

| | |
|---------------------|-----|
| Agenda Item: | 5.1 |
|---------------------|-----|

| | |
|------------------|---|
| Site: | Land to the west of Uttoxeter, A50 Bypass, Uttoxeter, Staffordshire |
| Proposal: | Reserved Matters application for the erection of 5 No. detached buildings for use as 13 No. Class B1 (Business), Class B2 (General Industrial) and Class B8 (Storage & Distribution) units and a gate house building, including details of access, appearance, scale, layout and landscaping. |

Report of Head of Service (Section 151 Officer)

This report has been checked on behalf of Legal Services by Sherrie Grant

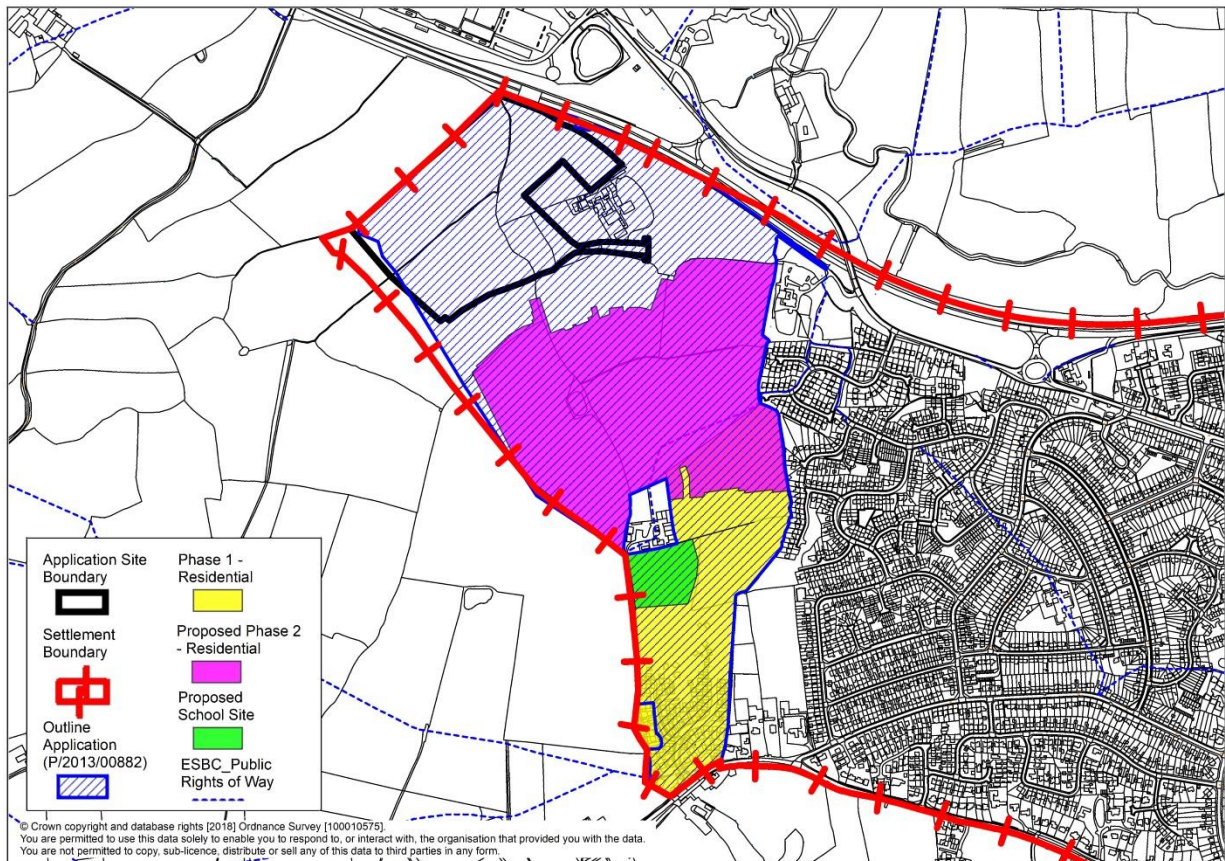
[Hyperlink to Application Details](#)

| | | |
|-----------------------------|---|--|
| Application Number: | P/2018/00358 | |
| Planning Officer: | Alan Harvey | |
| Type of Application: | Reserved Matters | |
| Applicant: | St Modwens Homes | |
| Ward: | Abbey | |
| Ward Member (s): | Councillor C Whittaker Councillor G A Allen Councillor Ms L Shelton | |
| Date Registered: | 20 April 2018 | |
| Date Expires: | 17 August 2018 - an extension of time has been agreed with the applicants to allow consideration of revised surface water disposal details. | |

1. Executive Summary

- 1.1 The application site consists of some 10.5 ha of land to the west of Uttoxeter which is the northernmost part of an overall 50.7 ha sustainable urban extension with outline approval (ref: P/2013/00882) for the development of up to 700 No. dwellings, 10 hectares of employment use (Classes B1, B2 and B8), a first school, a mixed use local centre incorporating retail, leisure, social, cultural community and health facilities, green infrastructure, associated engineering works and an access to New Road and Bramshall Road by way of spine road arrangements.

- 1.2 The application is a reserved matters submission for the erection of 5 No. detached buildings for use as 13 No. Class B1 (Business), Class B2 (General Industrial) and Class B8 (Storage & Distribution) units and a gate house building, including details of access, appearance, scale, layout and landscaping. The scheme is part of Phase 3 of the overall development scheme.
- 1.3 Uttoxeter Town Council state that they welcome the application and have no objections and Uttoxeter Rural Parish Council have no comments. Statutory consultees have raised no objections to date that cannot be overcome via planning conditions, although at the time of the report preparation the comments of the County Council - as the Lead Flood Authority - and Severn Trent Water are awaited in relation to a revised surface water disposal scheme. These outstanding technical consultation comments will be included on the Committee update sheet in due course.
- 1.4 Local residents were notified of the application and a site notice posted and a press notice published. No local residents/interested parties made representations.
- 1.5 The proposal would not be likely to adversely affect the amenities of occupiers of existing and proposed nearby dwellings. The proposal will not have an unacceptably adverse impact on the wider existing highway network nor give rise to any environmental concerns. The scheme would also provide necessary mitigation in relation to biodiversity. The proposed development would not have any impact on heritage assets.
- 1.6 It is therefore considered that subject to the surface drainage proposals being satisfactory that the scheme is fully in line with the conditions and remit of the outline planning approval - and its associated Section 106 Agreement - and is compliant with the provisions of the relevant development plan policies and the National Planning Policy Framework.

Map of site**2. The site description**

- 2.1 The application site consists of some 10.5 ha of land to the west of Uttoxeter which is the northernmost part of an overall 50.7 ha sustainable urban extension site the benefit of outline approval for the development of up to 700 No. dwellings, 10 hectares of employment use (Classes B1, B2 and B8), a first school, a mixed use local centre incorporating retail, leisure, social, cultural community and health facilities, green infrastructure, associated engineering works and an access to New Road and Bramshall Road. The site area to accommodate built development is some 6.5 ha in area.
- 2.2 The proposed development (known hereafter in this report as Phase 3a) would be accessed from the spine road which already comes northwards off Bramshall Road and will eventually once completed connect to the A50/A522 by way of roundabout junctions (which are themselves presently under construction) . The application site is presently grassland with some areas of mature hedgerows, including one to the northernmost boundary. The land is undulating, although there is gradual rise in the land level in a south-west direction away from the A50.
- 2.3 The application site is adjoined to the north by the A50/A522; beyond which to the north-west is the JCB Heavy Products Factory complex. To the west of the application site are agricultural lands and to the south and south-east are lands proposed to be developed for residential purposes through the original outline permission for the west of Uttoxeter strategic site. The development of this land (being 'Phase 2') is subject to a separate reserved matters submission

(ref: P/2018/00510) which will be reported to Planning Committee in due course. To the south-west is Moss Beds Farm.

- 2.4 Parks Farm adjoins the south-eastern boundary of the application site but is scheduled for demolition as part of the development of the strategic site and will form part of future development of the remaining part of Phase 3.

3. Planning history

- 3.1 **Application ref: P/2014/00667** - Formation of new access road and other associated services off Bramshall Road to serve new residential development. Approved in July 2014.
- 3.2 **Application ref: P/2013/00882** - outline planning permission granted for the development of the 50.7 ha site for up to 700 No. dwellings, 10ha of employment use (Classes B1, B2 and B8), a first school, a mixed use local centre incorporating retail, leisure, social, cultural community and health facilities, green infrastructure, associated engineering works, access to New Road and Bramshall Road and associated internal access roads including demolition of Parks Farm and associated buildings, with all matters reserved.
- 3.3 The outline scheme was permitted by the Planning Committee in March 2014, although the final decision notice was not issued until November 2015 upon completion of the Section 106 Agreement. The Section 106 Agreement provides *inter alia* for the following:-
- The provision of 38 No. affordable dwellings during Phase 1 of the development (out of a total of 250 No. dwellings)
 - Landscaping as per the requirements of the Local Plan policies
 - A contribution of £300,000 towards indoor sports upon the occupation of the 300th dwelling.
 - 2 ha of sports pitches on site (or a contribution of £50,000 per ha towards off-site sports provision) along with open space and formal play facilities (the locations of which have been subsequently agreed under a discharge of condition submission).
 - The provision of a bus service upon the occupation of the 250th dwelling.
 - Traffic calming measures in Bramshall before the first occupation of any dwelling.
 - The setting up of a management scheme to maintain the open space.
 - A contribution of £45,000 towards refuse and recycling.
 - The provision of a new first school (primary level with some nursery provision).
 - A commuted sum of £2,203,971 for middle school, high school and sixth form places.

- 3.4 The highway related conditions attached to the outline permission (application ref: P/2013/0882) provided that the spine road through the site was to function as a link road between the northern and southern accesses (New Road and Bramshall Road) and that:-
- No more than 501 dwellings shall be commenced until the spine road has been completed (as per condition 28).
 - As part of a movement framework measures should be introduced to restrain the speeds of vehicles along the link road to 20 mph (as per condition 22).
 - In terms of proposed off-site works that before 300 dwellings are occupied improvement works need to be undertaken to the Silver Street/Dove Bank/Church Street junction (as per condition 27).
- 3.5 **Application ref: P/2014/00883** - full planning permission granted for the erection of 58 No. dwellings along with new pumping stations, temporary service road and surface water retention basin (hereafter referred to in this report as Phase 1a). The scheme was also supported by the Planning Committee in March 2014, although again the final decision notice was not issued until November 2015 upon completion of the associated Section 106 Agreement. There have also been a number of discharge of condition submissions approved in relation to the Phase 1a development to enable the development to progress on the site.
- 3.6 **Application ref: P/2016/00164** - In February 2016, an application was submitted for the discharge of conditions 5, 21 and 22 of the outline planning permission ref: P/2013/0882. Condition 5 relates to the phasing of the scheme - including development composition and indicative timings - and conditions 21 and 22 relates to the route alignment of the link road and the movement framework/parking strategy respectively. As all the conditions were specified as being for highway safety purposes, the submissions were subject to consultation and agreement with the County Highway Authority. The application was approved under officer delegated powers in April 2016. The first phase of the development comprises of a total of 250 No. dwellings (all presently to be accessed from Bramshall Road) along with the school, phase 2 will comprise 450 No. dwellings and sports fields and phase 3 is the commercial element (of which the current business use application is part) along with a mixed use local centre incorporating retail, leisure, social, cultural community and health facilities.
- 3.7 **Application ref: P/2016/00216** - Application for reserved matters approval for the erection of 40 No. dwellings (including 13 No. affordable dwelling units), together with drainage and highways infrastructure, and including details of access, appearance, landscaping, layout and scale (hereafter referred to as Phase 1b). Approved in November 2016. There has also been a number of discharge of condition submissions approved in relation to the Phase 1b scheme to enable the development to progress on the site. It is also pointed out that as there was a degree of overlap onto the Phase 1a scheme (with changes of plots and housing designs) that taken together Phases 1a and 1b will bring forward a total of 87 No. dwellings (including 13 No. affordable units).

- 3.8 **Application ref: P/2016/01040** - Application for non-material amendment in relation to minor changes to the facades of the dwellings (on Plots 39-43, 46-48, 51, 54 and 56-58). Approved in August 2016.
- 3.9 **Application ref: P/2017/00025** - An application for a non-material amendment relating to proposed changes to the external elevations of the dwellings on Plots Nos. 68 and 69. Approved in January 2017.
- 3.10 **Application ref: P/2017/00303** - An application for a non-material amendment relating to proposed changes to the parking arrangements/residential curtilages of the dwellings on Plots Nos. 48, 49, 50, 51 and 52. Approved in April 2017.
- 3.11 **Application ref: P/2017/00306** - An application for a non-material amendment relating to proposed changes to the external elevations of the dwellings on Plots 23, 24, 33, 61, 66 and 67. Approved in April 2017.
- 3.12 **Application ref: P/2017/00426** - An application (by Bellway) for reserved matters relating to P/2013/00882 for the erection of 119 dwellings including 18 affordable units, together with drainage, landscaping and highways infrastructure and including details of appearance, landscaping, layout and scale (Phase 1C). Approved in August 2017. Applications for discharge of conditions have been submitted and approved to facilitate the development of the site.
- 3.13 **Application ref: P/2017/00572** - An application for reserved matters relating to P/2013/00882 for the erection of 44 No dwellings including 7 No. affordable units, together with drainage and highways infrastructure, and details of access, appearance, landscaping, layout and scale (referred to hereafter as Phase 1d). Approved in November 2017. Applications for discharge of conditions have been submitted to seek to facilitate the development of the site but have not determined to date.
- 3.14 **Application ref: P/2018/00355** - An application for full planning permission for the construction of the (remainder of the) spine road with associated drainage, electricity sub-station, gas governor, earth works and landscaping. Current application - not determined to date (at the time of the report preparation).
- 3.15 **Application ref: P/2018/00358** - An application for reserved matters application for the erection of 5 No. detached buildings for use as 13 No. units for Class B1 (Business), Class B2 (General Industrial) and Class B8 (Storage & Distribution) Uses and a gate house building, including details of access, appearance, scale, layout and landscaping (Phase 3a). Current application (the subject of this report) - not determined to date.
- 3.16 **Application ref: P/2018/00510** - An application for reserved matters relating to ref: P/2013/00882 for the erection of 450 dwellings and garages including 68 affordable units, together with drainage and highways infrastructure, and including details of access, appearance, landscaping, layout and scale (Phase 2). Current application - not determined to date.
- 3.17 **Application ref: P/2018/00573** - An application for the widening of an existing access onto Bramshall Road for use by construction traffic for a temporary

period of 2 years. Approved in July 2018.

4. The proposal

- 4.1 The application is a reserved matters submission for the erection of 5 No. detached buildings for use as 13 No. Class B1 (Business), Class B2 (General Industrial) and Class B8 (Storage & Distribution) units and gate house building, including details of access, appearance, scale, layout and landscaping.
- 4.2 The proposed buildings are arranged together around a shared parking/servicing area with single vehicular access point off the northern side of an access road (itself a western arm of the proposed spine road). The larger units (3, 4 and 5) are located toward the northernmost area of the site. The gatehouse will serve Unit 5 (a large warehouse)
- 4.3 The units range in floor area from 3,050 square metres (Unit 1) to 13,625 square metres (Unit 5). The development provides for a gross external floorspace area of 34,755 square metres (including an assumed figure of up to 20% mezzanine floor space for each of Units 4 and 5). The building heights range from 8.0 m above ground level (Unit 1) to 15.5 m (Unit 5).
- 4.4 Externally, the facing the materials to be used in the development are to comprise panels of horizontal and vertical cladding with arched profile metal roofs. The exterior panels are predominantly either of merlin grey or goosewing grey. Units 3, 4 and 5 incorporate office elements with glazed facades to building corners (where they face onto parking areas).
- 4.5 The submitted plans show that a total 376 car parking spaces are proposed to serve the development (of which 21 are spaces for those with disabilities) along with 31 HGV spaces. Secure covered cycling parking facilities for 50 cycles are also to be provided in 4 shelters within the overall site.
- 4.6 The scheme will result in the loss of some existing mature hedgerows and trees; although the hedgerow to the northern boundary is to be retained. The landscaping being proposed as part of the scheme will, however, include new compensatory tree planting with a particular focus on provision to the boundaries of this phase.
- 4.7 During the course of the application revisions and additional submissions have been secured from the applicants in the light of the initial consultation responses of the County Highway Authority and the Lead Local Flood Authority. The relevant matters are addressed in the Assessment section below from paragraph 7.0 onwards.

List of supporting documentation

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

- Location Plan
- Proposed Site Layout Plan
- Proposed Landscaping Plans (including detail planting specifications)
- Proposed Materials Plan
- Elevation Drawings

- Cycle Shed and boundary fencing details.
- Planning Statement
- Design and Access Statement
- Flood Risk Assessment
- Drainage Strategy (including revised submissions)
- Arboricultural Submissions
- Archaeological Assessment
- Ecological Submissions (including Protected Species submissions)
- Biological Enhancement and Habitat Management Plan.
- Transport Statement

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 | Uttoxeter Town Council | Welcome the development and have no objections. |
| 5.3 | Uttoxeter Rural Parish Council | Have no comments |
| 5.4 | SCC Highways | Initially sought revisions to the scheme during the application process to address concerns about turning facilities within the site. Further to the submission of the revised scheme SCC Highways raise no objections in principle subject to conditions. |
| 5.5 | SCC Archaeology | Raise no historic environment concerns. |
| 5.6 | Environment Agency | No objections |
| 5.7 | Severn Trent Water | No comments received to date. Any response received will be reported on the update sheet. |
| 5.8 | Local Lead Flood Authority | Initially sought revisions to the scheme during the application process to address concerns about drainage capacities. Further to the submission of the revised scheme Local Lead Flood Authority have been re-consulted with their comments to be report to Committee on the update sheet. |
| 5.9 | Architectural Liaison Officer | Provides guidance on crime reduction. |

| Internal Consultees | | Response |
|---------------------|----------------------|-----------------------------|
| 5.10 | Environmental Health | No objections in principle. |
| 5.11 | Tree Officer | Raises no objections. |

| | | |
|------|---------------------|-----------------------------|
| 5.12 | Environment Manager | No objections in principle. |
|------|---------------------|-----------------------------|

6. Neighbour responses

6.1 Neighbours were notified of the application and a press notice published and a site notice posted. No comments were received from local residents/interested parties.

7. Policy Framework

National Policy

- National Planning Policy Framework (July 2018)
- National Planning Policy Guidance

Local Plan

- Principle 1: Presumption in Favour of Sustainable Development
- SP1: East Staffordshire Approach to Sustainable Development
- SP2 Settlement Hierarchy
- SP9 Infrastructure Delivery and Implementation
- SP23 Green Infrastructure
- SP24 High Quality Design
- SP25 Historic Environment
- SP27 Climate Change, Water Body Management and Flooding
- SP29 Biodiversity and Geodiversity
- SP35 Accessibility and Sustainable Transport
- DP1 Design of New Development
- DP2 Designing in Sustainable Construction
- DP3 Design of New Residential Development, Extensions and Curtilage Buildings
- DP5 Protecting the Historic Environment: All Heritage Assets, Listed Buildings, Conservation Areas and archaeology
- DP7 Pollution and Contamination
- DP8 Tree Protection

Uttoxeter Neighbourhood Plan

- Policy T1 - Sustainable Transport
- Policy T2 - Links to the Town Centre
- Policy T3 - Parking Standards
- Policy T4 - Traffic and Town Centre
- Policy E1 - Uttoxeter's Network of Green Infrastructure
- Policy E2 - Landscape and Setting
- Policy E3 - Green Links

Supplementary Planning Documents/Guidance

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

Assessment

8. Principle of Development

- 8.1 The principle of the development of the site on land to the west of Uttoxeter has been established with the approval of the outline planning permission in 2015. Furthermore, the approval of discharge of conditions 5, 21 and 22 under application ref: P/2016/00164 provided for the phasing of the scheme (in three stages) and confirmed the details of the route alignment of the link road and the movement framework/parking strategy.
- 8.2 The highway related conditions attached to the outline permission (application ref: P/2013/0882) provide that the spine road through the site is to function as a link road between the northern and southern accesses (i.e. Roundabout junctions off New Road and Bramshall Road) and that no more than 501 dwellings shall be commenced until the spine road has been completed (as per condition 28). The scheme accords with these parameters at this stage.
- 8.3 Further, as the application is one for reserved matters the scheme is subject to the requirements of the conditions and the Section 106 Agreement attached to that outline planning permission (and these are referenced where relevant in the sections of the report below).

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

- 9.1 The NPPF expects the creation of high quality buildings and places, which are fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps to make development acceptable to communities. 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, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision maker as a valid reason to object to development
- 9.2 Strategic Policy 1 and 24 state that development proposals must contribute positively to the area in which they are proposed. Policy SP24 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.
- 9.3 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. Policy 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

- 9.4 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.
- 9.5 The East Staffordshire Design Guide is equally applicable to the policy aspirations of SP24.
- 9.6 Detailed Policy 2 aims for development to achieve high sustainability and environmental credentials adopted energy efficiency techniques and other standards where possible.
- 9.7 The layout of the development is one of all the proposed buildings being served by means of a single access point off a (proposed) arm to the spine road; which in turn will connect to the (proposed) southernmost new roundabout junction to the A522/A50. The development has thus been designed to form a distinct grouping of buildings with shared design features.
- 9.8 The proposed scale of the overall development is considered to be commensurate to its position in the northern portion of the larger sustainable urban extension site where it will be seen in the context of the existing and proposed factory buildings at the JCB Heavy Products complex to the north-western side of A50.
- 9.9 Furthermore, given the variation in design and treatments in terms of the facades and roofscapes within this scheme the development would create sufficient visual interest in the wider streetscape so that it would complement the residential development approved (to date) to the south of the site on Phase 1 (as well as that being proposed for Phase 2). The scheme has also been specifically designed so that the office facades are the most visual element of the larger units (Nos. 3, 4 and 5) when viewed from the common parking areas. Also in terms of the visual appearance of the streetscape there would be sufficient space provided between buildings.
- 9.10 Parking is provided by way of a central parking area and there is good surveillance of this parking, along with that proposed cycle storage. It is considered that the scheme could make adequate provision of bin stores so that they would not be unsightly in the context of the streetscape of the new development.
- 9.11 The proposed boundary treatments to the yard areas would be painted palladin fencing of some 2.4 metres in height. It is considered that such treatments would achieve the balance of providing the necessary level of security whilst not detracting from the wider character of the locality.
- 9.12 In conclusion, therefore, it is considered that the scheme in terms of its design and materials will sufficiently respect the character of the earlier residential phases of the development and having regard to the siting and scale of the proposed buildings in the context of their location in proximity of the A50 would be in line with the criteria of Policy DP1.

9.13 The sustainability approach for this development is for the new buildings to incorporate fabric energy efficiencies. This is achieved by utilising energy efficient construction methods and water efficiency measures. The proposed development is therefore in line with Policy DP2 of the Local Plan.

10. Impacts on Residential Amenity

10.1 The National Planning Policy Framework and DP1 and 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.

10.2 With regard to the relationship with existing dwellings there are separation distances of at least 350 metres between the rear elevations of the proposed buildings and the principal rear elevations of the existing dwellings to the east of the site. Accordingly, having regard to the distances of separation from existing dwellings, it is considered that the proposed buildings on the application scheme would not have any significant overbearing, overshadowing or overlooking impacts that would be detrimental to the residential amenities of any existing dwellings. There are also sufficient separation distances between the dwellings at Moss Beds and the proposed buildings.

10.3 The development scheme is also considered to be likely have an acceptable relationship with the dwellings proposed to be constructed as part of Phase 2 to the south; having regard to the submission shown in relation to the proposals under application ref: P/2018/00510 (which is to be determined by the Committee in due course). Specifically, the commercial scheme has been designed so that there will be substantive landscaping to its southern boundary. The scheme is therefore considered to be compliant with the provisions of Local Plan Policy DP1.

10.4 In relation to activity, the scheme will necessarily generate traffic along the spine road and associated access roads, however, given the separation distances involved it is considered that this vehicular activity would not unacceptably affect the amenities enjoyed by the occupiers of existing or proposed dwellings adjacent to or surrounding the application site in terms of noise and disturbance. Similarly, the comings and goings of vehicles to individual buildings are unlikely to generate levels of noise and disturbance to the detriment of existing or future residential amenities. It is also considered that existing and likely separation distances from the proposed buildings would mean that the operation of these facilities would not in principle give rise to levels of noise or smells that would be detrimental to residential amenities in the future. The Borough Council's Environmental Protection Section have not raised any concerns in these respects.

10.5 A condition of the outline approval requires that no outside storage or working shall take place at the B1/B2/B8 units unless otherwise first agreed in writing by the Local Planning Authority. This condition will be re-iterated on this reserved matters submission as it is more appropriate to such a detailed scheme. Any restrictions on the hours of operation of the individual units (before their first occupation) will need to be informed by the noise assessment that is required to be undertaken for each development phase by condition 33 of the outline approval. A suitably worded condition is therefore recommended for this reserved matters application.

- 10.6 In conclusion, therefore, the proposed layout shows that commercial/industrial buildings can in principle be accommodated on the site without compromising the reasonable amenities of existing or future occupiers of residential properties in the locality; again complying with the provisions of Local Plan Policy DP1.
- 10.7 The hours of operation for the construction phase would fall to be agreed under the Construction Management Plan under the auspices of a condition of the outline approval; although it is anticipated that these would replicate the hours agreed for Phases 1a, 1b and 1c (and those presently proposed for Phase 1d) – these being 7.30 to 19.00 Monday to Friday, 8.00 to 14.00 on Saturdays and no working on Sundays and Bank Holidays. This management plan will include dust mitigation.

11. Highway Matters (including Public Rights of Way)

- 11.1 The NPPF sets out the role transport policies play in facilitating sustainable development which contributes to wider sustainability and health objectives. Decisions should ensure development proposals have taken the opportunities for sustainable transport modes, ensure safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 11.2 Policies SP1 and SP35 of the Local Plan aim to ensure development is located on sites with good links to the highway network, development is convenient and safe to walk, cycle and travel by public transport. Developments should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of the open countryside. For those developments likely to have an impact on the wider highway infrastructure, proposals should be accompanied by a transport assessment clearly setting out how the likely impacts of the development will be addressed.
- 11.3 The Council's parking standards SPD - recently revised - sets out standards for different uses including space size, accessibility and the quantity of car parking spaces required for different uses.
- 11.4 The proposed buildings are to be served off an arm to the spine road. The County Highway Authority has no objections to the layout as now proposed and the Highways Agency has no objections in terms of the impact on the wider highway network. A condition of the outline approval requires *that "prior to the first use of any B1/B2/B8 units hereby approved, vehicular access to the A522 with a minimum width of 7.3 metres shall be provided in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority."* This scheme provides the necessary details to enable these works to be undertaken in due course in compliance with outline scheme condition.
- 11.5 There are adequate parking and turning facilities to serve the proposed development and a condition will be attached to any approval to secure these before any unit is first occupied. Secure weatherproof cycle storage facilities are proposed and will be also secured prior to first occupation. The relevant

conditions will also ensure thereafter that both vehicle and cycle provisions are retained as available for use.

- 11.6 It is not therefore considered that the proposal would prejudice the safe or efficient use of the highway network.
- 11.7 There are no public rights of way which physically cross the lands the subject of this submission and as such there will be no direct impacts on any rights of way.

12. Historic Environment

- 12.1 Paragraph 184 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, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 12.2 In determining planning applications with respect to any building or other land in a conservation area, local planning authorities are under a statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Case law has established that this means that considerable importance and weight has to be given to that statutory duty when balancing the proposal against other material considerations. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 12.3 Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Again, as for the Section 72 duty referred to above, case law has established that this means that considerable importance and weight has to be given to that statutory duty when balancing the proposal against other material considerations.
- 12.4 Strategic Policy 25 states that Development proposals should protect, conserve and enhance heritage assets and their settings, taking into account their significance, as well as the distinctive character of the Borough's townscapes and landscapes.
- 12.5 Detailed Policy 5 goes into more detail regarding Historic Assets, Listed Buildings, Conservation Areas and Archaeology. Detailed policy 6 aims to protect other heritage assets which are not necessarily covered by listed building or conservation area status, such as shopfronts and the setting of important historic landscapes.
- 12.6 There are no designated above ground heritage assets - conservation areas or listed buildings - within 1km of the application site. The Uttoxeter Town Centre Conservation Area is some 1.65 km distant to the east and the nearest listed

buildings of Grange Farm and a milepost (both Grade II) are some 1.1km away to the west on Stone Road in Bramshall. Given these separation distances, it is not considered that the proposal will have any impact on views into, or those out of designated areas, or affect any listed building or its setting and that the statutory duties under Section 66 (1) and under Section 72 are not therefore engaged.

- 12.7 With regard to archaeological value, the County Archaeologist reminds the Borough Council that there is a requirement on the outline permission for archaeological mitigation to be undertaken in relation to building recording work at Parks Farm. A note to applicant on the decision notice will draw attention to this fact for the avoidance of any doubt.

13. Flood Risk and Drainage/Contaminated Land

- 13.1 Section 14 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 risk of flooding. The Environment Agency produces flood risk maps which classifies land according to probability of flooding. The areas of highest risk are classified as Flood Zone 3, with a 1 in 100 or greater annual probability of flooding, and the areas of lowest risk are classified as Flood Zone 1, with a less than 1 in 1000 annual probability of flooding.
- 13.2 Strategic Policy 27 expects all new development to incorporate Sustainable Drainage Systems (SUDS). Systems will discharge clean roof water to ground via infiltration techniques, limit surface water discharge to the greenfield run-off rate and protect and enhance wildlife habitats, heritage assets, existing open space, amenity areas and landscape value.
- 13.3 The application site is situated in Flood Zone 1 and the Environment Agency have not raised any objections to the current scheme.
- 13.4 Detailed foul and surface water details have been submitted to accompany this reserved matters application, and these show that the scheme will utilise surface water drainage into a detention basin whereupon it will be released at a controlled discharge rate into existing watercourses. The scheme has been amended during the application process and the final technical comments of the County Council as the Lead Flood Authority and Severn Trent Water Ltd are awaited (at the time of the report preparation) and will be included on the Committee update sheet.
- 13.5 At the outline stage no specific contaminated land concerns were raised in relation to the development of this area of the site that comprises former farmland and ESBC Environmental Protection confirm that this remains the case. A condition of the outline approval provides for mitigation measures to be agreed by the Council ahead of development commencing on this phase of the site.

14. Green Infrastructure/Biodiversity/Impact on protected species

- 14.1 The National Planning Practice Guidance is clear that green infrastructure is important to the delivery of high quality sustainable development, alongside

other forms of infrastructure such as transport, energy, waste and water. Green infrastructure provides multiple benefits, notably ecosystem services, at a range of scales, derived from natural systems and processes, for the individual, for society, the economy and the environment. To ensure that these benefits are delivered, green infrastructure must be well-planned, designed and maintained. Green infrastructure should, therefore, be a key consideration in planning decisions where relevant.

- 14.2 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 which green infrastructure is expected to meet.
- 14.3 Paragraph 175 of the NPPF 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.
- 14.4 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.
- 14.5 Strategic Policy 29 lists criteria including development needing to retain features of biological interest to produce a net gain in biodiversity in line with Staffordshire biodiversity action plan species and supporting developments with multi-functional benefits.
- 14.6 The scheme will result in some loss of existing mature hedgerows and trees as a consequence of the development proposals; although the retention of the mature hedgerow to the northern boundary means an important existing wildlife corridor remains. The trees to be removed are in themselves of little amenity value. These losses in the short term will change the habitat for wildlife, however, the detailed landscaping scheme (to be secured by condition) would provide for new tree and hedgerow planting. There are conditions in place on the outline approval (ref: P/2013/00882) to ensure that the developers bring forward a maintenance schedule as each phase of the wider scheme progresses. Protection measures for existing hedges/trees to be retained are also the subject of a condition of the outline approval.
- 14.7 With regard to the impact on habitats and protected species, the scheme would not give rise to any specific concerns that would not be addressed by the landscaping and tree/hedgerow planting proposed to be provided by this development scheme (and secured by condition). The mitigation works on the earlier phases - where protected species were identified - fall outside the remit of this current application given the separation distances involved and officers have addressed the relevant matters as part of the discharge of condition submissions in relation to Phases 1b and 1c (Natural England were also directly involved in the project having granted a derogation licence to St Modwen Homes to clear the strategic development site of Great Crested Newts).
- 14.8 It is therefore concluded, in the light of the applicant's submissions along with the necessary mitigation conditions, that the issue of the impacts on protected

species and biodiversity on the Phase 3a scheme has been appropriately addressed.

15. Made Uttoxeter Neighbourhood Plan

- 15.1 This section sets out an assessment of the proposal against the relevant policies in the Made Uttoxeter Neighbourhood Plan; albeit there is some repetition given the overlapping requirements of the Local Plan policies.
- 15.2 Policy T1 – Sustainable Transport states that all applications, regardless of scale, should consider their wider impact on traffic and road safety. It also states that all new developments, excluding householder applications should seek to encourage a modal shift (or transition) by integrating into existing walking/cycling links and bus routes and provision of bike storage.
- 15.3 Policy T2 states that new development, where appropriate, should contribute towards the provision and enhancement (including servicing and lighting) of pedestrian and cycle links to the wider town and to routes identified under Policy E3 (Green Links). The policy also seeks improvements to existing key walking and cycling routes, including from development sites to the town centre. Policy T3 on parking standards requires the level of provision within the site to meet the standard set out in the recently update District Council's Parking SPD.
- 15.4 Policy T4, Traffic and the Town Centre requires the following:
- “All major applications should take account of the consequent traffic impact on the town centre. Where appropriate major planning applications should be designed to reduce and manage journeys and reduce environmental and road safety impacts.*
- Applications that are likely to generate heavy commercial vehicle movements will only be supported if they commit to a routing strategy that avoids the town centre. Applications that through their location or design are able to help reduce the number of heavy commercial vehicles through the town centre will also be supported.”*
- 15.5 In relation to these transport policies, the proposal forms part of the larger development scheme on lands to the west of Uttoxeter (as per the outline approval of November 2015) which includes the provision of a bus service through the site and to the town centre (upon the occupation of the 250th dwelling as per the Section 106 Agreement attached to the outline approval) along with pedestrian and cycle links to the other areas of the town through the introduction of pavements and enhancement of safe linkages. The County Highway Authority are satisfied that in principle these have been met in relation to the current phase. The Highway Authority also confirm that car and cycle parking is provided at a level commensurate to the development it will serve. Having taken all relevant matters raised by the proposal into account, it is considered that the proposal meets the transport policy requirements.
- 15.6 Policy E1 seeks to establish a network of green infrastructure, including existing trees, hedgerows, historic field patterns, the Strategic Green Gap and other such assets across the town linking the landscape setting with the urban area. Applications which retain and enhance such features and take the opportunity to re-introduce them into key sites, will be supported. Schemes which seek to

establish lines of trees or hedgerows to contribute to this network within the urban street scene will also be supported.

- 15.7 The proposals for green infrastructure are set out elsewhere in this report and in particular provide for boundary screen planting as well for visually breaking up the car parking areas with tree planting. The proposal meets this neighbourhood plan policy.
- 15.8 Policy E2 states that new development should protect and where appropriate enhance the landscape setting of the town, and with a particular emphasis on the Picknall, Tean and Dove valleys. Planning applications that would result in the loss or fragmentation of this setting will not be supported. Planning applications that sensitively manage flood risk issues will be supported. All planning applications should demonstrate the extent to which they have respected and reinforced historic landscapes in general, and field patterns in particular. Policy E3 provides for green linkages.
- 15.9 The proposed scheme addresses flood risk issues as indicated by the fact that the Environment Agency raises no objections. The scheme will change the overall landscape setting to the town, however, this factor was integral to the original decision to grant outline permission for the sustainable urban extension on the land to the west of Uttoxeter and pre-dates the making of the Neighbourhood Plan. As set out in elsewhere in this report it is not considered that the scheme would be detrimental to the visual amenities of its locality.
- 15.10 Taking the above context into account, it is considered that the proposal complies with the overall aims of the relevant policies in the Neighbourhood Plan.

16. Section 106 Matters/Other Matters

- 16.1 As set out in this report insofar as the matters are relevant to this ('third') phase of the development of the land to the West of Uttoxeter the proposals are in line with the requirements of the Section 106 attached to the outline approval.

17. Conclusions

- 17.1 This proposal for Phase 3a will result in the continuing development of the strategic site to the west of Uttoxeter in relation to which the principle of development has previously been established by the granting of outline planning permission in 2015; and which in part has already been approved in a detailed form with the approval of the residential elements of Phase 1.
- 17.2 The submitted details for Phase 3a demonstrate that the development will also 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 the proposed development and existing and likely future dwellings are such that the site can be developed without having a significant detrimental impact on the reasonable amenities of any existing or future residents. Highways England and the Highway Authority have confirmed that there are no issues in relation to highway safety and it is considered that the mitigation of all ecological and biodiversity issues have in principle been successfully addressed.

- 17.3 The proposed development is not within a conservation area and given the separation distances and the form of existing built development, it is not considered that the proposal would have an impact on views into, or those out of, the nearest conservation area nor is any Listed Building or its setting affected. The statutory duties under Section 66 and 72 are therefore not engaged.
- 17.4 In respect of technical drainage issues, however, at the time of the preparation of this report - and as outlined above - the comments of the Lead Local Flood Authority and Severn Trent Water Ltd are awaited on the revised surface water drainage scheme.
- 17.5 Accordingly, it is considered that subject to the surface drainage proposals being satisfactory that the scheme is fully in line with the conditions and remit 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

18. RECOMMENDATION

APPROVE RESERVED MATTERS, subject to the resolution of surface water drainage details and the following conditions:-

1. Compliance with the approved plans (Standard Condition No. 0002).
2. Precise details of bin stores/bin collection points which are required to be provided before the unit(s) they serve are first occupied (Bespoke).
3. Precise details of the lighting to be provided on the site/buildings. No lighting other than approved shall be installed within the written approval of the Local Planning Authority (Bespoke)
4. Details of the hours of operation of the units (where necessary) to be agreed before first occupation of units (as informed by the noise assessment required by condition 33 of the outline approval) (Bespoke)
5. No unit on Phase 3a shall be first brought into use until such time as the works for the connection of the application site into the roundabout junction with the spine road has been completed in accordance with the approved plans (under application ref: P/2018/00355) and the spine road connection with the A522/A50 has been first brought into use.
6. Parking and turning facilities to be provided before each unit is first occupied and to be thereafter retained as being available for parking at all times. (Bespoke).
7. Gatehouse to be provided to Unit 5 before that unit is first brought into use.
8. All fencing to be provided to the relevant unit prior to its first occupation (Bespoke).
9. Provision of cycle shelters to the relevant units prior to first occupation and thereafter retained. (Bespoke)
10. All landscaping works to be undertaken in first planning season post completion (Standard Condition No. 00003b).
11. There shall be no installation of mezzanine floors to any of the Units other than 20% installation provided for Units 4 and 5 in the Design and Access Statement (Bespoke)
12. No working shall take place on the open areas of the site unless otherwise agreed in writing by the Local Planning Authority (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. Environmental Health advises of need to provide dust mitigation measures as part of construction management plan.
6. Applicants are reminded to comply with the archaeological building recording requirements of the outline approval prior to the demolition of Park Farm.

19. Background papers

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

- The Local and National Planning policies outlined in the report above
- Papers on the Reserved Matters Application file reference P/2018/00358
- Papers on the Reserved Matters Application file reference P/2018/00510
- Papers on the Planning Application file reference P/2018/00355
- Papers on the Reserved Matters Application file reference P/2017/00572
- Papers on the Reserved Matters file reference P/2016/00216
- Papers on the Outline Planning Application file reference: P/2013/00882 and associated Section 106 Agreement
- Papers on the Planning Application file reference: P/2014/00883 and associated Section 106 Agreement
- Papers on the Discharge of Condition application reference: P/2016/00164.
- Papers on the Reserved Matters file reference: P/2016/00216
- Papers on the Reserved Matters Application file reference: P/2017/00426

20. Human Rights Act 1998

20.1 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.

21. Crime and Disorder Implications

21.1 It is considered that the proposal does not raise any crime and disorder implications. It is pointed out that the applicants have addressed the comments of the Police Architectural Liaison Officer in their most recent site layout.

22. Public Sector Equality Duty

22.1 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: Alan Harvey

Telephone Number: 01283 508618
Email: alan.harvey@eaststaffsbc.gov.uk