

Agenda Item:	5.2
Site:	Roycroft Farm, Bramshall Road, Uttoxeter
Proposal:	Demolition of the existing farmhouse and outbuildings to facilitate the erection of two detached dwellings and associated garages

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/2018/00505	
Planning Officer:	Alan Harvey	
Type of Application:	Full	
Applicant:	Brian Egerton	
Ward:	Heath	
Ward Member:	Councillor G A Allen Councillor Ms L Shelton	
Date Registered:	11 July 2018	
Date Expires:	Extension of time to 19 October 2018 has been agreed with the agent having regard to amendments to the scheme.	

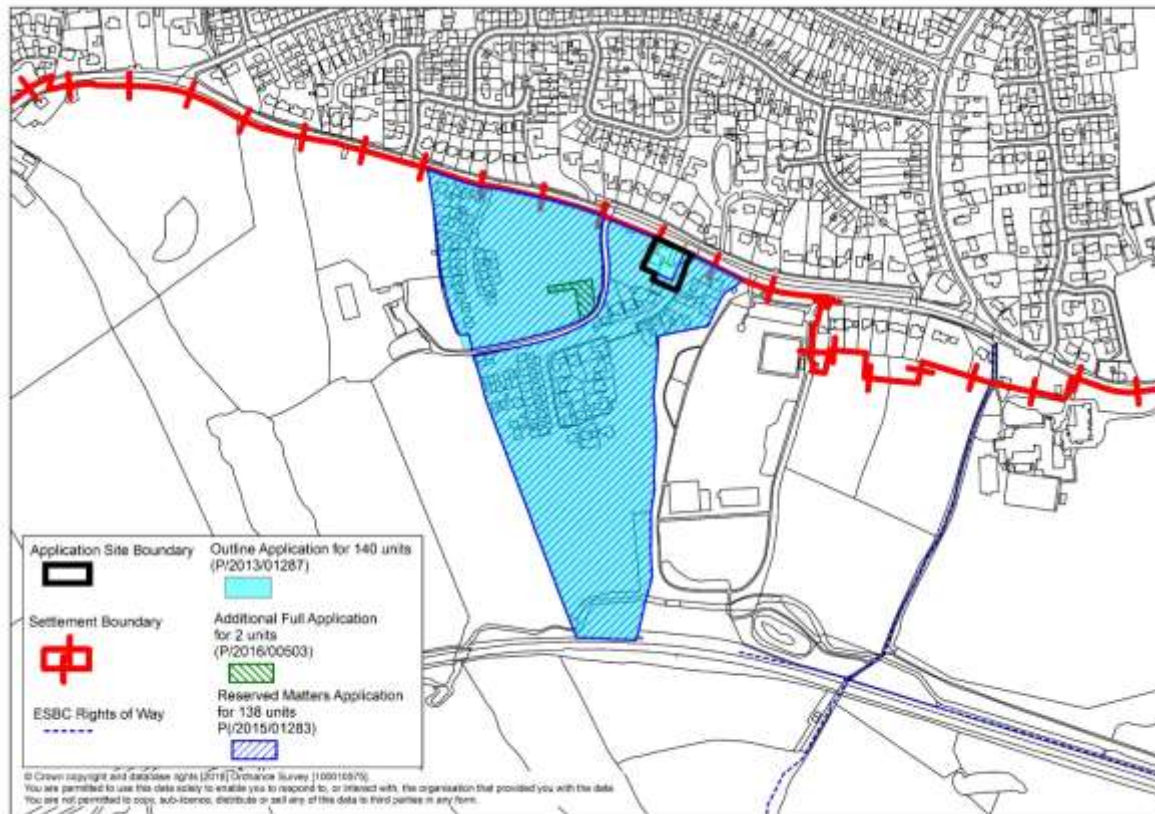
1. Executive Summary

- 1.1 The application site comprising Roycroft Farmhouse and its surviving outbuildings occupies some 0.12 hectares of land located outside settlement limits on the western edge of Uttoxeter. The site is located on the southern side of Bramshall Road and is proposed to be accessed to the rear of the site via the new 'Barley Fields' development site (of Lioncourt Homes). The site is surrounded by recently constructed dwellings on the 'Barley Fields' development. Established residential properties lie opposite the site on the northern side of Bramshall Road.
- 1.2 The application is a full proposal for the erection of two No five bedroom dwellings following the demolition of the former Farmhouse and remaining

outbuildings at the site. Both proposed dwellings are to be served by detached double garages.

- 1.3 Statutory consultees have raised no objections that cannot be overcome via planning conditions. The Town Council has not provided comments (as the Council did not have a meeting during August in the consultation phase) although the Clerk has forwarded the comments of two individual town councillors on the scheme. The Town Councillors concerned essentially encourage the Borough Council to seek to secure small(er) units/bungalows for the re-development of the farmhouse site.
- 1.4 Neighbours have been notified of the application and a site notice posted. Three representations raising objection have been received from local residents citing amongst other things that the scheme is contrary to development plan policies as it is outside the town's settlement boundary, it would raise highway safety concerns and would be contrary to the previous intentions of the developers which was to retain the Farmhouse. The representations also consider that any approval would set a precedent for other schemes outside settlement limits.
- 1.5 It is considered that whilst the scheme is outside the settlement boundary for Uttoxeter as defined in the adopted Local Plan there are other material considerations that apply in this case to warrant an approval contrary to the provisions of the relevant development plan policies and the National Planning Policy Framework in respect of the location of new residential development. Primary amongst these considerations is the fact that with the approval (on appeal) and the development of the 'Barley Fields' scheme of 140 No. dwellings the site will be enclosed on all sides by residential properties and will thus therefore physical and visually be an integral part of the built up form of Bramshall Road on the western approach into Uttoxeter. The proposed development will also directly benefit from the facilities/amenities necessarily being delivered as part of the 'Barley Fields' scheme.
- 1.6 The proposal would be in keeping with the new development on the Barley Fields scheme and the general locality. The development would also not be likely to adversely affect the amenities of occupiers of existing or proposed nearby dwellings, and would provide an acceptable level of amenity for occupiers of the new dwellings. The proposal will not have an unacceptably adverse impact on highway safety or on the wider existing highway network and would not impact on any heritage assets. The proposal will not set a precedent to extend the built form into open countryside because the scheme in itself does not have such an effect.
- 1.7 **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 application site comprises some 0.12 hectares of land on the southern side of Bramshall Road, Uttoxeter. The site comprises the nineteenth century brick built (former) farmhouse and outbuildings that served the agricultural lands to Roycroft Farm, which - as outlined in the planning history section below - are being developed as the 'Barley Fields' residential scheme by Lioncourt Homes. Therefore, the site, which until recently was surrounded by agricultural lands, is now adjoined to the south, west and east by new dwellings - or dwellings under construction - served by way of a cul-de-sac off Geoff Morrison Way. Established residential properties are located opposite the site on the northern side of Bramshall Road.
- 2.2 The application site is outside the settlement boundary of Uttoxeter as defined on the policies map of the adopted Local Plan.

3. Planning history

'Barley Fields' Site (presently being developed by Lioncourt Homes)

- 3.1 **Application ref: P/2013/01287** - Outline application for residential development for up to 140 dwellings and means of access, extension of Bramshall Road Park including demolition of Dutch barn and rear stable building (with all other matters reserved). The land included the present application site and an illustrative plan showed the farmhouse and one outbuilding (which still remains) to be retained (the application description itself made no reference to the

demolition of the Farmhouse and the outbuilding). The application was allowed on Appeal in January 2016 subject to a Section 106 Agreement.

- 3.2 **Application ref: P/2015/001283** - Reserved matters approval scheme of Lioncourt Homes (in respect of outline approval ref: P/2013/01287) in relation to the proposed erection of 138 dwellings including details of layout, scale, appearance and landscaping. The application excluded the current application site which was retained in the ownership of the present applicants. The application was approved in April 2016.
- 3.3 **Application ref: P/2016/00206** - Discharge of Conditions 8, 10, 11, 13, 15, 16, 17, 18 and 19 of outline planning permission ref: P/2013/01287. Approved.
- 3.4 **Application ref: P/2016/00503** - Erection of one pair of semi-detached dwellings (on 'Plots 108 and 109') on the 'Barley Fields' site. The effect of this approval was to give a total of 140 No. dwellings on the Lioncourt Homes scheme as envisaged by the outline approval. Approved in December 2016.
- 3.5 **Application ref: P/2018/00265** - Non-material amendments in relation to various minor changes to the 138 No. dwelling scheme approved under Application ref: P/2015/01283 - Approved in March 2018.
- 3.6 As of the beginning of October 2018 some 70 No. dwellings have been completed on the 'Barley Fields' scheme.

Other Adjoining Lands (to the 'Barley Fields' site)

- 3.7 **Application ref: P/2015/00961** - Outline application for the erection of up to 6 No. dwellings surrounding Roycroft Lodge. Application withdrawn by the applicant (further to an officer indication that the scheme would be progressed to a refusal on the basis that the development would be outside the settlement boundary and thus contrary to Development Plan policies).
- 3.8 **Application ref: P/2016/00582** - Outline application for the erection of up to 45 dwellings including details of access (to extend the 'Barley Fields' scheme further eastwards into the field area to the south of Roycroft Lodge). The application was refused in August 2016 on the grounds that the proposed development would represent an unwarranted and unjustified intrusion of urban form into the open countryside to the detriment of its rural character contrary to Policies SP1, SP2, SP4, SP8, SP24, SP30 and DP1 of East Staffordshire Local Plan and would be to the detriment of highway safety.

4. Proposed development

- 4.1 The application is a full proposal for the erection of two dwellings following the demolition of the former Farmhouse and remaining outbuildings at the site.
- 4.2 The proposed new dwellings are detached two storey dwellings of 5 No. bedrooms which have single storey flat roofed rear extensions. The dwellings are predominantly of red facing brickworks with a rendered projecting bay and horizontal boarding to front gables. Roofs are of Staffordshire blue tiles.

The dwellings will each be provided with detached double garages with access secured to the rear of the site from one of the new access roads off Geoff

Morrison Way. The existing access off Bramshall Road is proposed to be stopped up.

List of supporting documentation

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

- Site Location Plan
- Proposed Site Layout Plan
- House type Elevations and Floorplans
- Detached Garage Elevations and Floorplans
- Drainage drawings
- Structural Report
- Design and Access Statement
- Ecological survey and assessment

4.4 The relevant findings of all the relevant reports 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	<p>Parish Clerk advises (in the light of the fact that there was no August Town Council meeting) that they had received the following two responses to date with respect to Planning Application P/2018/00505:-</p> <p>Town Councillor 1</p> <p><i>"As a Uttoxeter Town councillor and resident I have an interest in ensuring that development within the town addresses the needs of our residents. In my view the application to demolish and replace the existing house and out-buildings is legitimate given the current state of these buildings.</i></p> <p><i>However, I am concerned that the proposal to build two five bedroomed houses does not address housing need within the town. Smaller houses (two or three bedroomed) would be more affordable to our residents and relevant to the needs of younger families.</i></p> <p><i>I would therefore ask the planning authority to support the principle of re-development but enter into discussions with the developers to see if alternative proposals can be agreed which provide a type of housing suited to the needs of the town."</i></p> <p>Town Councillor 2</p>

		<p><i>"As a Uttoxeter Town Councillor I have an interest in developments in the town. I have no objection to the demolition of the dilapidated farm buildings and their replacement by new properties, but I am concerned that the proposal to build 5-bedroom houses is not in keeping with the spirit of Policy H2 of Uttoxeter Neighbourhood Plan (see below) in that the associated Roycroft development already has many large houses and very little in the way of bungalows or smaller houses: this extra space should be an opportunity to correct this and build bungalows or smaller dwellings".</i></p> <p>(Policy H2 of the Local Plan reads "Housing Mix and Standards - In order to secure a sustainable and mixed community, outside the town centre, each development site of greater than ten houses should provide a mix of dwelling types, including bungalows, executive housing and starter homes, and a range of tenures, including affordable housing provision in line with the East Staffordshire Local Plan.")</p> <p>It is pointed out that the two No. Town Councillors – the views of whom was reported by the Town Council Clerk as outlined above - also submitted their (same) comments themselves as interested parties but these are not repeated or included in the other summary table below which includes local residents comments only.</p>
5.3	SCC Highways	No objections in principle
5.4	Severn Trent Water	Comments that as the proposal has minimal impact on the public sewerage system there are no objections to the proposals and they do not require a drainage condition to be applied.

Internal Consultees		Response
5.5	Environmental Health Division	Have no objections subject to land contamination mitigations.

6. Neighbour responses

6.1 3 No. letters of representations have been received raising objections as summarised below:

Neighbour responses	
Principle	<ul style="list-style-type: none"> • The site is an integral part of the Barley Fields development and not to demolish the property was a part of that approval. The retention of the farmhouse was a key factor in the planning application; one that the residents were given assurances that this would be retained and developed by the developer as part of the application. • The demolition of the farmhouse was not part of the planning inspector's agreement to allow the Barley Fields development, against the wishes of ESBC and the local community. • The farm house, indeed the whole of the Barley Fields site, is not part of the District Plan as it outside the planning boundary and beyond the property line. • Other applications, including one at Roycroft Lodge (see Planning History), have been rejected by the Council purely on the basis they are outside the settlement boundary. • The Uttoxeter Neighbourhood Plan specifically objects to any further housing development into the Picknalls Valley and this proposal is in direct contravention of this. • ESBC has its full five-year housing land supply and there is no need for additional housing • The Council should not sacrifice more 'green belt' that is outside the local plan • Over 3000 signatures on a petition, Uttoxeter Town Council and ESBC all objected to Barley Fields which would have protected the land and the farmhouse. As it is against ESBC's policy, the house must remain intact. • Allowing this application would 'open the door' to other similar developments in the local area as well as giving a green light to the further development of the Picknall Brook valley by the current developer.
Visual Amenities	<ul style="list-style-type: none"> • Whilst it may be agreed that two new houses would look visually better, it's a point of principle that the scheme should be refused as being contrary to the Local Plan.
Highways Impacts	<ul style="list-style-type: none"> • Residents are yet to see the full impact of increased traffic on Bramshall Road from Barley Fields and the Bramshall Meadows development to the West of Roycroft Farm House. Residents with direct access on to Bramshall Road are already finding it extremely difficult to exit from properties and two further houses with direct access onto the road in close proximity can only further add to this problem.

Other Matters	<ul style="list-style-type: none"> The name of Barley Fields has clear agricultural connotations that relate directly to Roycroft Farm and the farmhouse and to demolish it will remove any associations with the origins of the land.
Ward Members	No comments received

7. Policy Framework

National Policy

- National Planning Policy Framework 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
- SP4 Distribution of Housing Growth
- SP8 Development outside settlement boundaries.
- 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 D1 – Residential Design
- Policy D3 – Space between buildings
- Policy T1 – Sustainable Transport
- Policy T2 – Links to the Town Centre
- Policy T3 – Parking Standards
- Policy L2 – Local Green Spaces
- Policy L3 – Public Open Space
- Policy E1 – Uttoxeter’s Network of Green Infrastructure
- Policy E2 – Landscape and Setting
- Policy E3 – Green Links
- Policy H2 – Housing Mix and Standards
- Policy C2 – Health Provision

- Policy C3 – Education and Childcare Provision

Supplementary Planning Documents/Guidance

- East Staffordshire Design Guide
- Parking Standards
- Waste Storage and Collection Guidance for New Developments
- the Cannock Chase Special Area of Conservation Guidance to Mitigate the Impact of New Residential Development (2018)

8. Principle of Development

8.1 The National Planning Policy Framework (of July 2018) states that at the heart of the NPPF 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 11 of the NPPF states that for decision-taking this means:

- approving development proposals that accord with an up to date development plan without delay; and
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
- the application of policies in the Framework that protect areas of assets of particular importance provides a clear reasons for refusing the development proposed; or
- 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

8.2 Annex 1 of the NPPF states that 'existing policies should not be considered out of date simply because they were adopted or made prior to the publication of the Framework (July 2018). Due weight should be given to them, according their degree of consistency with the NPPF. The closer the policies in the plan to policies in the framework, the greater the weight that may be given'.

8.3 In relation to the '5 Year land Supply', the most recent calculation uses figures as at 31st March 2018 and concludes there is 6.06 years of supply. Therefore the policies in the plan can be considered up to date.

9. Local Plan

9.1 The Council has with Principle 1 of the Local Plan 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. The principles are:

- located on, or with good links to, the strategic highway network, and should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of open countryside;
- it is convenient and safe to walk, cycle and travel by public transport between (and for larger sites, around) the site and existing homes, workplaces, shops, education, health, recreation, leisure, and community facilities and between any new on-site provision;
- retains, enhances, expands and connects existing green infrastructure assets into networks within the site and within the wider landscape;
- re-uses existing buildings where this is practicable and desirable in terms of the contribution the buildings make to their setting
- integrated with the character of the landscape and townscape, provides for archaeological investigation where this is appropriate and conserves and enhances buildings of heritage importance, setting and historic landscape character;
- designed to protect the amenity of the occupiers of residential properties nearby, and any future occupiers of the development through good design and landscaping;
- high quality design which incorporates energy efficient considerations and renewable energy technologies;
- developed without incurring unacceptable flood risk or drainage problems and uses Sustainable Drainage Systems (SUDS) where appropriate;
- does not harm biodiversity, but rather enhances it wherever possible, including increasing tree-cover, especially as part of the National Forest;
- creates well designed and located publicly accessible open space;
- would demonstrably help to support the viability of local facilities, businesses and the local community or where new development attracts new businesses and facilities to an area this does not harm the viability of existing local facilities or businesses;
- would contribute towards the creation of sustainable communities through the provision of a mix of housing types and tenures;
- uses locally sourced, sustainable or recycled construction materials (including wood products from the National Forest where this is appropriate), sustainable waste management practices and minimises construction waste;
- safeguards the long term capability of best and most versatile agricultural land (Grade 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future; and
- would result in the removal of contamination and other environmental problems associated with the site.

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

- Focus the majority of development at Burton upon Trent

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

9.4 The application site lies outside the settlement boundary for Uttoxeter and is not an allocated site identified in the Local Plan. Strategic Policy 8 provides guidance and criteria on how to deal with development in the countryside and is therefore relevant in this case. This policy states that outside development boundaries planning permission will not be granted unless it is:

- essential to the support and viability of an existing lawful business or the relation of a new business appropriate in the countryside in terms of type of operation, size and impact and supported by relevant justification for a rural location; or
- providing facilities for the use of the general public or local community close to an existing settlement which is reasonably accessible on foot, by bicycles or by public transport; or
- in accordance with a 'made' Neighbourhood Plan; or
- development under the Rural Exception Sites policy
- Appropriate re-use of Rural Buildings following guidance set out in the Rural Buildings SPD; or
- Infrastructure development where an overriding need for the development to be located in the countryside can be demonstrated; or
- Development necessary to secure a significant improvement to the landscape or the conservation of a feature of acknowledged importance; or
- Provision for renewable energy generation, of a scale and design appropriate to its location
- Otherwise appropriate in the countryside

9.5 Policy SP8 of the Local Plan also states that :-

“Where major residential sites are consented and implemented outside but adjacent to the settlement boundary they will be excluded from this policy and for the purposes of decision making on future proposals such as extensions or replacement dwellings will be considered within the built urban area.”

9.6 Having regard to the adopted Development Plan policies, the site lies outside limits to development however the site was physically included within the red boundary of the outline consent and notwithstanding its position outside the development boundary it is surrounded by approved dwellings on the Barley Fields scheme. The site did not form part of the detailed Barley Fields scheme as currently being implemented with reserved matters and full planning permission approval. Therefore the development does not comply with the Policy SP8.

9.7 It is therefore considered necessary to assess as to whether there are any material considerations relating to this site that would outweigh these adopted development plan policies. The primary consideration is that the site did form part of the outline consent (allowed on appeal) and is now effectively 'enclosed' by the Barley Fields development (of Lioncourt Homes) which when completed

will extend the built form of the urban area some 250 metres westwards beyond the application site along Bramshall Road and some 250 metres to the south. As such it is considered that the reality of the situation on the ground - as opposed to on the policy maps of the adopted Local Plan - is that the site will become physically integral to the urban form of Uttoxeter and would visually appear as part of the built up area (Barley Fields) which was consented and implemented outside but adjacent to the settlement boundary. Further, the proposed properties - given their location - will enjoy all the benefits of the infrastructure and transport/pedestrian connections provided as part of the Barley Fields development scheme.

- 9.8 It is therefore considered that given these material circumstances; indeed the material change in circumstances since the preparation and adoption of the proposals maps to the Local Plan; that the Borough Council could not seek to reasonably defend a refusal of planning permission on the grounds that the current scheme would be contrary to the aims of the development plan policies in terms of the location of sustainable development
- 9.9 It is nevertheless, of course, also necessary to assess the scheme in terms of its visual and residential impacts, ecological impacts, flood risk/drainage implications and highway safety.

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

- 10.1 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.
- 10.2 Strategic Policy 1 and 24 state that development proposals must contribute positively to the area in which they are proposed. The policy lists a number of criteria developments are expected to achieve including creating a sense of place, reinforcing character, reflecting densities and where possible minimise the production of carbon through sustainable construction.
- 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 complement 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 of the Local Plan aims for development to achieve high sustainability and environmental credentials adopted energy efficiency techniques and other standards where possible.

10.7 Policy E2 of the Uttoxeter Neighbourhood Plan 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 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.

10.8 Policy D1 – Residential Design of the Uttoxeter Neighbourhood Plan sets out the following criteria for what schemes should seek to do:

- Deliver a strong network of green and blue infrastructure, improving biodiversity and appropriate public and private spaces
- Reinforce character and identity through locally distinctive design and architecture
- Establish a gateway to the site and, where appropriate, to the town itself
- Establish a clear hierarchy of streets and spaces including pedestrian priority routes and integrated existing footpaths
- Deliver a scale, mass and density commensurate with the surrounding townscape (particularly for apartment proposals)
- Establish a sensitive transition with the wider landscape where a new settlement edge is created

- Use sustainable drainage systems and water management, through water catchments and green spaces to avoid increasing surface water run-off into watercourses to alleviate flooding and improve water quality.

10.9 Policy D3 of the Neighbourhood Plan aims to see quality public realm between developments

10.10 The existing buildings occupying the site comprising the farmhouse and a range of outbuildings are of nineteenth century date, however, it is not considered that these buildings in themselves are of any significant historical or architectural merit. Their original historical context has of course also been significantly diminished with the development of the fields around them for residential purposes. As such it is considered that it would not in principle be any reasonable to the refuse the scheme on the basis of the proposed demolition of the existing structures.

10.11 The proposed new dwellings in terms of their design, scale and architectural details also better reflect the character of new houses that have been/are being constructed around them and would present a more unified streetscape along Bramshall Road. Furthermore, given that the proposed dwellings are surrounded on all sides by built development the proposal would not have any significant impact on the wider character of the Picknall Valley.

10.12 The sustainability approach for this development is for the new housing to incorporate improved 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.

11. Residential Amenity

11.1 Policies DP1 and DP3 of the Local Plan seeks to ensure new residential development will not have an adverse impact on the amenities of new or existing residents by way of loss of light, overlooking or overbearing.

11.2 The proposed dwellings are located on a similar alignment to those existing and proposed on the Barley Fields scheme and given this siting and the separation distances involved the proposed development would not give rise to any significant overbearing or overshadowing impacts. The fenestration treatments and relationship with adjoining dwellings would also ensure there would be no significant overlooking impacts which could give rise to any loss of privacy. The garden area would be appropriate in size to serve the proposed dwellings.

11.3 In relation to activity, the scheme will necessarily additional generate traffic, however, the comings and goings of vehicles to the two new dwellings will not be so significant to cause noise and disturbance to existing residential amenities.

11.4 Therefore, with regards to neighbouring amenity it is considered that the scheme as proposed would not result in any significant adverse impact.

12. Highway Matters

12.1 The NPPF in section 9 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.

- 12.2 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.
- 12.3 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. Policy T3 of the Uttoxeter Neighbourhood Plan also outlines minimum parking spaces which are the same as the Parking Standards SPD.
- 12.4 Policy T1 (Sustainable Transport) of the Neighbourhood Plan 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. 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.
- 12.5 In overall terms, the scheme which will be served of the access roads put in place as part of the Barley Fields development will not be likely to give rise to significant additional increases in traffic (being one additional net dwelling) and the County Highway Authority raise no objections. The scheme will also be beneficial in securing the closure of the existing substandard - in visibility splay terms - access directly off Bramshall Road. A condition of any approval would provide for the stopping up of the existing access concerned.
- 12.6 From a parking point of view each plot - with at least 3 No garage/parking spaces - has been designed with appropriate off-street parking spaces in accordance with the Council's Parking Standards guidance and Policy T3 of the Neighbourhood Plan. In order to ensure adequate off-street parking exists to serve the development and to avoid excessive numbers of vehicles parking on the road and obstructing the free flow of movement of traffic, a condition will be attached to any decision which removes permitted development rights for converting garages.

- 12.7 By negotiating with the developer details have also been put forward for vehicle electric charging points in order to ensure that the scheme supports the use of electric vehicles by providing charging points in a convenient location and in accordance with the Council's Parking Standards. The agent has confirmed that applicant agrees that both dwellings will have charging points within their detached garages. A condition would be added to any decision which would require the vehicle electric charging points to be installed prior to first occupation in those respective plots.

13. Historic Environment

- 13.1 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.
- 13.2 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 (Barnwell Manor Wind Energy Ltd) 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.
- 13.3 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.
- 13.4 Strategic Policy 25 of the Local Plan states that Development proposals should protect, conserve and enhance heritage assets and their settings, taking into account their significance, as well as the distinctive character of the Borough's townscapes and landscapes. Detailed Policy 5 states that alterations, extensions or development which adjoins a listed building must respect the context of the character and appearance of the heritage asset.
- 13.5 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 and under Section 72 are not therefore engaged.

- 13.6 With regard to archaeological value, whilst the existing buildings on the site are of some architectural or historic interest it is not considered a programme of archaeological investigation and recording condition would be warranted in this instance.

14. Flood Risk and Drainage/Land Contamination

- 14.1 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.
- 14.2 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.
- 14.3 The site is located in Flood Zone 1 and therefore the development of the site would not give rise to increase flood risk concerns in the locality.
- 14.4 The scheme, which effectively, will result in one net new dwelling would not be likely to impact significantly on foul and surface water infrastructure in the locality. Indeed, Severn Trent Water Ltd comments that as the proposal has minimal impact on the public sewerage system there are no objections to the proposals and they do not require a drainage condition to be applied. A condition requiring foul drainage will nevertheless be attached to any approval.
- 14.5 Policy DP7 of the Local Plan seeks to ensure that the development of any site does not give rise to pollution concerns and in respect of the application site the Borough Council's Environmental Protection Section raise no objections subject to land contamination mitigation being put in place given the former agricultural use of the lands. This mitigation will necessarily be secured by condition.

15. Affordable Housing and Housing Mix

- 15.1 Section 5 of the NPPF expects Local Authorities to address the need for all types of housing, including affordable housing and the needs of different groups in the community. Strategic Policies 16 and 17 along with the guidance set out in the Housing Choice SPD responds to this requirement.
- 15.2 Policy H2 of the Uttoxeter Neighbourhood Plan states that in order to secure a sustainable and mixed community, outside the town centre, each development site of greater than ten houses should provide a mix of dwelling types, including bungalows, executive housing and starter homes, and a range of tenures, including affordable housing provision in line with the East Staffordshire Local Plan. Affordable housing should be in accordance with the East Staffordshire Local Plan policy. All new residential development should demonstrate how it will be suitable, flexible and accessible for all users and occupants.

- 15.3 As a scheme for two No. dwellings, the application scheme is not of sufficient size in itself to generate any provision for on-site affordable housing. However, in line with Policy SP17 of the Local Plan as the site is considered to one which “*extends an earlier permission*” it is treated together with that permission as one scheme in terms of the requirement for the provision of a commuted sum towards off-site affordable housing provision. This sum - being pro rata £3,000 - will be secured by a Section 106 Agreement in line with the policy requirements of both the Local and Neighbourhood Plans.
- 15.4 Insofar as the housing mix is concerned it is noted that representations have been made that having regard to Policy H2 of the Uttoxeter Neighbourhood Plan the scheme should comprise/include smaller housing units. It is pointed out, however, that the criteria of Policy H2 only apply to sites greater than ten houses.

16. Biodiversity

- 16.1 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.
- 16.2 The Natural Environment and Rural Communities Act 2006 states that public authorities in England have a duty to have regard to conserving biodiversity as part of policy or decision making.
- 16.3 Strategic Policy 29 lists criteria including development retain features of biological interest produces a net gain in biodiversity in line with Staffordshire biodiversity action plan species and supporting developments with multi-functional benefits.
- 16.4 In terms of the impacts on the site, the protected species/ecological survey that accompanies the application concludes that the demolition of the buildings on site will result in the loss of an existing bat roost present at the site and that in order to address that loss a compensatory roost should be provided as part of the development scheme and that any demolition works should be undertaken place outside the roosting/nesting season(s). It is also proposed that similar mitigation provisions be made for impacts on any nesting birds; albeit in that instance two nesting boxes are required to be provided. The mitigation measures will be necessarily secured by condition(s).
- 16.5 The application site lies more 15 km from Cannock Chase Special Area of Conservation (SAC) which is a European Designated Site which are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the ‘Habitats Regulations’). The site thus falls outwith the remit of any necessary SAC mitigation measures required by Policy DP11 of the Local Plan and the Cannock Chase Special Area of Conservation Guidance to Mitigate the Impact of New Residential Development (2018).
- 16.6 Having regard to Policy DP8 of the Local Plan, the proposed development will not result in the loss of any trees or shrubs which make a significant contribution to the visual amenities of the locality. New tree planting is proposed as part of the landscaping scheme on the development site.

16.7 It is therefore concluded subject to satisfactory mitigation measure being put in place that the scheme would not be detrimental to biodiversity interests of the locality.

17. Open Space

17.1 The NPPF states that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.

17.2 SP32 and SP33 set out the requirements of open space provision across the Borough. Policy E1 of the Neighbourhood Plan 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.

17.3 The scale of the proposed development is such that the scheme would not trigger any requirements for the provision of open space on the site. The residents of the scheme would nevertheless benefit from the use of the formal and informal facilities to be provided on the 'Barley Fields' development as well as the existing public park to the east.

18. Section 106 Contributions

18.1 Paragraph 56 of the Framework and Regulation 122 of the Community Infrastructure Levy Regulations 2011 (as amended) sets 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.

18.2 As outlined above a commuted sum of £3,000 is payable in relation to off-site affordable housing provision. The scheme is, however, of a scale (at 2 No. dwellings) that is below any requirement for education, open space and health contributions. As such the requirements of Policies L2, L3, C2 and C3 of the Neighbourhood Plan are not engaged in this instance.

19. Other Matters

19.1 The concerns of local residents that the scheme would set a precedent for incursions into the lands surrounding the Barley Fields development are recognised. It is not considered, however, that the approval of this scheme on its own merits (as set out for the reasoning above) would set a precedent for any further extension of the Barley Fields development into the greenfield areas which lie beyond the wider development site (to its extent allowed on appeal). Nor is it considered that the scheme is similar in nature in terms of its planning considerations to the scheme for up to six No. dwellings at Roycroft Lodge which was withdrawn. That site similarly lies beyond the boundaries of the wider Barley Fields site and furthermore it is not surrounded on all sides by built development.

19.2 It also pointed out that because the Council can meet the '5 Year land Supply' requirement in terms of new housing does not preclude the granting of planning permission for new dwellings. Government advice, however, makes it clear that the target should be seen minimum requirement and not a maximum target.

20. Conclusions

20.1 The site and the layout as proposed integrates the principles for sustainable development. The house types proposed would also achieve a standard of appearance in built form which would complement existing and ongoing development in the locality.

20.2 It is considered that the scheme as proposed would not result in any demonstrable harm upon the character and significance of the historic environment and there are no other material considerations which should be added to the planning balance. The scheme will not be detrimental to highway safety and it is considered it will not set a precedent for any other sites which lie beyond the settlement boundary for Uttoxeter as shown on the proposals maps in the Local Plan.

20.3 Accordingly, whilst the application site lies outside settlement limits as defined in the Local Plan the material change in circumstances and the particular nature of the site in question and its planning history mean that essentially the proposed development would in principle be in compliance with the aims the policies of the Local Plan and Neighbourhood Plan and the National Planning Policy Framework 2018 in relation to the location of sustainable development.

20.4 RECOMMENDATION

20.5 **That PLANNING PERMISSION BE APPROVED, subject to a Section 106 Agreement and the following conditions:**

1. Standard three year commencement condition
2. Approved Plans (Standard Condition No. 00002)
3. Sample materials (Bespoke)
4. Foul water drainage details and implementation (Bespoke)
5. Land contamination mitigation (Bespoke)
6. Notwithstanding the submitted plans precise landscape details (including boundary treatments) to be provided (Bespoke)
7. Permanent stopping up of existing access off Bramshall Road (Bespoke)
8. Landscaping to be undertaken in the first planting season following the completion of the development (Standard Condition No. 00003b)
9. Boundary treatments to be provided before each dwelling is first occupied (Bespoke)
10. Provision and retention of bins to serve each dwelling (Bespoke)
11. Parking/garaging and access provision before each dwelling is first occupied and thereafter retained (Bespoke)
12. Garage retention with the removal of permitted development rights (Bespoke)
13. There shall be no obstruction within the site at any time (including boundary treatments and planting) above 600 mm in height within the western 2.4 metre x 43 metre visibility splay at the junction of Geoff Morrison Way with Bramshall Road (Bespoke)

14. Provision and retention of visibility splays to the access drives to Plots 1 and 2 (Bespoke)
15. Protected species/bird mitigation measures to be implemented in accordance with the recommendations of the submitted ecology assessment (Bespoke).
16. The provision and retention of electrical charging points to the garaging to each dwelling (Bespoke)

Informatives

1. Standard Engagement informative.
2. Standard timing/cost of discharge of condition informative
3. County Highway Authority advice in relation to works on the Highway and need for consents under the Highway Acts.
4. Severn Trent Water advise that “there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.”

21. Background papers

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

21.2 The Local and National Planning Policies outlined in the report above.

21.3 The documentation from the following planning files.

- Papers on the Full planning application file reference P/2018/00505
- Papers on the Non material amendment application file reference P/2018/00265
- Papers on the Full planning application file reference P/2016/00503
- Papers on the Reserved Matters Application file reference P/2015/01287
- Papers on the Outline Planning Application file reference: P/2013/01283 and associated Appeal decision and Section 106 Agreement

22. Human Rights Act 1998

22.1 There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person’s private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

23. Crime and Disorder Implications

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

24. Equalities Act 2010

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

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