of the adjoining property to the east. The property to the east is located approximately 10m away from the boundary and as such it is considered that there is adequate separation distance to alleviate any issues of loss of light or overbearing impact. In response to the issues raised with regard to the slab level of the new property, this information is not available at this time however, details will be required by way of a suitably worded condition.

12.4 The relationship between the proposed dwellings and the site to the south; on which planning permission was granted in 2016 for the erection of a detached dwelling; has been assessed. The property granted consent on the adjacent site is set back well within the plot and furthermore the sites are separated by an access road serving a property fronting onto Hadley Street, therefore it is not considered that there will be any detrimental effect on either properties by way of overlooking, loss of light or overbearing impact.

12.5 Local Plan Policy DP3 states that the garden size for a dwelling should be commensurate with the needs of the likely future occupants. The gardens afforded to each dwelling are considered to be commensurate with the size of each property and provide adequate private amenity space for each.

### **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 proposed development does not fully meet the criteria outlined above, a condition requiring details of a scheme of sustainable construction methods is recommended to improve the environmental credentials of 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.
- 14.4 Policy SP1 of the East Staffordshire Local Plan states that new development will be accepted where it will not adversely affect the safe and efficient use of adjoining highways. Strategic Aim 4 of the Submission Yoxall Neighbourhood Plan requires that new development is integrated into this area without worsening existing traffic problems.
- 14.5 Strategic Aim 4 of the Yoxall Neighbourhood Plan seeks to ensure that all new development in Yoxall mitigates traffic impact and seeks to provide improved pedestrian connectivity.
- 14.6 The proposal uses the existing road, Weaverlake Drive, as the access to the development, and demonstrates that each property can be safely accessed without compromising the safe and efficient use of the existing highway network.
- 14.7 Each property is afforded two off-road car parking spaces which is commensurate with the scale of each property in accordance with the Parking Standards SPD.
- 14.8 There is an existing pedestrian link, by way of a footpath/pavement to provide safe access to the facilities within the village centre. The distance to the village centre is approximately 460m (from Weaverlake Drive to the junction of Hadley Street and the main road through Yoxall, the A515), which is considered to be reasonable and appropriate.
- 14.9 Whilst the junction of Hadley Street and the A515 is identified as a problematic junction within the village in the Neighbourhood Plan, it is not considered that the scale of the development proposed will create a volume of traffic movement that would exacerbate the identified issues to a level that would be to the detriment of highway safety.
- 14.10 The Highway Authority has been formally consulted on the proposal and has raised no objections subject to conditions including a construction management plan and cycle storage facilities to serve Plot 6.

## **15. Flood Risk and Drainage**

- 15.1 Section 10 of the National Planning Policy Framework seeks to ensure that new development is not at risk from flooding, or does not increase flood risk elsewhere. It advocates the use of a sequential test with the aim of steering new developments to areas with the lowest probability of flooding. The Environment Agency produces flood risk maps which classifies land according to probability of flooding. The areas of highest risk are classified as Flood Zone 3, with a 1 in 100 or greater annual probability of flooding, and the areas of lowest risk are classified as Flood Zone 1, with a less than 1 in 1000 annual probability of flooding.
- 15.2 Strategic Policy 27 expects all new development to incorporate Sustainable Drainage Systems (SUDS). Systems will discharge clean roof water to ground via infiltration techniques, limit surface water discharge to the greenfield run-off rate and protect and enhance wildlife habitats, heritage assets, existing open space, amenity areas and landscape value.
- 15.3 Strategic Aim 6 and Policy RE1 of the Yoxall Neighbourhood Plan seek to ensure that development is not adversely impacted upon by flooding.
- 15.4 The site is not located within an identified flood risk area nor is it an identified local flooding hotspot.
- 15.5 Severn Trent Water Ltd have been formally consulted with regard to the proposal and have raised no objections subject to the submission and approval of a scheme for the disposal of foul and surface water.
- 15.6 Furthermore, the Highway Authority has requested that where a vehicular access falls toward the public highway a surface water drainage interceptor, connected to a surface water outfall, shall be provided across the access immediately to the rear of the highway boundary to reduce any surface run off as a result of the increase in hard surfacing on the site.
- 15.7 Both the conditions requested by the Highway Authority and Severn Trent will be secured by way of appropriately worded conditions meeting the criteria of Strategic Aim 6 and Policy RE1 of the Yoxall Neighbourhood plan which states that new development in Yoxall must not exacerbate the risk of flooding.

## **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 application is supported by an ecological assessment of the site which concludes that there will be a very low impact upon protected species in the locality. However it is considered that there is an opportunity to enhance the area given its semi-rural location and as such a condition is recommended to require details of further ecological enhancement measures to be employed within the site and surrounding area to enhance habitat for protected species within the locality.

16.5 A further condition is required to ensure that the development is carried out in accordance with the conclusions of the submitted report.

16.6 In light of the above assessment, it is considered that the impact upon protected species will be minimal and the development can be adequately mitigated through the inclusion of landscape and habitat enhancement measures which will benefit local wildlife populations.

## 17. Section 106 Contributions

17.1 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.

17.2 National Planning Practice Guidance states that when CIL is introduced (and nationally from April 2015), the regulations restrict the use of pooled contributions towards items that may be funded via the levy. At that point, no more may be collected in respect of a specific infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy. The contributions below are solely for the purpose of providing infrastructure for those dwellings/do not take the pooling threshold above 5.

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

Item	Planning Obligation	Cost (where applicable)
Refuse Containers	Contribution to provide refuse storage containers at £75 per dwelling	£450
Retention of affordable units and over 55s accommodation	Obligation to restrict the ownership of the properties to affordable units (2 number) and over 55 year old units (3 number) to remain in perpetuity (as appropriate) and for all properties to be available to those with a local connection	

## 18. Conclusions

- 18.1 The development would contribute positively towards meeting the Borough's requirement to provide additional housing to meet the needs of present and future generations. The site is well located relative to local services and facilities, which are accessible by a range of modes of sustainable travel. It is considered that in the current context of a shortfall in deliverable housing sites the benefits associated with providing additional housing to meet the needs of present and future generations weigh in support of the proposal.
- 18.2 The proposal meets needs identified in the Housing Needs Assessment and provides a suitable level of affordable housing and housing to meet the needs of older people.
- 18.3 The scheme complies with the strategic aims of the Yoxall Neighbourhood Plan fulfilling an identified local housing need delivering a high quality development which complements its semi-rural locality.
- 18.4 Considering all of the above, it is concluded that subject to various conditions the proposal suitably complies with the overall aims of the relevant Local Plan Policies, the East Staffordshire Design Guide and the NPPF including the aims of the relevant sustainability criteria of Policy SP1.
- 18.5 The proposed development will be visible in context with the adjacent listed building "Weaverslake" (Grade II). It is considered, however, that the character, appearance and significance of the listed building will be preserved as the proposed scheme does not introduce competing built form and successfully preserves the setting of the listed building considering the limited contributions that the existing site makes to the setting due to later alterations. The scheme would not harm the character and appearance or the setting of the Yoxall Conservation Area. In light of the above, 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 complied with.
- 18.6 The amenities of neighbouring dwellings will not be materially harmed given the separation distances involved and the siting and design of the development within the site. Highway safety is not significantly affected by the proposed development.
- 18.7 Sufficient information has been submitted to demonstrate that the proposal will not unacceptably harm protected species or their habitats.
- 18.8 Given the above context it is considered that the scheme does comply with relevant development plan policies, the statutory duty to consider the impacts of development on heritage assets and the overall aims of the Development Plan, SPDs and the NPPF.

## 19. RECOMMENDATION

- 19.1 **PERMIT** subject to the completion of a section 106 agreement for the items set out in paragraph 17.3 above and subject to the following conditions –
- Time limit for commencement (3 years)
  - Compliance with the approved plans (subject to other conditions) (00002).

- Submission and approval of samples and details of materials of construction 00002F
- Submission and approval of all heating and ventilation outlets (including colour and finish) and compliance with the approved details (00006I).
- Submission and approval of slab levels and compliance with the approved details (00016b).
- Submission and approval of drainage details 00005a
- Submission and approval of ecological and biodiversity enhancement measures
- Submission and approval of a construction management plan including parking facilities for vehicles of site personnel, operatives and visitors, loading and unloading arrangements for plant and materials and the storage areas for plant and materials used during the construction of the development (00016g).
- Submission and approval of landscape management plan with long term objectives, management responsibilities and maintenance schedules for the open area of land outlined in blue on the submitted plan adjacent to Hadley Street to include a tree and hedgerow protection measures during construction (Bespoke)
- Submission and approval of a scheme regarding sustainable construction and energy efficiency and compliance with such (Bespoke Condition).
- Submission and approval of details of a secure weatherproof cycle parking facility for Plot 6 and retention of the facility for the life of the development (Bespoke)
- Submission of landscaping scheme 00003a
- Implementation of landscaping 00003b
- Implementation of fencing and walling
- Development to be carried out in accordance with mitigation measures set out in ecology appraisal (bespoke)
- Where a private access falls toward the public highway a surface water drainage interceptor, connected to a surface water outfall (Bespoke)
- Prior to occupation of any of the dwellings hereby approved, completion of the access, parking and turning areas in a bound and porous material/s (with exact material/s to be first approved by LPA) and such remaining available for their dedicated purposes for the life of the development (00004a).
- No dwelling hereby permitted shall be occupied until the existing site access, which shall include the access crossing between the site and carriageway edge, made redundant as a consequence of the development hereby permitted is permanently closed and the access crossing reinstated as footway (Bespoke).
- Removal of PD rights for future extensions, outbuildings, boundary treatment and solar panels for amenity and visual reasons (00012a).
- Removal of PD rights for wall and means of enclosure to front of properties except those approved by this consent.

### **Informatives**

- Pre-commencement conditions standard informative (002a)
- Details of when materials are available for inspection (001a)
- Standard engagement informative (003a)



- Please note that prior to any access being constructed you require Section 184 Notice of Approval from Staffordshire County Council for that access. The link below provides a further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing. 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](mailto:nmu@staffordshire.gov.uk)) <http://www.staffordshire.gov.uk/transport/staffshighways/licences/>
- The minor access reinstatement works referred to in Condition 5 above involve work on the highway and as such require the consent of the County Council. Please contact the Network Management Unit, Staffordshire County Council, 2 Staffordshire Place, Tipping Street, Stafford. ST16 2DH.

## **20. Background papers**

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

- The Local and National Planning policies outlined above in section 7
- Papers on the Planning Application file reference P/2017/00505
- Papers on the Planning Application file reference P/2015/01739

## **21. Human Rights Act 1998**

21.1 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.

## **22. Crime and Disorder Implications**

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

## **23. Equalities Act 2010**

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

For further information contact: Emily Christie  
Telephone Number: 01283 508607  
Email: [emily.christie@eaststaffsbc.gov.uk](mailto:emily.christie@eaststaffsbc.gov.uk)