

Agenda Item:	5.1
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Site:	Lawnswood (Branston Locks), Branston Road, Tatenhill, Staffordshire, DE13 9SB
Proposal:	Reserved Matters application relating to P/2012/01467 for the erection of 70 dwellings, including details of access, appearance, landscaping, layout and scale

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/2017/00923	
Planning Officer:	Charlotte El Hakiem/Emily Christie	
Type of Application:	Reserved Matters	
Applicant:	Cameron Homes - Mr P Davey	
Ward:	Branston	
Ward Member (s):	Councillor M J Bowering Councillor Mrs P L Ackroyd Councillor R G W Grosvenor Councillor Mrs J F Jessel Councillor Mrs J Jones	
Date Registered:	24 August 2017	
Date Expires:	22 November 2017	

1. Executive Summary

- 1.1 The application site is part of a larger site, known as 'Branston Locks' which has been allocated for a Sustainable Urban Extension (SUE) in the adopted Local Plan. Branston Locks has outline planning consent for the erection of up to 2,500 dwellings, up to 92,900 square metres of employment floor space (Classes B1, B2 and B8), a local centre providing a mix of retail uses, up to 929 square metres of healthcare, a residential care home of up to 160 spaces, a new pub/restaurant, a primary school and a hotel of up to 80 bedrooms. This application forms the first phase of residential

development and is the first reserved matters application to be submitted on the site.

- 1.2 The application is a submission for the erection of 70 dwellings together with associated landscaping. Reserved matters of access, appearance, landscaping, layout and scale are to be considered.
- 1.3 The wider site subject to the outline planning permission is a large greenfield site situated to the west of Burton upon Trent. It is bound on its eastern boundary by the Trent & Mersey Canal and the A38 dual-carriageway. On its most northern boundary, the site fronts onto Shobnall Road and on its southern/south-eastern boundary, the application site fronts onto Branston Road. The north-western boundary extends to the foot of a long escarpment which forms part of the Tatenhill Conservation Area. The main vehicular access which will serve the bulk of employment and housing development within the site is accessed from a new junction created off the A38 Branston interchange, with smaller secondary accesses on Shobnall Road and Branston Road.
- 1.4 The determination of the application was deferred at the Planning Committee meeting in December 2017 for clarification on the submitted plans and confirmation that relevant distances from boundaries that are referenced in the approved outline application under condition 6 are achieved by the current proposal. A plan has been provided that confirms that the constraint distances to relevant boundaries are achieved.

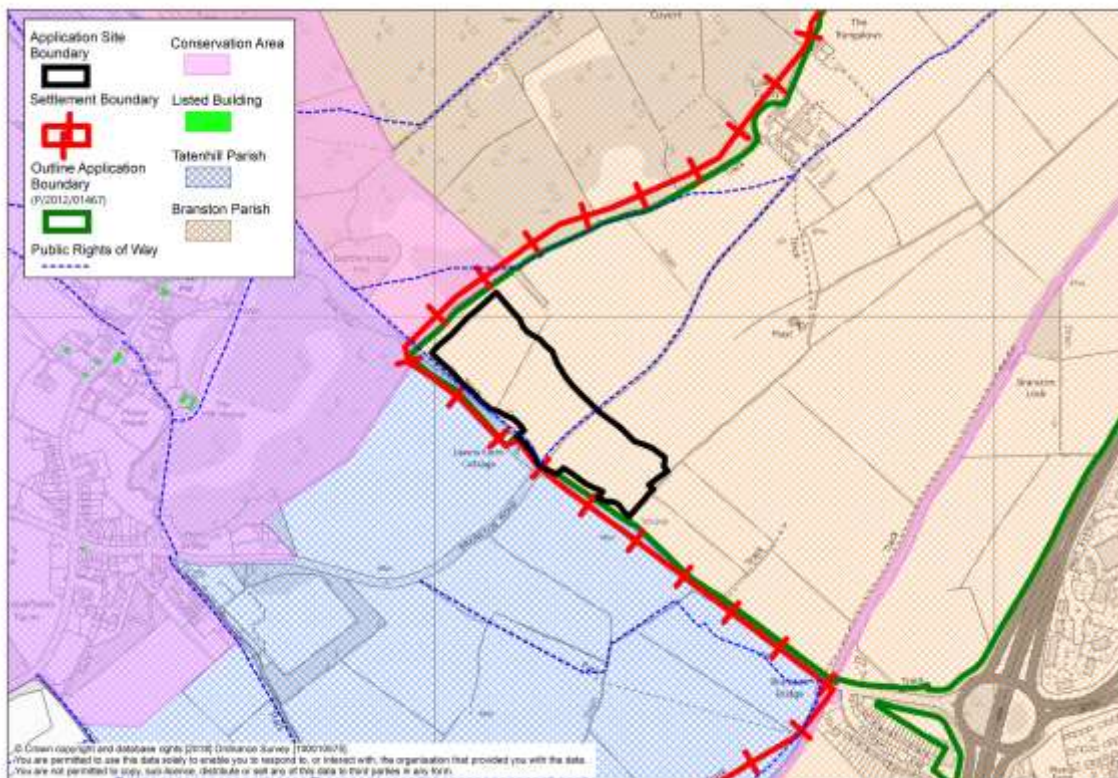
Having reviewed boundaries and constraints plans it also became clear that further information was required on any potential impacts from the development on the Tatenhill Conservation Area given its proximity to the site. This issue had been previously overlooked.

- 1.5 Statutory consultees have raised no objections that cannot be overcome through the imposition of appropriate planning conditions.
- 1.6 Local residents have been notified of the application and a site notice posted. No representations have been received raising objections/concerns in respect of the proposals. Tatenhill and Rangemore Parish Council have no objections subject to a traffic management plan.
- 1.7 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.
- 1.8 The proposal would not be likely to adversely affect the amenities of occupiers of the existing nearby dwelling, 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 and the wider development proposed as part of the outline application would also provide necessary mitigation and compensatory measures in relation to protected species, biodiversity and the historic environment.

- 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 wider site subject to the outline planning permission is a large Greenfield site situated to the west of Burton upon Trent. It is bound on its eastern boundary by the Trent & Mersey Canal and the A38 dual-carriageway. On its most northern boundary, the site fronts onto Shobnall Road and on its southern/south-eastern boundary, the application site fronts onto Branston Road. The north-western boundary extends to the foot of a long escarpment. The main vehicular access which will serve the bulk of employment and housing development within the site is accessed from a new junction created off the A38 Branston interchange, with smaller secondary accesses on Shobnall Road and Branston Road.

- 2.2 The site the subject of this application for reserved matters is located to the south-west corner of the strategic site. The site partially fronts Branston Road continuing in a north-westerly direction and extending to the foot of the escarpment.
- 2.3 The application site, along with the wider site the subject of the outline planning permission, is greenfield land currently in arable use. As would be expected on a site of this size, levels vary widely across the site. However, in relation to the site subject to this reserved matters application, the site is of a reasonably level topography. A bridleway crosses the site and joins Shobnall Road to the north. The route of the bridleway will be altered under separate measures.
- 2.4 The south-west boundary partially abuts the grounds for the new secondary school, with the southern/south-eastern part of the site fronting Branston Road. The site is accessed via a single point of access off Branston Road at its southernmost extremity.
- 2.5 Pursuant to the outline planning permission, the Design Guide and other approved strategies, the site is bound on its south, north-west and north-east boundaries by strategic green infrastructure.

3. Planning history

- 3.1 P/2012/01467 Outline application with all matters reserved and proposed a mixed use development comprising the erection of up to 2,500 dwellings, up to 92,900 square metres of employment floor space (Classes B1, B2 and B8), a local centre providing a mix of retail uses, up to 929 square metres of healthcare, a residential care home of up to 160 spaces, a new pub/restaurant, a primary school and a hotel of up to 80 bedrooms. Approved April 2015.
- 3.2 A number of planning conditions have already been discharged or part discharged from the outline consent as they relate to strategic conditions or provision of infrastructure. These include Conditions 7, 8, 9, 10, 11, 15 and 17 which have been satisfactorily discharged. Condition 53, which relates to a scheme of archaeological work, has been partially discharged.

4. The proposal

- 4.1 The application is a reserved matters submission for the erection of 70 dwellings, including details of access, appearance, landscaping, layout and scale. The outline application was approved in April 2015 following consideration of the scheme at Planning Committee in January 2014 and subsequent completion of the S106.
- 4.2 The residential accommodation comprises:
- 60 no. 4 bedroom dwellings
 - 10 no. 5 bedroom dwellings

- 4.3 The proposed dwellings are all detached and all two storey. In terms of the proposed facing materials these comprise brickwork and/or render with grey roof tiles.
- 4.4 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.
- 4.5 Proposed boundary treatments consist of a mixture of post and rail fencing, estate fencing, close boarded fencing and walling.
- 4.6 Amendments have been negotiated since the original submission to address initial officer concerns regarding the layout. Additional local consultation was carried out on these amendments.
- 4.7 List of supporting documentation
- 4.8 The following documents have been provided as part of the application:

3246-C Lawnswood Design and Access Statement
Heritage Statement

3246 Illustrative Masterplan

3246-01S Proposed Site Plan showing landscaping buffers3246-02L

Proposed Materials Plan

3246-03L Proposed Boundaries Plan

3246-04K Proposed Hard Landscaping Plan

3246-05 A Location Plan

3246-10C H-4-1157 Formal (Kendale)

3246-11C H-4-1157 Formal (Kendale) (handed)

3246-14C H-4-1205 Rural (X-Type)

3246-18C H-4-1306-1 Rural (Y-Type)

3246-19C H-4-1306-1 Rural (Y-Type) (handed)

3246-20C H-4-1306 Formal (Cambridge)

3246-21B H-4-1306 Formal (Cambridge) (handed)

3246-23D H-4-1418 Formal (Summerdale) (Handed)

3246-25E H-4-1418 Rural (Summerdale) (Handed)

3246-26C H-4-1512 Formal (Ellerdine) with Garage

3246-27C H-4-1512 Formal (Ellerdine) (Handed)

3246-28C H-4-1512 Rural (Ellerdine)

3246-30C H-4-1603 Formal (Lancaster)

3246-31C H-4-1603 Formal (Lancaster) (Handed)

3246-32C H-4-1603 Rural (Lancaster)

3246-33C H-4-1603 Rural (Lancaster) (Handed)

3246-36F H-4-1701 Rural (Exeter)

3246-37F H-4-1701 Rural (Exeter) (Handed)

3246-39E H-4-1801 Formal (Tibberton) (Handed)

3246-40F H-4-1801 Rural (Tibberton)

3246-42E H-5-2067 Formal (Earlswood)

3246-44E H-5-2067 Rural (Earlswood) (handed)

3246-45E H-5-2053 Formal (Stableford)

3246-47F H-5 2053 Rural (Stableford)
3246-48D H-5-2053 Rural (Stableford) (Handed)
3246-49E H-5-2150 Rural (Packington)
3246-50E H-5-2150 Rural (Packington) (Handed)
3246-51C H-4-1603-V Formal (Lancaster-V)
3246-52B Garages (Sheet 1)
3246-53B Garages (Sheet 2)
3246-54A Garages (Sheet 3)
3246-55 Proposed Temporary Sales Office (Plot 1 Garage)
3246-57B H-4-1205 Formal (X-Type) (Handed) with Garage
3246-58B H-4-1205 Rural (X-Type) with Garage
3246-60A H-4-1512 Rural (Ellerdine) with Garage
3246-61A H-4-1512 Formal (Ellerdine) with Garage (Handed)
3246-62 Indicative Gate Elevations
3246-63A H-4-1205 Rural (X-Type) (Handed) with Garage
3246-64A H-4-1306-1 Formal (Y-Type) with Garage
3246-65A H-4-1306-1 Formal (Y-Type) (handed) with Garage
3246-66B H-4-1418 Rural (Summerdale) (Handed) with Garage
3246-67B H-4-1418 Rural (Summerdale) with Garage
3246-68A H-4-1306-1 Rural (Y-Type) with Garage
3246-69B H-4-1418 Formal (Summerdale) (Handed) with Garage (RH)
3246-70A H-4-1418 Rural (Summerdale) (Handed) Plot 13

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	Branston Parish Council	No response received
5.3	SCC Highways	No objection subject to conditions
5.4	SCC Education	No objection subject to compliance with the S106.
5.5	Severn Trent Water	No objections
5.6	Ramblers Association	No response received
5.7	Architectural Liaison Officer	No objection subject to conditions
5.8	British Horse Society	Objection if the bridleway is not diverted.
5.9	Open Spaces society	No response received
5.10	Highways England	No objections
5.11	National Forest company	No objections subject to tree planting on main estate roads and being consulted on the wider green infrastructure.
5.12	Tatenhill and Rangemore Parish Council	No objections subject to a traffic management plan.

6. Neighbour responses

6.1 No responses have been received from neighbours or interested parties.

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
- SP16 Meeting Housing Needs
- SP17 Affordable Housing
- SP23 Green Infrastructure
- SP24 High Quality Design
- SP25 Historic Environment
- SP26 National Forest SP27 Climate Change, Water Body Management and Flooding
- SP29 Biodiversity and Geodiversity
- SP32 Outdoor Sports and Open Space
- SP33 Indoor Sports
- 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

Branston

- B1 – Integrating New development with Existing Communities
- B2 – Design
- B4 – Local Landscape Character
- B6 – Landscaping and Protecting Biodiversity
- B7 – Open Space in New Development
- B8 – Sustainable Homes
- B9 – Housing Type and Mix
- B10 – Safer Roads and Streets
- B11 - Car Parking provision

Supplementary Planning Documents/Guidance

- East Staffordshire Design Guide
- Parking Standards
- Waste Storage and Collection Guidance for New Developments

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'. Principle 1 of the Local Plan reiterates this approach to decision making.

9. Local Plan

9.1 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.

9.2 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.

9.3 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.

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

10.1 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.

10.2 Strategic Policies 1 and 24 of the Local Plan state that development proposals must contribute positively to the area in which they are proposed. The policy lists a number of criteria that 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.

- 10.3 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.
- 10.4 The East Staffordshire Design Guide requires the design of development to demonstrate a strong, considered and sensitive response to its context. Design which is relevant to the site and wider context will be important, as this can support local distinctiveness. The Guide allows for development which employs a more modern architectural style but in terms of its proportions and siting it should still compliment its surroundings.
- 10.5 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.
- 10.6 Detailed Policy 2 aims for development to achieve high sustainability and environmental credentials adopted energy efficiency techniques and other standards where possible. Policy B8 of the Branston Neighbourhood Plan states that developers will be encouraged to build new homes to the highest possible sustainability standards in terms of energy and resource efficiency.
- 10.7 Policy B2 of the Branston Neighbourhood Plan requires high quality design which should reflect local distinctiveness.
- 10.8 The outline application had a Design Guide approved for future phases of development to adhere to. The approved Design Guide sets out that subsequent applications for reserved matters need to demonstrate how

they conform to the criteria set out by the approved parameter plans and design principles set out within the Design Guide. The Design Guide forms an important component of the outline planning permission, with Condition 4 on the outline stating a requirement that each application for reserved matters shall include a statement demonstrating compliance with the principles of the approved Design Guide for that phase.

- 10.9 The outline planning application also set other criteria for design, with Condition 6 setting out minimum width of green buffers separating various elements. Of particular relevance to this application is a requirement that 43 metres is retained between the facing elevation of proposed dwellings and the boundary of the application site to the foot of the escarpment (to the north-west of the site) and that 35 metres is retained between facing elevations of dwellings and the outline application site boundary to Branston Road. Following the deferral of the application at the Planning Committee meeting in December 2017, the applicant has submitted a plan to reaffirm and clarify that the scheme complies with the 43 and 35 metre separation distances. In light of the requirement for any reserved matters application to accord with the design guide attached to the outline permission and other relevant conditions including green buffers, the application site has been split into three main development parcels with the third, located to the north-west of the site close to the escarpment. The site is accessed from a new roundabout junction on Branston Road and is then served by perimeter roads and smaller secondary lanes within the development. This comprises short private driveways accessing no more than five properties.
- 10.10 Being surrounded by green infrastructure on its south-west, north-west and north-east boundaries, the site presents an outward looking layout with all areas of open space with natural surveillance. The layout provides character areas to maintain a soft transition from the rural edge on the south-west side of the site to the more formal/suburban environment to the north-east part of the site which will abut future development proposals. This is evidenced by the looser, more irregular, pattern of development on the south-west boundary which is distinct from the more linear, structured, layout which overlooks the green infrastructure to the north-east.
- 10.11 Each plot is provided with sufficient off-street car parking to meet the requirements of the Design Guide and Staffordshire County Council's standards for car parking. Car parking is provided either within driveways, integral garages or detached garages.
- 10.12 The original outline application divided up the large site into smaller character areas, each with their own set of parameters and design framework. The application site falls within the character area called 'Hillside View', as set out within the approved Design Guide. The vision for 'Hillside View' is to 'provide a low density, informal residential area set in

a natural landscape'. The vision in the design guide was for 'dwellings to be typically two storey, detached and larger than in the wider site, with separate garages and set in their own landscaped plots. This part of the wider site and in particular this part of the Hillside View character area was planned to take larger detached 'aspirational' housing. The wider site will deliver a wider housing mix including a range of 1, 2, 3, 4 and 5 bedroom properties. The remaining part of the character area to the north will also deliver further 3, 4 and 5 bedroom properties. It is therefore submitted that the housing mix proposed of 4 and 5 beds for this initial phase accords to the outline and is acceptable in design terms and the application complies with Local Plan Policies, SP24, DP1, DP3 and SP16, Branston Neighbourhood plan

- 10.13 The proposed development consists of two-storey properties. Whilst plots will vary, eaves heights are typically 5 metres and ridge heights are approximately 8.5 metres. The range of house designs has been designed by Cameron Homes to be bespoke for this site and setting. The designs have taken design cues from cottages and traditional farmhouses within Staffordshire and, more locally, design cues from cottages in Barton under Needwood and Tatenhill and Rangemore. The number of house types allow for variation and follow a similar theme to ensure a coherent design across the site whilst avoiding repetition. It is considered that the scale of development proposed is consistent with the design requirements and outcomes set out within the approved Design Guide. It is considered that the proposed design and character of the dwellings will accord with Tatenhill Neighbourhood Plan Policy LC1 which requires new developments at the gateway of the village to be enhanced.
- 10.14 The building materials and colours used within the development are kept to a minimum to avoid a cluttered appearance. A number of traditional architectural details, including porches, projecting bays, eave and verge detailing and fenestration ensures an appropriate transition from the rural edge on the south/south-west to the more formal suburban environment within the development on the north/north-west boundary.
- 10.15 A landscape plan is submitted in support of the application which details the proposed planting regime and anticipated species for areas within and at the immediate edge of the development. Key structural landscaping is provided around the perimeter of the site in accordance with the approved open space and green infrastructure strategies and will form a separate application to discharge Conditions. The design of the green infrastructure has taken into account future development proposals to the north-east, with all spaces afforded good natural surveillance.
- 10.16 The open space and landscaping proposals accord with the requirements of the approved open space and green infrastructure strategies, the Design Guide and the obligations within the Section 106

Legal Agreement. Moreover they are complementary to the character of the development and the boundary treatments proposed throughout.

11. Residential Amenity

- 11.1 The National Planning Policy Framework and DP1, DP3 of the Local Plan seek to ensure new residential development will not have an adverse impact on the amenities of new or existing residents by way of loss of light, overlooking or overbearing.
- 11.2 The Borough Council's Design SPD sets out in paragraph 2.9 separation distances required. It concludes that there are no set standards specified in terms of separation distances between buildings. The performance of development will be considered in terms of its acceptability in design terms with regard to overlooking. It is considered that the proposed layout shows each new dwelling is sufficiently distant from both existing residential properties and proposed residential properties to avoid causing them unacceptable loss of light or privacy. The scheme is therefore compliant with the provisions of Local Plan Policies DP1 and DP3.
- 11.3 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.
- 11.4 The nearest existing dwelling is over 40 metres away from the proposed residential development. Therefore it is not considered that there would be any material adverse impacts on residential amenity in accordance with Local Plan Policy DP3.
- 11.5 Given the separation distances between dwellings throughout the development it is not considered that the removal of permitted development rights for the erection of garden structures would be justified in this instance.
- 11.6 In conclusion, therefore, the proposed layout shows that 70 No. dwellings can be accommodated on the site without compromising the reasonable amenities of existing occupiers or the future occupiers of the development, allowing for sufficient outdoor private amenity space and satisfactory integration with the existing and proposed adjoining built form, again complying with the provisions of Local Plan Policies DP1 and DP3.

12. Sustainability (energy efficiency and low carbon)

- 12.1 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 Government's 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;

12.2 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.

13. Highway Matters

13.1 The NPPF in section 4 sets out the role transport policies play in facilitating sustainable development which contributes to wider sustainability and health objectives. Decisions should ensure that development proposals have taken the opportunities for sustainable transport modes, ensure safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

13.2 Policies SP1 and SP35 of the Local Plan aim to ensure development is located on sites with good links to the highway network, development is convenient and safe to walk, cycle and travel by public transport. Developments should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of the open

countryside. For those developments likely to have an impact on the wider highway infrastructure, proposals should be accompanied by a transport assessment clearly setting out how the likely impacts of the development will be addressed.

- 13.3 The Council's parking standards SPD sets out standards for different uses including space size, accessibility and the quantity of car parking spaces required for different uses.
- 13.4 Branston Neighbourhood Plan Policy B10 requires all developments for roads and streets to be defined by careful use of materials and shared surfaces and for foot and cycle routes through sites to be retained and where possible preserved and enhanced.
- 13.5 Policy B11 requires four bedroom houses to have 2 off road parking spaces and 3 off road spaces for 5 bedroom houses.
- 13.6 This phase of development is to be accessed from a single point of access via a roundabout junction off Branston Road. The roundabout is situated on the section of Branston Road which is to be re-aligned.
- 13.7 A Transport Statement, prepared by David Tucker Associates, is submitted as an application document. This Statement assesses the internal road networks proposed and highlights how the development accords, where applicable, with the approved Transportation and Highways Phasing Strategy. In that respect, the application accords with Condition 23 of the outline planning permission.
- 13.8 The County Highway Authority has no objections to the layout proposed, although they request that surface water interceptors be provided where necessary.
- 13.9 There is adequate parking servicing each plot, regardless of the size of the property. Many of the larger properties also have additional parking in the form of either standalone garages or integral garages. 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 and length of 6 metres. The parking requirements therefore conform to the Borough Council's updated parking standards.
- 13.10 Also in line with the new adopted parking standards SPD a condition is recommended to secure provision of electric charging points for some dwellings.

- 13.11 It is not therefore considered that the proposal would prejudice the safe or efficient use of the highway network in compliance with Local Plan Policies SP1 and SP35 and the parking standards SPD adopted in October 2017.
- 13.12 There is a public right of way which physically crosses the site, however this will be redirected as a requirement of the outline permission, to join with the strategic footway and cycle ways that will connect to the wider site.
- 13.13 Branston Neighbourhood Plan Policy B1 requires existing pedestrian routes to be improved, in particular Branston Bridge to Lawn Farm Cottage. Through relevant conditions of the outline, pedestrian routes have agreed which run parallel with Branston Road on both sides of the road. This pathway continues through the development site and connects to existing public rights of way which lead to Battlestead Hill. Therefore the application is in accordance with this policy.
- 13.14 Cycle routes across the strategic site will also be improved and delivered as part of a wider network.
- 13.15 The Parking Standards SPD also requires 1 secure cycle storage unit per property, to encourage an increase in the number of journeys made by bicycle. The proposal would enable the safe and secure storage of bicycles for each property and therefore this requirement of the SPD has also been met.

14. Historic Environment

- 14.1 Paragraph 126 of the NPPF states that Local Planning Authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.
- 14.2 In determining planning applications with respect to any building or other land in a conservation area, local planning authorities are under a statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Case law has established that this means that considerable importance and weight has to be given to that statutory duty when balancing the proposal against other material considerations.. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 14.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any

features of special architectural or historic interest which it possesses. Again, as for the Section 72 duty referred to above, case law has established that this means that considerable importance and weight has to be given to that statutory duty when balancing the proposal against other material considerations.

- 14.4 Strategic Policy 25 states that Development proposals should protect, conserve and enhance heritage assets and their settings, taking into account their significance, as well as the distinctive character of the Borough's townscapes and landscapes. Policy B4 of the Branston Neighbourhood Plan states that development should respect the local environment, taking account of the local landscape character and its historical development.
- 14.5 Detailed Policy 5 goes into more detail regarding Historic Assets, Listed Buildings, Conservation Areas and Archaeology. Detailed policy 6 aims to protect other heritage assets which are not necessarily covered by listed building or conservation area status, such as shopfronts and the setting of important historic landscapes.
- 14.6 The Tatenhill Conservation area was formally extended in August 2014 following the review of the Conservation Area in 2013. The extension occurred after the original outline application was approved by committee.
- 14.7 The nearest listed building is located at Tatenhill, some 230m to the west of the site. The nearest conservation areas is the Tatenhill Conservation Area which is located approximately 21 m to the north of the site.
- 14.8 The applicant has submitted a heritage statement that provides an analysis of the impact of the proposed development on heritage assets. The analysis confirms that while there will be changes to the wider setting of Tatenhill and the Trent and Mersey Conservation Areas as a result of the proposals this will not impact on their special interest.
- 14.9 The Conservation Officer has reviewed the submitted documents and relevant considerations and agrees with the assessment. While there will be change to the setting of the conservation areas, this is not considered to harm the setting of the conservation areas or the listed buildings due to factors including; degree of separation, topography and restricted visibility and the retention of the architectural and historic character of the conservation areas.
- 14.10 Given these separation distances and the form of existing built development, it is not considered that the proposal would have an impact on views into, or those out of these conservation areas nor would any Listed Building or its setting be affected and therefore the statutory duties under Sections 66 and 72 are complied with..
- 14.11 There is evidence of archaeological interest in the area, and it is considered that a written scheme detailing a program of archaeological

investigations should be required. In light of this a suitably worded condition is proposed to ensure that a scheme of archaeological investigation is secured as part of any scheme. It is therefore not considered that the proposal would unacceptably affect archaeological interests.

14.12 It is considered that the statutory duties under Section 66 and under Section 72 have been considered and addressed as part of this application.

14.13 With regard to archaeological value, there is a requirement on the outline permission for archaeological mitigation to be agreed. The relevant discharge of conditions have been submitted and approved by the LPA.

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 In respect of this proposal the site falls within flood zones 2 and 3 with the elements in flood zone 3 concentrated to the centre of the site. The applicant has undertaken significant modelling of the flood zones in this location, and has proposed significant remediation measures that seek to ensure that the proposal will not be at risk from, or add to flood risk off site.

15.4 The Environment Agency and Local Lead Flood Authority have not raised any objections in principle to the current scheme. Detailed foul and surface water details are required to be submitted in due course under the requirements of the conditions of the outline approval (and will need to be approved in conjunction with the Local Lead Flood Authority).

16. Affordable Housing and Housing Mix

16.1 The NPPF states that local planning authorities should have a clear understanding of housing needs in their area. Local Authorities should address the need for all types of housing, including affordable housing and the needs of different groups in the community. Strategic Policies 16 and 17

along with the guidance set out in the Housing Choice SPD respond to this requirement.

- 16.2 Strategic Policy 16 states that residential development in the main towns and Strategic Villages shall provide an appropriate dwelling or mix of dwellings given the mix required in that part of the Borough according to the Council's evidence base or other evidence.
- 16.3 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. A condition is recommended to secure provision of the standard for some dwellings
- 16.4 This first phase of development, within the wider permitted outline site, does not include provision of affordable housing. The Section 106 Legal Agreement sets out at 2.1.1.4:-

“The number of affordable housing units to be provided in each of the phases for the first 1,250 dwellings shall be at the discretion of the owner SUBJECT ALWAYS to the requirements that overall;

a) 5% of the first 500 of those dwellings shall be affordable housing units and;

b) Not less than 7.52% of those 1,250 dwellings shall be affordable units and;

Affordable housing shall be dispersed so that no more than 30% of the dwellings permitted or built in a phase shall be affordable housing units.’

- 16.5 Not providing any affordable homes units from this initial reserved matters application is in accordance with the agreed strategy and design criteria and will allow the following phases to come forward with the requisite number and type of affordable units.
- 16.6 Policy B9 of the Branston Neighbourhood Plan aims for all major development to deliver a range of housing from smaller units to more expensive housing to support sustainable neighbourhoods and deliver a diverse range of household types. Whilst this site does not provide that mix of house types, the wider site will deliver the variation in house types across the remaining 2500 dwellings. The composition of the mix proposed in this first phase is therefore acceptable.

17. Green Infrastructure and National Forest

- 17.1 The National Planning Practice Guidance is clear that green infrastructure is important to the delivery of high quality sustainable development, alongside other forms of infrastructure such as transport, energy, waste and water. Green infrastructure provides multiple benefits, notably ecosystem services, at a range of scales, derived from natural systems and processes, for the individual, for society, the economy and the environment. To ensure that these benefits are delivered, green infrastructure must be well-planned, designed and maintained. Green infrastructure should, therefore, be a key consideration planning decisions where relevant.
- 17.2 Strategic Policy 23 states that development should contribute towards the creation, enhancement or ongoing management of a series of local green infrastructure corridors. The policy lists 10 standards green infrastructure is expected to meet
- 17.3 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.
- 17.4 The outline indicative layout showed the provision of a significant level of open space and green infrastructure running through the site; these form green fingers through the site allowing glimpses from the canal to Battlestead Ridge, whilst also supplying high quality greenspace for the development. To the west of the site Battlestead Ridge will be enhanced to provide full public access to the land with improved walks, cycle routes, picnic areas and national forest planting. The site that forms part of this application sits adjacent to these green fingers and therefore the setting of the site will be softened by this green infrastructure. Branston Neighbourhood Plan Policy B6 looks for development proposals to protect existing nature conservation assets such Biological Alert Sites and Sites of Biological Importance on and adjacent to the the Branston locks site. The Policy requires consideration to be given in landscaping schemes to the treatment of urban edges to provide suitable screening and a softening of the interface between rural and urban areas. Policy B7 promotes a green infrastructure approach for all new public opens space in order to promote community access. In terms of informal play space Local Equipped Areas of Play (LEAP) are to be provided in accordance with the Open Space SPD within the green areas and open space strategy agreed under condition 8 of the outline permission. It is considered that the proposed GI in the wider site complies with the provisions of Policy B6 and B7 of the Branston Neighbourhood plan.

18. Biodiversity

- 18.1 Paragraph 118 within Section 11 of the National Planning Policy Framework states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, planning permission should be refused.
- 18.2 The Natural Environment and Rural Communities Act 2006 states that public authorities in England have a duty to have regard to conserving biodiversity as part of policy or decision making.
- 18.3 Strategic Policy 29 lists criteria including development to retain features of biological interest produces a net gain in biodiversity in line with Staffordshire biodiversity action plan species and supporting developments with multi-functional benefits.
- 18.4 The site at the moment is not diverse or special in ecological terms, and the wider development provides significant opportunities to undertake significant ecological improvements throughout the Green Infrastructure provision including National Forest planting, and this was secured through the outline consent. Subject to compliance with these conditions it is considered that in the long term the development will result in substantial benefits for biodiversity, and will increase the diversity of habitats in the locality complying with Local Plan policy SP29 and Policy B6 of the Branston Neighbourhood Plan. The green infrastructure provided by this proposal will also follow the Protected Species Mitigation Strategy, required under condition 9 of the outline which requires throughout the site mown verges and buffers of low growing vegetation, planting on elevated sections of the green fingers to consider flight path of bats and birds and that any new lighting on open spaces provides a minimum level of illumination required for public safety and directed onto pathways to minimise sky glow.

19. Open space

- 19.1 The NPPF states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area.
- 19.2 Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.
- 19.3 SP32 and SP33 set out the requirements of open space provision across the Borough.

- 19.4 The Borough Council will seek to deliver new provision and protect and enhance existing outdoor open space and sport facilities by safeguarding sites for the benefit of local communities and applying the standards set out in the Local Plan.
- 19.5 Developers should provide open space to the local standard identified for the area. Local Standards are identified in the Local Plan Supplementary Planning Document.
- 19.6 The outline permission requires the provision of equipped play areas, sports pitches and amenity open space and recreational parks and gardens. The condition requiring an overall open space strategy for the whole Branston Locks site has been discharged and sets the overall strategy for informal and formal play areas. This application accords with the overall open space strategy.
- 19.7 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. Additional open space, including play areas and green links to the rest of the site will be provided on future phases.

20. Section 106 Contributions

- 20.1 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.
- 20.2 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
- 20.3 As set out in this report insofar as the matters are relevant to this first phase of the development of the Branston Locks strategic site, the proposals are in line with the requirements of the Section 106 attached to the outline approval.

21. Conclusions

- 21.1 This proposal will result in the commencement of development of the green-field strategic site known as Branston Locks upon which the principle of development has previously been established by the granting of outline planning permission in 2015.
- 21.2 The submitted details for this reserved matters application demonstrate that the development will fit acceptably 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 any material harm on the reasonable residential amenities of any existing or proposed occupiers. The Highway Authority has confirmed that there are no issues in relation to highway safety arising from the proposals and it is considered that the mitigation of all ecological and biodiversity issues have in principle been successfully addressed.
- 21.3 The change in the character and appearance of the area, the benefits of the proposal including the provision of housing, alongside the economic benefits associated with new development mean that the benefits of the scheme clearly outweigh any specific concerns that are raised in relation to the proposal. The proposal is therefore 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.
- 21.4 The development will result in changes to the wider setting of heritage assets but this will not result in any harm to the setting or significance of the conservation areas, nor will any listed building or its setting be affected. The statutory duties under Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are therefore addressed by the proposals.

21.5 RECOMMENDATION

APPROVE RESERVED MATTERS, subject to the following conditions:-

1. Compliance with the approved plans (Standard Condition No. 0002).
2. Details of Surface Water drainage interceptors to be provided. (Bespoke)
3. Details of properties to be delivered to the M4(2) Building Regulations standard (Bespoke)
4. Parking and turning facilities to be provided before each dwelling is first occupied (Standard Condition No. 00004a).
5. Garages to be retained as being available for parking at all times. (Standard Condition No. 00004d).
6. Any soakaways to be sited a minimum distance of 5.0 metres back from the edge of the highway. (Bespoke)

7. All landscaping works to be undertaken in first season post completion (Standard Condition No. 00003b).
8. Installation of electric charging points to garages. (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.
5. The developer is reminded to ensure there is safe access at all times for users of the public right of way which runs through the site.

22. Background papers

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

- Papers on the Planning Application file reference: P/2012/01467 and associated Section 106 Agreement

23. Human Rights Act 1998

23.1 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.

24. Crime and Disorder Implications

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

25. Equalities Act 2010

25.1 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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