
Agenda Item:	5.1
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Site:	Lawnswood (Branston Locks), Branston Road, Tatenhill, DE13 9SB
Proposal:	Reserved Matters application relating to P/2012/01467 for the erection of 244 dwellings, including details of access, appearance, scale, landscaping and layout

Report of Head of Service (Section 151 Officer)

This report has been checked on behalf of Legal Services by Stuart Evans

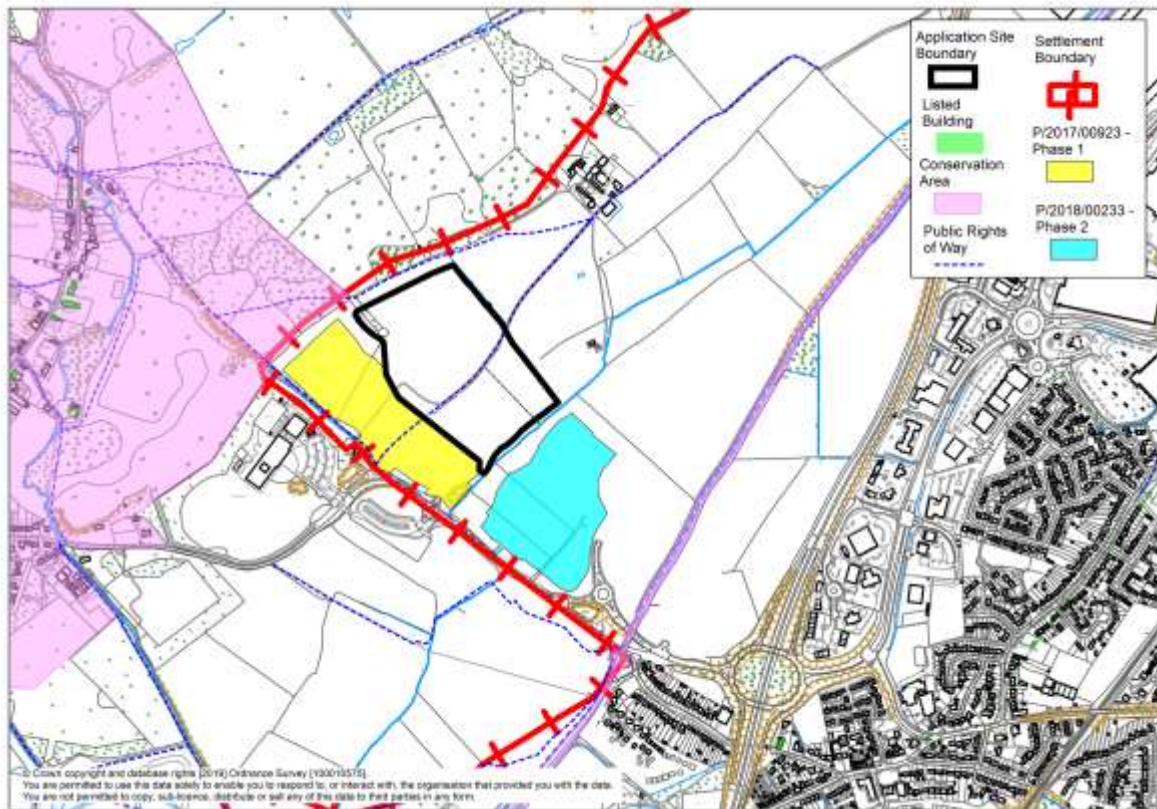
[Hyperlink to Application Details](#)

Application Number:	P/2019/00756	
Planning Officer:	Rob Duckworth	
Type of Application:	Reserved Matters	
Applicant:	Cameron Homes	
Ward:	Branston	
Ward Member (s):	Councillor A Clarke Councillor Mrs P L Ackroyd Councillor R G W Grosvenor	
Date Registered:	25 July 2019	
Date Expires:	21 October 2019	
Reason for being on Agenda	Major development phase of approved Lawns Farm Strategic Urban Extension	

1. Executive Summary

1.1 The application site is Phase III of a larger site, known as 'Lawns Farm', 'Lawnswood' or 'Branston Locks' which has been allocated as a Sustainable Urban Extension (SUE) in the Local Plan. Lawns Farm has outline planning consent for the erection of up to 2,500 dwellings, up to 92,900 square metres of employment floor space (Classes B1, B2 and B8), a local centre providing a mix of retail uses, up to 929 square metres of healthcare, a residential care home of up to 160 spaces, a new pub/restaurant, a primary school and a hotel of up to 80 bedrooms. This scheme which forms the third phase of residential development, is the third reserved matters application to be submitted for the site, and the second for Cameron Homes.

- 1.2 This reserved matters submission for the erection of 244 dwellings includes details of access, appearance, landscaping, layout, and scale for consideration.
- 1.3 The wider site is a large farmstead situated to the west of Burton upon Trent. It is bounded on its eastern boundary by the Trent & Mersey Canal and the A38 dual-carriageway. On its most northern boundary, the site accesses Shobnall Road and on its southern/south-eastern boundary, the application site fronts onto Branston Road which has recently undergone significant improvement works to aid access from the A38 and to the new John Taylor Free School. The north-western boundary extends to the foot of a long escarpment which forms part of the Tatenhill Conservation Area. The main vehicular access which will serve the bulk of employment and housing development within the site is accessed from a new junction created off the A38 Branston interchange, with smaller secondary accesses on Shobnall Road and Branston Road.
- 1.4 This third phase of the development has access off the main internal road forming a self-contained estate. Within are several perimeter blocks each with a mix of dwellings. The density of the phase lowers as the development moves North West towards Battlestead Hill. There is an area of public open space located relatively centrally with strategic green fingers on all sides not bounded by the access road. The site contains several turning heads with private drives spurring off them creating a natural hierarchy of streets.
- 1.5 Statutory consultees have been in discussions throughout the entire process and are now satisfied with the proposals raising no objections that cannot be overcome through the use of appropriate planning conditions.
- 1.6 Local residents and Branston Parish Council have been notified of the application and a site notice posted. No representations have been received in respect of the proposals.
- 1.7 It is considered that the scheme is in line with the criteria of the outline planning approval, and its associated Section 106 Agreement, and compliant with the provisions of the relevant development plan policies and the National Planning Policy Framework.
- 1.8 The proposal would not adversely affect the amenities of occupiers of any nearby dwellings, and would provide an acceptable level of amenity for the occupiers of the new dwellings. The proposal will not have an unacceptably adverse impact on the wider existing highway network nor give rise to any environmental concerns. The scheme and the wider development would also provide necessary mitigation and compensatory measures in relation to flooding, protected species, biodiversity and the historic environment.
- 1.9 **Members are advised that the above is a brief summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.**

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

- 2.1 The wider site is a large farmstead situated to the west of Burton upon Trent. It is bounded on its eastern boundary by the Trent & Mersey Canal and the A38 dual-carriageway. On its most northern boundary, the site accesses Shobnall Road and on its southern/south-eastern boundary, the application site fronts onto Branston Road which has recently undergone significant improvement works to aid access from the A38 and to the new John Taylor Free (High) School. The north-western boundary extends to the foot of a long escarpment which forms part of the Tatenhill Conservation Area. The main vehicular access, which will serve the bulk of employment and housing development within the site, is accessed from a new junction created off Branston Road, with smaller secondary accesses on Shobnall Road and Branston Road.
- 2.2 The site the subject of this application is located to the south of the strategic site adjacent to the main strategic access route. The site partially fronts Branston Road continuing in a north-westerly direction. The site is 5.8 hectares (14.39 acres) in area.
- 2.3 The application site, along with the wider site the subject of the outline planning permission, is greenfield land currently in arable use although most has been cleared and agricultural use ceased. As would be expected on a site of this size, levels vary widely across the site with the site subject rising from the access towards Battlestead Hill. There are no public rights of way on the site.
- 2.4 Pursuant to the outline planning permission, the Design Guide and other approved strategies, the site is bound by strategic green infrastructure and contains a direct route between green fingers.

- 2.5 The site's primary access will be gained from the strategic road through the wider site although there will be a hierarchy of roads within the site.

3. Planning history

- 3.1 P/2012/01467 Outline application with all matters reserved and proposed a mixed use development comprising the erection of up to 2,500 dwellings, up to 92,900 square metres of employment floor space (Classes B1, B2 and B8), a local centre providing a mix of retail uses, up to 929 square metres of healthcare, a residential care home of up to 160 spaces, a new pub/restaurant, a primary school and a hotel of up to 80 bedrooms. Approved April 2015.
- 3.2 A number of planning conditions have already been discharged or part discharged from the outline consent as they relate to strategic conditions or provision of infrastructure. These include Conditions 7, 8, 9, 10, 11, 15 and 17 which have been satisfactorily discharged.
- 3.3 There are a number of applications running concurrently for the discharge of conditions both for the larger (outline) site. None of the conditions will impact the proposals presented here and are stand-alone issues.
- 3.4 P/2017/00923 Reserved Matters application relating to P/2012/01467 for the erection of 70 dwellings, including details of access, appearance, landscaping, layout and scale. Cameron Homes scheme. Approved.
- 3.5 P/2018/00233 Reserved matters application relating to P/2012/01467 for the erection of 201 dwellings including details of appearance, landscaping, layout, scale and means of access. Taylor Wimpey scheme. Approved.

4. The proposal

- 4.1 The application is a reserved matters submission for the erection of 244 dwellings, including details of access, appearance, landscaping, layout and scale. The outline application was approved in April 2015 following consideration of the scheme at Planning Committee in January 2014 and subsequent completion of a S106 Agreement.
- 4.2 The residential accommodation comprises:
- 23 no. 2 bedroom dwellings including 11 affordable
 - 97 no. 3 bedroom dwellings including 7 affordable
 - 116 no. 4 bedroom dwellings
 - 8 no. 5 bedroom dwellings
- 4.3 The proposed dwellings are predominantly detached although there are several semi-detached and terraced rows (having three dwellings in the row) and all two storey. In terms of the proposed facing materials these comprise red brickwork of four different finishes, ivory roughcast render and grey, brown or red roof tiles; combinations have been proposed that complement and add to a quality development. All doors and rainwater goods are to be black.
- 4.4 A landscaping scheme has been submitted with the application and consists of tree planting mainly to front gardens, specimen shrub and shrub planting, wildflower areas, ornamental gravel and planting to the area of public open space (POS). A number of trees and hedges are to be removed from the site to

facilitate the development but these have been agreed under the outline scheme and none on site were worth of retention.

- 4.5 Proposed boundary treatments consist of a mixture of post and wire fencing, railings, hedging, close boarded fencing, lap fencing and walling.

5. Consultation responses and representations

- 5.1 A summary of the consultation responses is set out below:

Statutory and non-statutory consultee		Response
5.2	Branston & Tatenhill Parish Councils	No representations received.
5.3	SCC Highways	No objections subject to conditions.
5.4	The National Forest	No objection but the layout should be changed to provide more of a feature
5.5	Architectural Liaison Officer	No objection but some concerns over certain aspects of security including locations of gates, landscaping and meter boxes. Advice will be contained as an informative directing to Secured by Design.
5.6	Schools Organisation	Confirmation of contributions required via S106 attached to outline permission. (£14.5m)

6. Neighbour responses

- 6.1 No representations received.

7. Policy Framework

National Policy

- National Planning Policy Framework
- National Planning Policy Guidance

Local Plan

- SP1: East Staffordshire Approach to Sustainable Development
- SP2 Settlement Hierarchy
- SP16 Meeting Housing Needs
- SP17 Affordable Housing
- SP23 Green Infrastructure
- SP24 High Quality Design
- SP25 Historic Environment
- SP26 National Forest
- SP27 Climate Change, Water Body Management and Flooding
- SP32 Outdoor Sports and Open Space
- SP35 Accessibility and Sustainable Transport

- DP1 Design of New Development
- DP2 Designing in Sustainable Construction
- DP3 Design of New Residential Development, Extensions and Curtilage Buildings
- DP5 Protecting the Historic Environment: All Heritage Assets, Listed Buildings, Conservation Areas and archaeology
- DP6 Protecting the Historic Environment: Other Heritage Assets

Supplementary Planning Documents/Guidance

- East Staffordshire Design Guide
- Separation Distances and Amenity SPD – this was adopted post decision with regards to the outline permission so therefore the SPD cannot be given significant weight to this reserved matters application as densities for the site have been determined; the document will however be used as a standard.
- Open Space and Playing Pitch Supplementary Planning Document 2019
- Parking Standards
- Waste Storage and Collection Guidance for New Developments

Branston Neighbourhood Plan

- B1 – Integrating New Development with Existing Communities
- B2 – Design
- B3 – Protection of Local Heritage Assets
- B6 – Landscaping and Protecting Biodiversity
- B7 – Open Space in New Development
- B8 – Sustainable Homes
- B9 – Housing Type and Mix
- B10 – Safer Roads and Streets
- B11 - Car Parking provision

8. Principle of Development

- 8.1 The NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development and states that weight should be given to relevant policies in existing development plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the framework, the greater the weight that may be given.

9. 5 Year land Supply

- 9.1 The most recent calculation uses figures as at 30th September 2019 and concludes there is 6.30 years of supply. Therefore the policies in the plan can be considered up to date.

10. Local Plan

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

thereby following the Government's presumption in favour of sustainable development.

10.2 The principle of the development of the site has been established with the approval of the outline planning permission. This reserved matters application deals with the appearance, landscaping, layout, scale and means of access for this phase only but will be subject to the requirements of the conditions and the Section 106 Agreement attached to the related outline planning permission. These provisions are referenced where relevant in the following sections of the report.

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

11.1 The NPPF attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

11.2 Local Plan Policies SP1 and SP24 state that development proposals must contribute positively to the area in which they are proposed. The policy lists a number of criteria developments are expected to achieve including creating a sense of place, reinforcing character, reflecting densities and where possible minimise the production of carbon through sustainable construction.

11.3 Policy DP1 of the Local Plan re-iterates the design principles set by SP24 stating that development must respond positively to the context of the surrounding area, exhibit a high quality of design and be compliant with the East Staffordshire Design Guide. Policy DP2 aims for development to achieve high sustainability and environmental credentials adopted energy efficiency techniques and other standards where possible.

11.4 Policy SP23 of the Local Plan required Green Infrastructure to be included in schemes and for them to provide a necessary link to the countryside. Policy SP26 promotes significant landscaping and schemes to contribute to the National Forest and its general character in which the site lies. Policy SP32 aims to ensure all developments have sufficient open space within to add to amenities for local residents whilst providing a focal point for social activities.

11.5 Policy B1 of the Branston Neighbourhood Plan (BNP) aims to ensure new developments integrate well into the existing area and complement the surrounding developments. Policy B2 relates to the need for high quality, responsive design and Policy B7 reiterates the need for quality open spaces within new developments.

11.6 The East Staffordshire Design Guide requires the design of development to demonstrate a strong, considered and sensitive response to its context. Design which is relevant to the site and wider context will be important, as this can support local distinctiveness. The Guide allows for development which employs a more modern architectural style but in terms of its proportions and siting it should still complement its surroundings.

11.7 The outline application had a Design Guide approved for future phases of development to adhere to. The approved Design Guide sets out that

subsequent applications for reserved matters need to demonstrate how they conform to the criteria set out by the approved parameter plans and design principles set out within the Design Guide. The Design Guide forms an important component of the outline planning permission, with Condition 4 on the outline stating a requirement that each application for reserved matters shall include a statement demonstrating compliance with the principles of the approved Design Guide for that phase. This Design Guide has been amended through the process to allow for some changes within the wider site such as the primary school moving more centrally and the same for the Village Centre Character Area. This has not had implications for the phase being considered here and the scheme presented is considered compliant with the Design Guide as revised.

- 11.8 The outline planning application also set other criteria for design, with Condition 6 setting out a minimum separation distance of 43m between the house elevations and the foot of Battlestead Hill / Ridge. This has been achieved.
- 11.9 The site is accessed from the main strategic road through the site up to Shobnall Road and smaller secondary lanes within the development. Within the site there are also short private driveways accessing no more than five properties. This has been assessed thoroughly by SCC Highways who have no objections to its inclusion as it would not undermine the efficacy of the highway or strategic network subject to suitable visibility splays and access geometry.
- 11.10 The site has an outward looking layout with all areas of open space having natural surveillance. The layout provides a well planted periphery and well-greened main routes through the site to maintain a softening of the development.
- 11.11 Each plot is provided with sufficient off-street car parking to meet the requirements of the Design Guide and Staffordshire County Council's standards for car parking. Car parking is provided either within driveways, integral garages or detached garages. A condition will be applied to ensure that these are maintained for their intended purpose.
- 11.12 The original outline application divided up the large site into smaller character areas, each with their own set of parameters and design framework. The application site falls within the character area called 'Hillside View', as set out within the approved Design Guide. The vision for 'Hillside View' is to 'provide a low density (under 30dph), informal residential area set in a natural landscape'. The vision in the design guide was for 'dwellings to be typically two storey, detached and larger than in the wider site, with separate garages and set in their own landscaped plots'. This part of the wider site and in particular this part of the Hillside View character area was planned to take larger detached 'aspirational' housing. The wider site will deliver a wider housing mix. The remaining part of the character area to the north west of the larger site will also deliver further 3, 4 and 5 bedroom properties. The approved Cameron Homes Scheme on Phase I has a density of 11.65dph, and the Taylor Wimpey scheme on Phase II has a density of 35dph; both of which within the Hillside View Character Area. The density of this phase is 26dph which accords with the aims of the character areas of the Design Guide and provides perimeter blocks for cohesion and a sense of place. It is therefore submitted that the housing mix proposed of between 2 to 5 beds for this phase accords to the outline and is acceptable in design terms and the application complies with Local Plan

Policies, SP24, DP1, DP3 and SP16, Policies B1, B2 and B8 Branston Neighbourhood Plan, the East Staffs Design Guide SPD.

- 11.13 The proposed development consists of two storey dwellings. Whilst plots will vary, eaves heights are typically just over 5 metres and ridge heights of 8.5 metres. The range of houses has been designed by Cameron Homes with similar styles and designs employed at their Phase I site adjacent; this demonstrates a high quality of design, finish and build. The number of house types allow for variation and follow a similar theme to ensure a coherent design across the site whilst avoiding repetition. It is considered that the scale of development proposed is consistent with the design requirements and outcomes set out within the approved Design Guide.
- 11.14 The building materials and colours used within the development are kept to a minimum to avoid a cluttered appearance. The variations chosen are considered appropriate and complementary and will result in an attractive form of development to work well with adjacent developments and as one of the gateway sites for the wider Lawns Farm / Branston Locks development.
- 11.15 A landscape plan is submitted in support of the application which details the proposed planting regime and anticipated species for areas within and at the immediate edge of the development. Key structural landscaping is provided around the perimeter of the site in accordance with the approved open space and green infrastructure strategies. The design of the green infrastructure has taken into account future development proposals to the north-east, with all spaces afforded good natural surveillance. Planting has been located so as not to result in visibility issues for streets and parking. Whilst the National Forest Company made some suggestions over planting and landscaping it is considered what has been submitted is sufficient to serve the development and will be consistent with that of the Phase I site adjacent, also by Cameron Homes.
- 11.16 The landscaping proposals accord with the requirements of the approved open space and green infrastructure strategies, the Design Guide and the obligations within the Section 106 Legal Agreement. Moreover, they are complementary to the character of the development and the boundary treatments proposed throughout. Conditions can be applied to ensure the most publicly visible trees are more substantial upon planting to ensure that there is some greening and maturity to the site despite its infancy. It is considered, therefore that the scheme accords with Policies SP1, SP23, SP24, SP26, SP32, DP1, DP2 and DP3 of the Local Plan, Policies B1, B2, B7, B8 of the Branston Neighbourhood Plan, the East Staffs Design Guide and the NPPF.

12. Residential Amenity

- 12.1 The National Planning Policy Framework Policies DP1, DP3 of the Local Plan, East Staffordshire Design Guide SPD and the Separation Distances and Amenity SPD (SDA SPD) 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.
- 12.2 The Borough Council's Design SPD adopted prior to the outline permission contains no set separation nor garden size requirements and will be used to determine this application. The Separation Distances and Amenity SPD, as

noted above cannot be given any weight to this decision as it was adopted post decision although it does set out separation distances and garden sizes considered to be reasonable for development – these will be applied roughly and used as broad standard for the site. The performance of development will be considered in terms of its acceptability in design terms with regard to overlooking. It is considered that the proposed layout shows each new dwelling is sufficiently distant from both existing residential properties and proposed residential properties to avoid causing them unacceptable loss of light or privacy.

- 12.3 Whilst some of the separation distances are, in some instances, less than normally advised it is not considered they would give rise to undue overlooking or privacy issues particularly as this is a wholly new development where prospective purchasers will be aware of the potential impacts from neighbours. The level of amenity is still high though comparable with the approved Phases I and II of the Lawns Farm site. The scheme is therefore compliant with the provisions of Local Plan Policies DP1 and DP3.
- 12.4 The density of the development gives rise to adequate front and back gardens with some decent planting proposed to front gardens. There are no set garden size requirements in the adopted policy or SPD upon approval of the outline scheme with the SDA SPD containing those standards but not applicable in this instance. The floor layout plans indicate a good level of residential accommodation and therefore it is considered that the proposals would result in a good standard of living accommodation for future residents.
- 12.5 The nearest dwellings either existing or approved to be constructed are located on the other side of a strategic green finger essential for the wider sites green infrastructure resulting in an average of 40m separation between front elevations. Therefore it is not considered that there would be any material adverse impacts on residential amenity in accordance with Local Plan Policy DP3.
- 12.6 Given the separation distances between dwellings throughout the development it is not considered that the removal of permitted development rights for the erection of garden structures would be justified in this instance.
- 12.7 There is a 400m² locally equipped area of play located almost centrally to the site allowing for use by all and it is well connected with the strategic green fingers.
- 12.8 The development will be served by superfast broadband not tied to any particular provider giving residents an up to date communication infrastructure network. There will be a dedicated substation with this Phase, as all others, with more local hubs around the site.
- 12.9 In conclusion, therefore, the proposed layout shows that 244 No. dwellings can be accommodated on the site without compromising the reasonable amenities of existing occupiers or the future occupiers of the development, allowing for sufficient outdoor private amenity space and satisfactory integration with the existing and proposed adjoining built form, again complying with the provisions of Local Plan Policies DP1 and DP3.

13. Sustainability

- 13.1 DP2 of the Local Plan sets out expectations for development which ensure the design and delivery of low carbon buildings and energy improvements to existing buildings. A number of criteria apply to ensure sustainable development. Policy B8 of the BNP requires sustainable methods of construction and development to limit the carbon footprint.
- 13.2 The proposed dwellings will be constructed using modern and efficient methods resulting in buildings that are well insulated and energy efficient. There is the provision within all properties to install an electric vehicle charging point helping to promote the use of more sustainable modes of transport. It is therefore considered that the proposals would accord with Policy SP2 of the Local Plan and Policy B8 of the Branston Neighbourhood Plan.

14. Highway Matters

- 14.1 The NPPF sets out the role transport policies play in facilitating sustainable development which contributes to wider sustainability and health objectives. 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.
- 14.2 Policies SP1 and SP35 of the Local Plan aim to ensure development is located on sites with good links to the highway network, development is convenient and safe to walk, cycle and travel by public transport. The Council's Parking Standards SPD sets out standards for different uses including space size, accessibility and the quantity of car parking spaces required for different uses.
- 14.3 Branston Neighbourhood Plan Policy B10 requires all developments for roads and streets to be defined by careful use of materials and shared surfaces and for foot and cycle routes through sites to be retained and where possible preserved and enhanced.
- 14.4 As the Parking SPD was adopted most recently this takes precedent for the standard requiring two to three bedroom houses to have 2 off road parking spaces and 3 off road spaces for 4+ bedroom houses.
- 14.5 There is adequate parking servicing each plot with several of the larger properties also having additional parking in the form of either standalone garages or integral garages. It is recommended that a condition be put in place removing permitted development rights for garage conversions retaining the future use of the garages for the parking of vehicles. Parking is situated close to properties to facilitate easy access for residents to the housing and the proposed integral garages to properties have a width and length of 3m by 6m respectively. The parking requirements therefore conform to the Borough Council's updated Parking Standards SPD.
- 14.6 The Parking Standards SPD also requires 1 secure cycle storage unit per property to encourage an increase in the number of journeys made by bicycle. The proposal would enable the safe and secure storage of bicycles for each property via garaging of an appropriate size and therefore this requirement of the SPD has also been met. A condition can be applied to ensure compliance.
- 14.7 This phase of development is to be accessed from the main strategic route through the wider site. Visibility splays and tracking of refuse vehicles has been submitted with the application and are deemed to be acceptable.

- 14.8 The application accords with Condition 23 of the outline planning permission which calls for details of the access to the principle routes, street layouts with methods of limiting speeds to 20mph, footpaths, and sufficient parking and cycle provision.
- 14.9 The Parking Standards SPD requires the ability to provide electric charging points within some of the properties. Most of the properties will have the capability within the garaging providing a suitable point for installation.
- 14.10 The County Highway Authority has no objections to the layout proposed, subject to appropriate conditions, most dealing with technical aspects of the development.
- 14.11 It is not therefore considered that the proposal would prejudice the safe or efficient use of the highway network in compliance with Local Plan Policies SP1 and SP35, Branston Neighbourhood Plan Policies B10 and B11, and the Parking Standards SPD adopted in October 2017.
- 14.12 Bridleway Branston 8 Lawns Cottage crosses the site but route has been retained with the general layout and direct link between the strategic green fingers.
- 14.13 Cycle routes across the strategic site will also be improved and delivered as part of a wider network.
- 14.14 There will be a perimeter footpath around the site and around the entire Lawns Farm site meaning access to and from the housing to the schools and public open spaces will be safe and efficient. These routes will also be appropriate illuminated but dealt with under a separate landscaping condition tied to the outline permission. This is the case for cycle paths which will be strategically linked throughout the whole site along the green fingers.
- 14.15 A Strategic Construction Management Plan was requested as part of condition 11 of the outline permission and this details construction vehicular routes, dust suppression, mitigation of noise and vibration and hours of work which should aid in any issues arising as part of the construction phase of the development.

15. Historic Environment

- 15.1 Paragraph 126 of the NPPF states that Local Planning Authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. 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.
- 15.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for development which affects a listed building or its setting.
- 15.3 Policy SP25 states that development proposals should protect, conserve and enhance heritage assets and their settings, taking into account their significance, as well as the distinctive character of the Borough's townscapes and landscapes. Policy DP5 goes into more detail regarding Historic Assets, Listed Buildings, Conservation Areas and Archaeology. Policy DP6 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. This is reiterated by Policy B3 of the Branston Neighbourhood Plan.

- 15.4 The edge of the Tatenhill Conservation lies to the north west of the application approximately 45m away and covers most of Battlestead Hill and Tatenhill itself. The Trent and Mersey Conservation Area lies approximately 300m to the east and tightly follows the line of the canal.
- 15.5 The nearest listed building is located by the Bridge Pub and is a Grade II Canal Milepost, 530m south east of the site.
- 15.6 It is not considered to harm the setting of the conservation areas or the listed buildings due to factors including; degree of separation, topography and restricted visibility and the retention of the architectural and historic character of the conservation areas.
- 15.7 Given these separation distances and the form of existing built development, it is not considered that the proposal would have an impact on views into, or those out of these conservation areas nor would any Listed Building or its setting be affected and therefore the statutory duties under Sections 66 and 72 are fulfilled.
- 15.8 There is evidence of archaeological interest in the area and there is a condition on the outline permission P/2012/01467 to ensure that any impacts are suitably recorded and considered. It is therefore not considered that the proposal would unacceptably affect archaeological interests and is suitably dealt with under the original conditions.
- 15.9 It is considered that the statutory duties under Section 66 and under Section 72 have been considered and addressed as part of this application and that the application accords with Policies SP25, DP5 and DP6 of the Local Plan, Policy B3 of the Branston Neighbourhood Plan and the NPPF.

16. Flood Risk and Drainage

- 16.1 The National Planning Policy Framework seeks to ensure that new development is not at risk from flooding, or does not increase flood risk elsewhere. The areas of highest risk are classified as Flood Zone 3 and the areas of lowest risk are classified as Flood Zone 1. Policy SP27 expects all new development to incorporate Sustainable Drainage Systems (SUDS).
- 16.2 The site falls within Flood Zones 2 and 3 with the elements in Flood Zone 3 concentrated around the south east corner and perimeter of the site. There has been significant modelling of the flood zones in this location and the general site, and have proposed significant remediation measures that seek to ensure that the proposal will not be at risk from, or add to flood risk off site.
- 16.3 Detailed foul and surface water details are required to be submitted in due course under the requirements of the conditions of the outline approval (and will need to be approved in conjunction with the Local Lead Flood Authority) but these will be similar those measure employed on the first two phases of the development which have been approved recently; subterranean crates were installed in rear gardens to assist in water collection and slow dispersal.

16.4 It is considered that the scheme is developable in accordance with Local Plan Policy SP27 and the NPPF.

17. Affordable Housing and Housing Mix

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

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

17.3 It continues to state that all dwellings providing ground floor accommodation should meet Building Regulations 2010 Standard M4(2) relating to accessible and adaptable dwellings. Further guidance has been prepared setting out how this policy will be applied. The guidance states that the standard will be expected on 10% of major applications. The standard should be applied to a range of properties and not just those larger properties. A condition is recommended to secure provision of the standard for some dwellings.

17.4 This first phases of development, within the wider permitted outline site, do not need to include provision of affordable housing. The Section 106 Legal Agreement sets out at 2.1.1.4:-

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

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

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

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

17.5 Policy B9 of the Branston Neighbourhood Plan aims for all major development to deliver a range of housing from smaller units to more expensive housing to support sustainable neighbourhoods and deliver a diverse range of household types. The site does provide a decent mix of house types from two to five bed properties so it is considered that the composition of the mix proposed in this third phase is therefore acceptable.

17.6 The scheme is within and exceeds the first 500 dwellings proposed resulting in 515 dwellings cumulatively with the previously approved schemes. The scheme offers 18 affordable units, in three clusters of less than 8 with a slight variety of house types. The clusters are separated from each other by a number of market dwellings and are accessed off different roads but all clusters are located towards the south east of the site. This location satisfies the requirement of SP17 in that they should not be in groups of more than eight and need to be relatively dispersed throughout the development. The provision of affordable housing on this phase equates to 7.4% of this phase of the development which is in accordance with the S.106 agreement. There are

several registered providers interested in the site with a proposed split of 50% affordable rent and 50% shared ownership.

17.7 The location, layout and mix of dwellings is considered appropriate for the development and is looked upon favourably.

18. Open space

18.1 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. Policy SP23 of the Local Plan required Green Infrastructure to be included in schemes and for them to provide a necessary link to the countryside. Policy SP26 promotes significant landscaping and schemes to contribute to the National Forest and its general character in which the site lies. Policy SP32 aims to ensure all developments have sufficient open space within to add to amenities for local residents whilst providing a focal point for social activities. Policy B7 of the Branston Neighbourhood Plan reiterates the need for quality open spaces within new developments. The Open Space and Playing Pitch SPD requires a certain level of open space to be provided for developments although this was adopted post outline permission so cannot be given full weight.

18.2 The outline permission requires the provision of equipped play areas, sports pitches and amenity open space and recreational parks and gardens. The condition requiring an overall open space strategy for the whole of the Lawns Farm site has been discharged and sets the overall strategy for informal and formal play areas. This application accords with the overall open space strategy.

18.3 The open space (Local Equipped Areas of Play (LEAP)) is located towards the centre of the development, in accordance with the Open Space SPD and open space strategy agreed under condition 8 of the outline permission and, given the scale of the proposed housing development, would be easily accessible by all residents. It's location is also accessible via the strategic green fingers with a number of unobstructed routes directly to it. Additional open space, including play areas and green links to the rest of the site will be provided on future phases.

18.4 The landscaping of the development contributes to the sense of place to provide a high quality public realm including the open spaces in accordance with Local Plan Policies SP23, SP26, SP32, Open Space and Playing Pitch SPD, Branston Neighbourhood Plan Policy B7 and the NPPF.

19. Section 106 Compliance

19.1 As set out in this report insofar as the matters are relevant to this second phase of the development of the Lawns Farm strategic site, the proposals are in line with the requirements of the Section 106 attached to the outline approval and no more contributions can be sought.

20. Conclusions

20.1 This proposal will result in the development of Phase III of the green-field strategic site known as Lawns Farm upon which the principle of development

has previously been established by the granting of outline planning permission in 2015.

- 20.2 The submitted details for this reserved matters application demonstrate that the development will fit acceptably into the context of adjoining existing and proposed built form by way of its siting, scale, massing and design. The proposed layout shows that separation distances between existing and proposed dwellings are such that the site can be developed without having any material harm on the reasonable residential amenities of any existing or proposed occupiers. The Highway Authority has confirmed that there are no issues in relation to highway safety arising from the proposals and it is considered that the surface water and flooding issues relating to the site have been satisfactorily resolved, subject to appropriate conditions.
- 20.3 The change in the character and appearance of the area, the benefits of the proposal including the provision of housing, alongside the economic benefits associated with new development mean that the benefits of the scheme clearly outweigh any specific concerns that are raised in relation to the proposal. The proposal is therefore considered to be in accordance with the outline approval and with the aims of the policies of the Local Plan and the National Planning Policy Framework.
- 20.4 The development will result in changes to the wider setting of heritage assets but this will not result in any harm to the setting or significance of the conservation areas, nor will any listed buildings or its setting be affected. The statutory duties under Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are therefore addressed by the proposals.

20.5 **RECOMMENDATION**

APPROVE RESERVED MATTERS, subject to the following conditions:-

1. Compliance with the approved plans (Standard Condition No. 0002).
2. Details of disposal of foul and Surface Water drainage and outfall for areas in private ownership to be provided prior to commencement of development and shall be undertaken prior to occupation. (Bespoke)
3. Details of properties to be delivered to the M4(2) Building Regulations standard (Bespoke)
4. Roadways and footways to be surfaced in bound material before occupation of any dwellings.
5. Cycle storage facilities provided in accordance with details to be submitted before occupation of any dwellings. (Bespoke)
6. Construction Vehicle Management Plan including method of and regularity of clean-up of debris from the development and vehicles accessing it to be submitted prior to commencement of development (Bespoke).
7. Details of surfacing of areas in private ownership prior to commencement of development (Bespoke).
8. Parking and turning facilities to be provided before each dwelling is first occupied (Standard Condition No. 00004a).

9. Garages to be retained as being available for parking at all times (Bespoke)
10. Any soakaways to be sited a minimum distance of 5.0 metres back from the edge of the highway. (Bespoke)
11. All landscaping works to be undertaken in first season post completion and thereafter retained for at least 5 years and public trees to be heavy gauge with those flanking the entry to the site being a extra heavy gauge (Bespoke)
12. Construction with the ability of installation of electric charging points to garages. (Bespoke)
13. A scheme of dust and construction noise mitigation to be submitted and approved prior to commencement (Bespoke).

Informatives

1. Standard Engagement informative.
2. Notification of outline permission conditions addressed by the reserved matters submission and which remain outstanding.
3. Contact ESBC Waste Management in relation to provision of bins.
4. The developer is reminded to ensure there is safe access at all times for users of the public right of way which runs through the site.
5. The site layout will need approval under Staffordshire Act 1983 and Highways Act 1980
6. Applicant to take note of the Police Architectural Liaison Officer's comments and seek to employ the Secured By Design Standard across the site.

21. Background papers

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

- Papers on the Planning Application file reference: P/2012/01467 and associated Section 106 Agreement
- NPPF
- NPPG
- ESBC Local Plan and related SPDs
- Branston Neighbourhood Plan
- All documents on file P/2019/000756

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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