

<b>Agenda Item:</b>	5.2
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<b>Site:</b>	Land to the west of Uttoxeter, A50 Bypass, Uttoxeter, Staffordshire
<b>Proposal:</b>	Reserved Matters application relating to Outline planning permission ref: P/2013/00882 for the construction of a new first school and associated works including details of access, appearance, landscaping, layout and scale

### Report of Head of Service (Section 151 Officer)

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

### [Hyperlink to Application Details](#)

<b>Application Number:</b>	P/2018/01405	
<b>Planning Officer:</b>	Alan Harvey	
<b>Type of Application:</b>	Reserved Matters	
<b>Applicant:</b>	SCC	
<b>Ward:</b>	Heath, Abbey	
<b>Ward Member (s):</b>	Cllr C Sylvester Cllr G Goodfellow Cllr C Whittaker	
<b>Date Registered:</b>	5 December 2018	
<b>Date Expires:</b>	24 January 2020 (with a series of extensions of time agreed to provide for the provision of revised plans and for a 'land swap' agreement to be concluded by the applicants.)	
<b>Reason for being on Agenda</b>	The request of the Planning Committee at the approval of the outline scheme (in 2015) was for all the subsequent reserved matters submissions to be reported to the Committee for determination.	
<b>Officer Recommendation</b>	<b>Approval</b> subject to a Deed of Variation to the Section 106 Agreement attached to the outline approval to secure a Travel Plan monitoring fee.	

## 1. Executive Summary

- 1.1 The application site consists of some 1.29 ha of land to the west of Uttoxeter which is part of an overall 50.7 ha site with outline approval (ref: P/2013/00882) for the development of up to 700 No. dwellings, 10 hectares of employment use

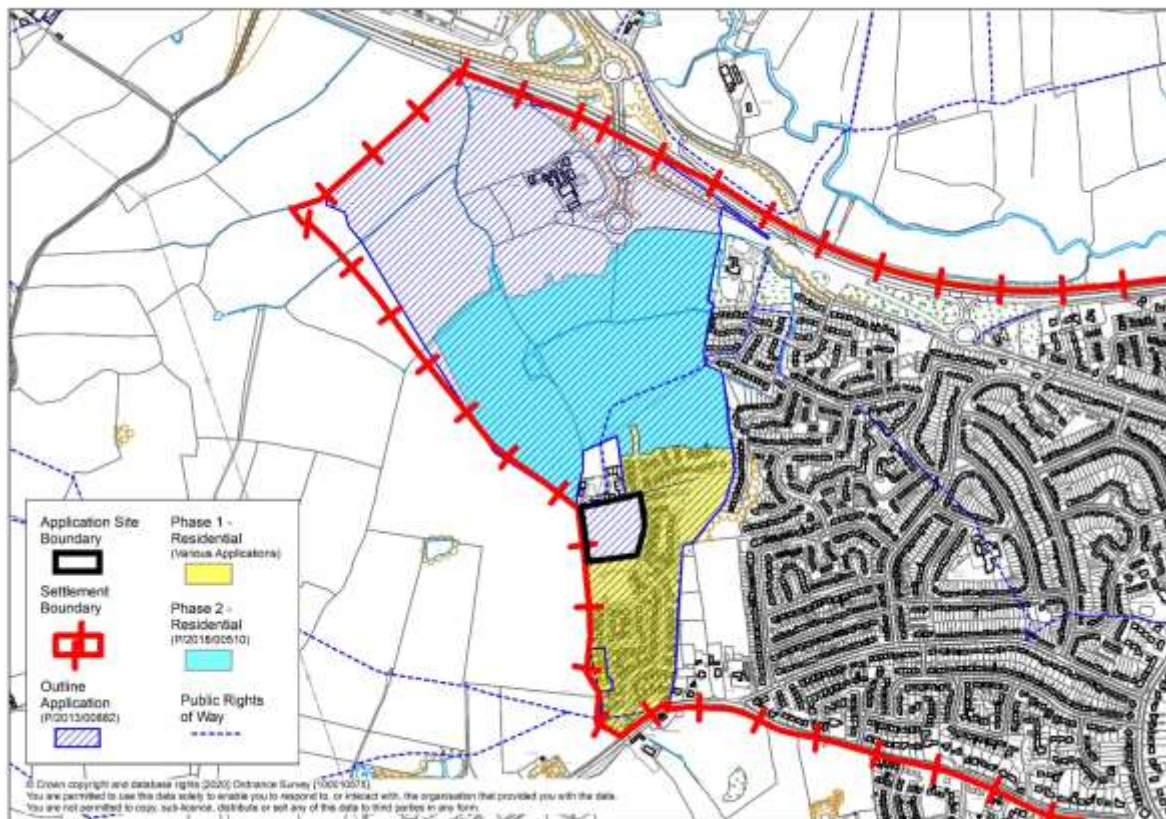
(Classes B1, B2 and B8), a first school, a mixed use local centre incorporating retail, leisure, social, cultural community and health facilities, green infrastructure, associated engineering works and an access to New Road and Bramshall Road. The proposed development is presently only accessed from the northern side of Bramshall Road. Some 200 No. dwellings have been constructed at the site to date.

- 1.2 The application is a reserved matters submission for the construction of a new first school and associated works including details of access, appearance, landscaping, layout and scale. The scheme has been revised during the course of the application process to address the physical impacts of the scheme on the adjoining existing dwellings as well as to take account of a 'land swap' with St Modwens Developments. Amendments were also made to the design. The school application relates to an occupancy level of 150 No. pupils for a first school plus a 26 No. full time equivalent nursery. The school is timetabled to open in September 2021.
- 1.3 In relation to the revised scheme (and thus the application before committee for determination) Statutory consultees have raised no objections that cannot be overcome via planning conditions. Uttoxeter Town Council express concerns in respect of the revised scheme about the lack of parent drop off/collection parking provisions and the impact on neighbouring properties as well as requesting that the LPA look at the impact the proposed construction hours (7am-7pm) will have on surrounding residential properties, the effects solid fencing would have on wildlife as well as the overall need for an environmental plan. Uttoxeter Rural Parish Council have no comments.
- 1.4 Local residents were notified of the application in its original and revised forms, press notices were published and site notices posted. 2 No. local residents made representations in relation to the original application raising objections and concerns in respect of the design of the scheme, its impact on residential amenities in terms of its physical impacts and noise and light pollution along with the lack of dropping off/picking up facilities. In relation to the revised scheme 2 No. local residents have submitted comments. One of the representations in general welcomes the changes made to the school scheme but request that the proposed construction times be brought into line with those of the housing developments. The second representation indicates that the residents concerned would like to be reassured that parking restrictions would be considered to mitigate inconvenience and safety issues, particularly as the link road/spine road will in time join the A50.
- 1.5 It is considered that in principle the scheme is in line with the conditions and remit of the outline planning approval - and its associated Section 106 Agreement - and compliant with the aims of the relevant development plan policies and the National Planning Policy Framework in terms of sustainable development.
- 1.6 The proposal in terms of its scale and design would be sympathetic to its new build environs and would not affect the setting of heritage assets. The scheme would also provide necessary mitigation in relation to biodiversity and would not impact on protected species.

- 1.7 The scheme as revised would not be likely to adversely affect the amenities of occupiers of existing and proposed nearby dwellings in terms of its physical impact. Further, no substantive negative impacts are likely to occur on surrounding residents in relation to the day to day operation of the site for school activities.
- 1.8 With regard to highway safety, the County Highway Authority raises no objections in principle to the scheme and the off-street parking provision (for staff parking) and cycle parking provision (for staff and pupils) meets the criteria set out the Council’s Revised Car Parking Standards.
- 1.9 The school scheme, however, does not incorporate a dropping off/picking up bay as is required by the Borough Council’s Revised Car Parking Standards. In this respect, the SCC School Organisation and Property Service state in its view no vehicular parent/ child pick up and drop off points should be provided within the curtilage of school sites and in doing so comment that *“Staffordshire’s approach is consistent with practice across local authorities and also with the Department for Education guidance (i.e., Building Bulletin 103 which does not stipulate on-site drop offs in the school design) and its practice (free schools opened by the Department do not typically include on-site parental drop-offs).”* SCC School Organisation and Property Service advise that in this case there are four key reasons that underline this approach in respect of new First/primary schools:
- Concerns regarding pupil safety in pick up/drop off car parking areas within the school and the school’s duty of care towards its pupils.
  - Public liability implications and insurance demands.
  - To encourage balanced and sustainable travel to school.
  - The school site is not big enough to support a parental drop off car park.
- 1.10 The County Highway Authority raised no objections in principle on highway safety grounds and specifically commented that *“the Borough Councils Parking Standards along with the County Councils, School, Parking Policies were all taken into consideration when looking at this application. On this application it was considered that the pupils would mostly be within a short distance of the school and along with the provision of the Travel Plan, and cycle parking, no additional off street parking for dropping off pupils was required.”*
- 1.11 The officers of Borough Council in turn commissioned an independent study of this matter (by SCP) which acknowledges that in the absence of a dropping off/picking up facility potential parking issues could occur such as:
- *“Parked vehicles in the vicinity of nearby resident’s driveways and potential for conflict with movements into and out of the driveways.*
  - *Parking on bends and in the vicinity of junctions.*
  - *Prior to the link road opening the spine road past the site would be a cul-de-sac and vehicles would be required to turn around using the turning head at the northern limit of this. The turning head could be congested at the busiest periods and result in 3-point turns in the carriageway.*
  - *Parking in the vicinity of the proposed bus-stop opposite the school.*
  - *Parking on the east side of the spine road will require parents/carers and pupils to cross the spine road amongst parked vehicles.”*

- 1.12 SCP comment further nevertheless that *“whilst these issues show some potential safety concerns and may inconvenience and / or affect the amenity of residents, they are not untypical of those encountered by many schools and would occur over short periods of time around school start and finish times.”* SCP also point out mitigation measures could be put in place such as the stewarding of car parking, traffic regulation orders to prevent car parking in unsuitable locations along with the staggering of start / finish times by class or key stage and as such conclude that *“in line with NPPF, it is not considered that the proposals would result in an unacceptable impact on highway safety or that the residual cumulative impacts on the road network would be severe.”*
- 1.13 in the light of the above material planning considerations, therefore, the application is recommended for **approval** subject to a Deed of Variation to the Section 106 Agreement attached to the outline approval to secure a Travel Plan monitoring fee.
- 1.13 Members are advised that the above is a brief summary of the complex 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 consists of some 1.29 ha of land to the west of Uttoxeter which is part of an overall 50.7 ha site with the benefit of outline approval for the development of up to 700 No. dwellings, 10 hectares of employment use (Classes B1, B2 and B8), a first school, a mixed use local centre incorporating retail, leisure, social, cultural community and health facilities, green infrastructure, associated engineering works and an access road linking between New Road and Bramshall Road.
- 2.2 The proposed development is accessed from the western side of the spine road which comes off Bramshall Road. The application site is presently scrub grassland with some areas of mature hedgerows; particularly to the western boundary. The land is relatively flat, although there is gentle rise in the lands on the site running east to west.
- 2.3 The application site is adjoined immediately to the north by Moss Beds Farm, and its outbuildings, and to the north-east by new dwellings on the development site. New build dwellings have recently be completed opposite the site on the eastern side of the link road. To the south of the application site construction works are continuing on other new dwellings.
- 2.4 A public footpath (Uttoxeter Town No. 52) runs immediately to the west of the application site as it follows the route of the existing track that serves Moss Beds Farm. Further to the west - and beyond the public footpath - are agricultural lands.

## 3. Planning History

- 3.1 The 'Land west of Uttoxeter' Sustainable Urban Extension is being developed (primarily) by St Modwens and this planning history highlights the main approvals that have been granted to enable the scheme to be progressed. Each of the development phases (1, 2 and 3) have also included the approval - under officer delegated powers - of the many necessary individual discharge of condition approvals; along with some Non-Material Application approvals. Some 200 No. dwellings have been constructed at the site to date.
- 3.2 **Application ref: P/2013/00882** - outline planning permission granted for the development of the 50.7 ha site for up to 700 No. dwellings, 10ha of employment use (Classes B1, B2 and B8), a first school, a mixed use local centre incorporating retail, leisure, social, cultural community and health facilities, green infrastructure, associated engineering works, access to New Road and Bramshall Road and associated internal access roads including demolition of Parks Farm and associated buildings, with all matters reserved.
- 3.3 The outline scheme was permitted by the Planning Committee in March 2014, although the final decision notice was not issued until November 2015 upon completion of the Section 106 Agreement. The Section 106 Agreement provides *inter alia* for the following:-
  - The provision of 38 No. affordable dwellings during Phase 1 of the development (out of a total of 250 No. dwellings) with the provision on the subsequent residential phase(s) of the scheme (i.e. of up to 450

dwellings) to have affordable dwelling provision of between 15-30% of the overall numbers.

- Landscaping as per the requirements of the Local Plan policies
- A contribution of £300,000 towards indoor sports upon the occupation of the 300<sup>th</sup> dwelling.
- 2 ha of sports pitches on site (or a contribution of £50,000 per ha towards off-site sports provision) along with open space and formal play facilities (the locations of which have been subsequently agreed under a discharge of condition submission).
- The provision of a bus service upon the occupation of the 250<sup>th</sup> dwelling.
- Traffic calming measures in Bramshall before the first occupation of any dwelling.
- The setting up of a management scheme to maintain the open space.
- A contribution of £45,000 towards refuse and recycling.
- The provision of a new first school (primary level with some nursery provision).
- A commuted sum of £2,203,971 for middle school, high school and sixth form places.

3.4 The highway related conditions attached to the outline permission (application ref: P/2013/00882) provided that the spine road through the site was to function as a link road between the northern and southern accesses (New Road and Bramshall Road) and that:-

- No more than 501 dwellings shall be commenced until the spine road has been completed (as per condition 28).
- As part of a movement framework measures should be introduced to restrain the speeds of vehicles along the link road to 20 mph (as per condition 22).
- In terms of proposed off-site works that before 300 dwellings are occupied improvement works need to be undertaken to the Silver Street/Dove Bank/Church Street junction (as per condition 27).

3.5 **Application ref: P/2014/00883** - full planning permission granted for the erection of 58 No. dwellings along with new pumping stations, temporary service road and surface water retention basin (hereafter referred to in this report as Phase 1a). The scheme was also supported by the Planning Committee in March 2014, although again the final decision notice was not issued until November 2015 upon completion of the associated Section 106 Agreement.

- 3.6 **Application ref: P/2016/00164** - In February 2016, an application was submitted for the discharge of conditions 5, 21 and 22 of the outline planning permission ref: P/2013/0882. Condition 5 relates to the phasing of the scheme - including development composition and indicative timings - and conditions 21 and 22 relates to the route alignment of the link road and the movement framework/parking strategy respectively. The application was approved under officer delegated powers in April 2016.
- 3.7 **Application ref: P/2016/00216** - Application for reserved matters approval for the erection of 40 No. dwellings (including 13 No. affordable dwelling units), together with drainage and highways infrastructure, and including details of access, appearance, landscaping, layout and scale (hereafter referred to as Phase 1b). Approved in November 2016. There was a degree of overlap onto the Phase 1a scheme (with changes of plots and housing designs) that meant taken together Phases 1a and 1b will bring forward a total of 87 No. dwellings (including 13 No. affordable units).
- 3.8 **Application ref: P/2017/00426** - An application (by Bellway) for reserved matters relating to P/2013/00882 for the erection of 119 dwellings including 18 affordable units, together with drainage, landscaping and highways infrastructure and including details of appearance, landscaping, layout and scale (hereafter referred to as Phase 1c). Approved in August 2017.
- 3.9 **Application ref: P/2017/00572** - An application for reserved matters relating to P/2013/00882 for the erection of 44 No. dwellings including 7 affordable units, together with drainage and highways infrastructure, and details of access, appearance, landscaping, layout and scale (referred to hereafter as Phase 1d). Approved in November 2017.
- 3.10 **Application ref: P/2018/00355** - An application for full planning permission for the construction of the (remainder of the) spine road with associated drainage, electricity sub-station, gas governor, earth works and landscaping. Approved in August 2018.
- 3.11 **Application ref: P/2018/00358** - An application for reserved matters application for the erection of 5 No. detached buildings for use as 13 No. units for Class B1 (Business), Class B2 (General Industrial) and Class B8 (Storage & Distribution) Uses and gate house building, including details of access, appearance, scale, layout and landscaping (referred to hereafter as Phase 3a). Approved in August 2018.
- 3.12 **Application ref: P/2018/00510** - An application for reserved matters relating to ref: P/2013/00882 for the erection of 450 dwellings and garages including 121 affordable units, together with drainage and highways infrastructure, and including details of access, appearance, landscaping, layout and scale (hereafter referred to as Phase 2). Approved in November 2018.
- 3.13 **Application ref: P/2018/00573** - An application for widening of existing access onto Bramshall Road for use by construction traffic for a temporary period of 2 years. Approved in July 2018.
- 3.14 **Application ref: P/2018/01448** - Application under Section 73 of the Town and Country Planning Act 1990 relating to outline planning permission P/2013/00882



for the removal of condition 27 (improvements to Silver Street/Dove Bank/Church Street junction). Application undetermined to date (and is currently awaiting revised supporting submissions from the applicants).

- 3.15 **Application ref: P/2019/00587** - Submission under Section 73 of the Town and Country Planning Act 1990 for a Minor Material Amendment relating to Reserved Matters application ref: P/2017/00572 (Phase 1D) without complying with Condition 1 relating to a variation of the finished ground levels to the rear gardens of Plots No. 16, 17 and 18 and amendments to the landscaping scheme. Approved in September 2019.
- 3.16 **Application ref: P/2019/00629** - Application under Section 73 of the Town and Country Planning Act 1990 for a Minor Material Amendment in respect of a Reserved Matters application ref: P/2018/00510 (Phase 2) without complying with Condition 1 in relation to changes to the house types, the facing materials and the boundary treatments on Phase 2A. Approved in January 2020.
- 3.17 **Application ref: P/2019/01053** - Application under Section 73 of the Town and Country Planning Act 1990 for a Minor Material Amendment relating to Reserved Matters application ref: P/2018/00510 (Phase 2) without complying with condition 1 of permission ref: P/2018/00510 relating to amendments to the dwelling types on Phase 2E. Approved in December 2019.

#### 4. The proposal

- 4.1 The application is a reserved matters submission for the construction of a new first school and associated works including details of access, appearance, landscaping, layout and scale.
- 4.2 This application relates to an occupancy level of 150 No. pupils for a first school plus a 26 No. full time equivalent nursery. The applicant's agents also point out that there is provision for infrastructure to be put in place to potentially allow expansion to a 1 FE Primary School i.e. 210 pupils and 26 FTE nursery (although any extension/expansion would have to be the subject of a further application for planning permission).
- 4.3 The proposed site layout means that the main school building presents its main façade onto the link/spine road from which it takes main direct access in the central area of its frontage (into the staff car parking area) with the pupils play areas predominantly sited to the rear. The services area would occupy the north-eastern area of the site and has its own dedicated vehicular access towards the northern boundary.
- 4.4 The proposed school building is predominantly single storey (height 5.6 metres) with a raised area for the school hall to the northern side (height 8.1 metres). The external materials are of red brick slips with panels of either grey or Cerise colour render. The raised hall section has a copper effect raised seem cladding. The building has a flat roof.
- 4.5 The internal accommodation provides four No. teaching classrooms, a staff room with other individual offices, toilet facilities, reception, nursery, library, hall (with ancillary sports changing), kitchen and plant rooms. There will 18 No. members of staff for the school and 7 No. staff members for the nursery.



- 4.6 A car parking area of 27 No spaces is proposed for staff parking with access off the link road. The access to this car park will be controlled by security gates to prevent general access. Two pedestrian accesses are proposed; one to either side of the staff car park. Within the site 20 No. covered cycle spaces are to be provided for pupils and 10 No. covered cycle spaces will be available for staff.
- 4.7 There is therefore proposed to be no access to the car parking area for parents and no dropping off facility is proposed to be provided within the site. As such vehicle bourn parents will be expected to drop off and pick up children from the footways alongside of the link road/spine road; beyond Keep Clear Lines that would be provided on the highway outside the school frontage itself.
- 4.8 Other than the internal plant, the proposed school scheme will utilise the services infrastructure approved on the earlier (residential) phases of the development. Lighting within the site is proposed to comprise a mix of low bollard lighting units along with 5 metre high pole mounted floodlighting
- 4.9 The landscaping being proposed as part of the scheme will include a new habitats area to the northern boundary (where it adjoins Moss Beds) along with new tree and hedge planting. Mesh fencing is proposed to boundaries.
- 4.10 In the supporting information to accompany the application the SCC School Organisation and Property Services state in its view no vehicular parent/child pick up and drop off points should be provided within the curtilage of school sites and in doing so comment that *“Staffordshire’s approach is consistent with practice across local authorities and also with the Department for Education guidance (i.e., Building Bulletin 103 which does not stipulate on-site drop offs in the school design) and its practice (free schools opened by the Department do not typically include on-site parental drop-offs).”* SCC School Organisation and Property Service advise that in this case there are four key reasons that underline this approach in respect of new First/primary schools:
- Concerns regarding pupil safety in pick up/drop off car parking areas within the school and the school’s duty of care towards its pupils.
  - Public liability implications and insurance demands.
  - To encourage balanced and sustainable travel to school.
  - The school site is not big enough to support a parental drop off car park.

#### List of supporting documentation

- 4.11 The following documents have been provided as part of the application:
- Location Plan
  - Proposed Site Layout Plan - Original and Revised
  - Proposed Landscaping Plan(s) - Original and Revised
  - Proposed Lighting Plan - Original and Revised
  - Proposed Elevation Drawings (including materials) - Original and Revised
  - Proposed Floor Plans - Original and Revised
  - Proposed Roof Plans - Original and Revised

- Design and Access Statement with supplementary statements
- Construction Management Plan (with amendments)

4.12 The relevant findings of the technical 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><b>Original Submissions</b></p> <p>Town Council commented that :-</p> <ul style="list-style-type: none"> <li>• <i>The site is bordered on the west by a public footpath/right of way to Moss Pits farm which forms part of the Uttoxeter Circular Walk. The Construction Environmental Management Plan indicates that “There are no public rights of way through the development area” (Para 2.02) the management of public access to rights of way should be addressed in the proposals.</i></li> <li>• <i>The building design is a modular structure with a flat roof, which is not in keeping with the pitched roofs of the adjacent housing. Council request that the planning committee should consider whether the design will integrate effectively into the overall development. In Council’s view a building with a pitched roof would be more appropriate and concerns were raised with respect to maintenance issues with flat roofs such as leaks also the potential of vandalism and it being a safety risk.</i></li> <li>• <i>It is proposed that all construction traffic should “exit from the A50 and progress to the north of the town centre using Holly Road and Bramshall Road from the east the return journey will be the same route to gain access to the A50”. This will have a negative impact on these two predominantly residential roads and underlines the importance of the Town Council’s view that the spine road through the development should provide access for heavy vehicles to the A50 to avoid the town.</i></li> </ul> <p><b>Revised Submissions</b></p> <p>The Town Council requests that the Borough Council as the Local Planning Authority:</p>

		<p>(a) Request an Environmental Plan.</p> <p>(b) Suggest that, given solid fencing would have a detrimental effect on wildlife, advice on alternative noise abatement provisions (is sought).</p> <p>(c) Express concerns with the lack of parent drop off/collection parking provisions and the impact on neighbouring properties.</p> <p>(d) Look at the impact the proposed construction hours (7am-7pm) will have on surrounding residential properties including for deliveries.</p>
5.3	Uttoxeter Rural Parish Council	<p><b>Original and Revised Submissions</b></p> <p>State that they have “no comments.”</p>
5.4	SCC Highways	<p><b>Original and Revised Submissions</b></p> <p>Raise no objections in relation to the scheme on highway grounds subject to conditions with the response being “<i>on the assumption that the 2 vehicular accesses along with the pedestrian footway and cycleways have already being approved under the original application and it is also agreed that the parking provided for visitors and staff meets the Borough Council parking standards, however there is to be no on-site provision for the drop off and pick up of pupils.</i>”</p> <p>The suggested Conditions are to include the provision of a travel plan (with a monitoring fee to be secured by way of Section 106 Agreement) and the provision of School Keep Clear, road markings and pedestrian guard rail at the school entrances. County Highways would also seek to ensure that if the link road/spine road is not complete at the time of the first occupation of the school premises (programmed for September 2021) that the applicants can demonstrate that turning facilities exist for car bourn parents/guardians etc.</p> <p>The County Highway Authority have specifically commented that “<i>the Borough Councils Parking Standards along with the County Councils, School, Parking Policies were all taken into consideration when looking at this application. On this application it was considered that the pupils would mostly be within a short distance of the school and along with the provision of the Travel Plan, and cycle parking, no additional off street parking for dropping off pupils was required.</i>”</p>

5.5	Highways England	Raises no adverse issues.
5.6	SCC Archaeology	Have no comment on archaeological grounds
5.7	SCC Rights of Way Officer	Comments that the scheme does not appear to affect the adjoining public footpath but the applicants should be advised that the adjoining track (immediately to the west) is a public right of way and to ensure it is open and accessible at all times.
5.8	Severn Trent Water	No objections.
5.9	Local Lead Flood Authority	No objections
5.10	Natural England	No objections.
5.11	Ramblers Association	No objections.
5.12	Architectural Liaison Officer	Provides guidance on crime reduction.

Internal Consultees		Response
5.13	Environmental Health	No objections in principle.

## 6. Neighbour responses

- 6.1 Neighbours were notified of the original application, a press notice published and a site notice posted. Comments were received from 2 No. local residents/interested parties raising the following objections/concerns summarised below:-

Neighbour responses	
<b>Highways/Transport</b>	<ul style="list-style-type: none"> <li>Consider that parking for the dropping off and collection of children to this new school should be provided as new residents do not want to see the road in front of their properties turn into the chaos that is on the roads surrounding other local schools at drop off and collection times.</li> </ul>
<b>Residential amenities</b>	<ul style="list-style-type: none"> <li>The use of the area directly in front of Moss Beds for the proposed storage and delivery area would be detrimental to residential amenities by way of light and dust pollution, noise and disturbance. This would compound the disruption the residents have already endured with the use of the area for two years as a construction site compound (by St Modwens).</li> </ul>

	<ul style="list-style-type: none"> <li>• The proposed hours of site operation from 7.00hrs to 19.00hrs would be unreasonable to local residents and may lead to deliveries and HGV Lorries arriving at 4.30am.</li> <li>• The proposed plans for the location of refuse, utilities and services some 5 metres directly in front of the main house at Moss Beds would mean residents would have to endure a permanent eye sore.</li> <li>• The adjoining residents would be subjected to the smell of garbage waste.</li> <li>• The development would contravene the Human rights act 1998 article 8 and 1 in respect of a person's private family life and home, peaceful enjoyment of home and possessions</li> </ul>
<b>Visual Amenities</b>	<ul style="list-style-type: none"> <li>• The outer perimeter fencing should be made to be more environmentally friendly, rather than looking like a "cage"</li> </ul>

6.2 Upon receipt of the revised plans neighbours were again notified of the application, a press notice published and a site notice posted. Comments were received from 2 No. local residents

6.3 One of the representations states the following:-

*"Thank you for taking note of our previous objections to the original school plans. The revised plans have been considerably improved to which we are grateful for. Our only further objections and concerns relate to the CEMP (i.e. Construction Management Plan). Specifically, for the past twelve months St. Modwens and others have an on site working day of 8am-5pm. with no weekend work whereas the new school developers state 7am -7pm. We strongly feel that the new developers should also adopt the same working hours of 8am to.5pm and no weekend site activity (as) 12 hours of what will be non-stop constant noise or construction plant, beepers and the unloading of deliveries is excessive. I am quite sure that other occupants of nearby properties would also totally agree."*

6.4 In relation to the second submission, the residents concerned comment that they were aware of new school development in the pipeline when they purchased their property (in February 2019) and would like to be reassured that parking restrictions would be considered so as to not cause inconvenience and safety issues, particularly as the link road/spine road will join the A50.

## 7. Policy Framework

7.1 The relevant national and local planning policies are set out below. Policy NP1 of the Local Plan sets out the role of Neighbourhood Plans and where relevant the policies of the made Uttoxeter Neighbourhood Plan are addressed alongside Local Plan policies in the assessment of the proposal in Section 8 onwards.

### National Policy

- National Planning Policy Framework
- National Planning Policy Guidance

### Local Plan

- Principle 1: Presumption in Favour of Sustainable Development
- SP1: East Staffordshire Approach to Sustainable Development
- 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
- DP5 Protecting the Historic Environment: All Heritage Assets, Listed Buildings, Conservation Areas and archaeology
- DP7 Pollution and Contamination
- DP8 Tree Protection

### Uttoxeter Neighbourhood Plan

- Policy T1 – Sustainable Transport
- Policy T2 – Links to the Town Centre
- Policy T3 – Parking Standards
- Policy T4 – Traffic and Town Centre
- Policy E2 – Landscape and Setting
- Policy C3 – Education and Childcare Provision

### Supplementary Planning Documents/Guidance

- East Staffordshire Design Guide
- Revised Car Parking Standards (2017)
- Waste Storage and Collection Guidance for New Developments

## **8. Assessment**

8.1 The main issues in the determination of the application are considered to be as follows:-

- Principle of the development;
- Design and Impacts on Visual Amenities
- Residential amenities;
- Highway Safety;
- Heritage Asset Implications;
- Flooding and Drainage Implications/Land Contamination;
- Impacts on biodiversity (including protected species); and
- Other Matters.

## **9. Principle of Development**

- 9.1 The principle of the development of the first school (under outline approval ref: P/2013/00882) - with associated nursery provision - on the lands to the west of Uttoxeter has been established with the approval of the outline planning permission in 2015. The development would therefore in principle accord with the outline approval and is in line with Principle 1 and Policy SP1 of the Local Plan in terms of the location of sustainable development. The scheme also meets Policy C3 (Education and Childcare Provision) of the made Uttoxeter Neighbourhood that seeks to ensure the provision of education and childcare facilities in sustainable urban extensions.
- 9.2 Further, as the application is one for reserved matters the scheme is subject to the requirements of the conditions and the Section 106 Agreement attached to that outline planning permission (and these are referenced where relevant in the sections of the report below).

## **10. Design and Impact on Visual Amenities**

- 10.1 The NPPF attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 10.2 Strategic Policy 1 and 24 state that development proposals must contribute positively to the area in which they are proposed. Policy SP24 lists a number of criteria developments are expected to achieve including creating a sense of place, reinforcing character, reflecting densities and where possible minimise the production of carbon through sustainable construction.
- 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 Policy E2 of the made 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.
- 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 The proposed scale of the development is essentially single storey, although the increased height (for the school hall) at the northern end does add a focal point to the building. As such, whilst the building does not replicate slavishly the design of any of the approved surrounding dwellings, it would itself create sufficient visual interest in the streetscape to be in keeping with the overall form of the prevailing new development. Also in terms of the visual appearance of the streetscape there would be sufficient space provided between the new school buildings and the surrounding existing and proposed dwellings.
- 10.8 The school scheme also reflects the palette of materials that have been used in the housing phases; with the basis of the facade being red brickwork. Visual interest is provided to the main facades with the use of panels of coloured render.
- 10.9 Staff parking and covered pupil cycle parking is provided in front of the school and there is good surveillance of this area.
- 10.10 The proposed boundary treatment is largely of 2 metre high open meshed fencing with a green paint finish. It is considered that this treatment will ensure that the new building remains sufficiently visible in the streetscape (from the link road) whilst providing the security being sought by the end user. Hedging and trees planting will soften the visual impact of the mesh fencing to the northern, western and southern site boundaries.
- 10.11 In conclusion, therefore, it is considered that the scheme in terms of its design and materials will sufficiently respect the character of the residential development phases and having regard to its siting and scale would be in line with the criteria of Policy DP1 of the Local Plan and Policy E2 of the made Neighbourhood Plan.
- 10.12 The sustainability approach for this development is 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 The National Planning Policy Framework (in Section 12) and Policies SP1 and DP1 of the Local Plan seek to ensure new development will not have an adverse impact on the amenities of new or existing residents by way of loss of light, overlooking or overbearing. Policy DP7 seeks to address impacts of pollution, including noise, dust and light pollution.
- 11.2 With regard to the relationship and the separation distances between the proposed school building and windows to habitable rooms of the nearest existing and proposed dwellings, it is considered that the proposed scheme would not have any significant overbearing, overshadowing or overlooking impacts that would be detrimental to residential amenities. The scheme is therefore considered to be compliant with the provisions of Local Plan Policies SP1 and DP1.
- 11.3 In relation to activity, the scheme will necessarily generate traffic and on road parking along the spine road at school opening and closing times, however, given that this would have been known/will be known to new residents it is considered that this vehicular activity would not unacceptably affect the amenities of the occupiers of existing and proposed dwellings adjacent to the application site in terms of noise and disturbance. Similarly, it is considered that the use of the service area, as now proposed, is unlikely to generate levels of noise and disturbance to an extent that it would be to the detriment of existing or future residential amenities. It is considered that the day to day activities associated with the operation of the school, including the use of the open air play areas/sports field would not be to the significant detriment of any surrounding residential properties.
- 11.4 With the regard to the lighting scheme, it is considered that as revised the scheme comprising of bollard lighting and (re-sited) pole mounted floodlights would not give rise to light pollution levels that would be sufficient to cause negative impacts on residential amenities, particularly as these will be seen in conjunction with adjoining street lighting units. It is nevertheless considered that a condition of any approval would require that none of the approved floodlighting units be illuminated between the hours of 9pm and 7am.
- 11.5 With regard to the construction phase, dust generation relating to the proposed development is a matter that will be subject to controls under any final Construction Management Plan to be agreed before the start of this development (as set out in the outline approval). The hours of operation during the construction phase would fall to be agreed under the Construction Management Plan (under the auspices of a condition of the outline approval); although it agreed with the Town Council and the local residents that these would be expected to replicate the agreed hours for Residential Phases 1 and 2; with these being 7.30 to 19.00 Monday to Friday, 8.00 to 14.00 on Saturdays and no working on Sundays and Bank Holidays. An informative on the decision notice will set out this position clearly to the applicants.

## **12. Highway Matters**

- 12.1 The National Planning Policy Framework (NPPF) sets out the role transport policies play in facilitating sustainable development which contributes to wider sustainability and health objectives. Decisions should ensure development

proposals have taken the opportunities for sustainable transport modes and to ensure safe and suitable access to the site to be achieved for all people. The NPPF states at paragraph 109 that *“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 Policy T1 (Sustainable Transport) of the made Uttoxeter 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.
- 12.4 The made Neighbourhood Plan 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. The policy also seeks improvements to existing key walking and cycling routes, including from development sites to the town centre.
- 12.5 Policy T4 (Traffic and the Town Centre) of the Neighbourhood Plan requires the following:
- “All major applications should take account of the consequent traffic impact on the town centre. Where appropriate major planning applications should be designed to reduce and manage journeys and reduce environmental and road safety impacts.*
- Applications that are likely to generate heavy commercial vehicle movements will only be supported if they commit to a routing strategy that avoids the town centre. Applications that through their location or design are able to help reduce the number of heavy commercial vehicles through the town centre will also be supported.”*
- 12.6 In relation to the current application the scheme itself does not include the construction of the spine road; as the extant approvals provide for that. A condition of the outline approval (No. 28), however, which requires that the spine road has to be completed before works on the 501st dwelling is commenced means that the road will be completed (at the latest) during the Phase 2 residential construction phase. The proposal forms part of the larger development scheme on lands to the west of Uttoxeter (as per the outline approval of November 2015) which includes the provision of a bus service through the site and to the town centre (upon the occupation of the 250th dwelling as per the Section 106 Agreement attached to the outline approval)

along with pedestrian and cycle links to the other areas of the town through the introduction of pavements and enhancement of safe linkages.

- 12.7 Having taken all relevant matters raised by the proposal into account, it is considered that the proposal in principle meets the overall strategic development policy requirements in terms of highway impacts. It is also pointed out that Highways England have no objection in terms of the impacts on the wider highway network.
- 12.8 The made Uttoxeter Neighbourhood Plan also includes a specific policy (T3) on parking standards and indicates the new development should meet the standards set out in the recently (in 2017) updated District Council's Parking SPD. The Council's Revised Parking Standards SPD itself requires the provision of electric vehicle charging facilities and sets out standards for different uses including space size, accessibility and the quantity of car and cycle parking spaces required for different uses. In relation to a proposed school use (for children up to 16 years old), the SPD indicates that the following standards apply :-
- 1 cycle stand per 10 staff + 1 stand per 10 students all supplied in secure, weatherproof shelters; and
  - 1 car parking space per 1 staff.
- 12.9 The Council's Revised Parking Standards SPD also states that applications will also be expected to demonstrate suitable pick up/drop off areas for all pupils as well as sufficient accessible parking
- 12.10 With regard to the provision of vehicle charging points, the applicants advise that they wish to provide three No. electrical charging points at the site and a condition of any approval could require that they are delivered accordingly. The weatherproof shelter cycle space provision for staff and pupils (30 No. in total) is at the necessary level required and again could be secured by condition.
- 12.11 In respect of off-street car parking, the provision of 27 No. spaces for staff members would be in line with the Council's Revised Parking Standards SPD in terms of the 176 No. pupil school proposal. All agreed accessing, servicing, turning and parking facilities will be secured by conditions of any approval.
- 12.12 With regard to the provision of any dropping off/picking up bay, as set out in their supporting submissions the County Council Education Services do not believe this to be justified; a position supported by the County Highway Authority in their formal consultation response(s) on this application.
- 12.13 In respect of the stance of the County Education and Highway Authorities on this matter officers (of the Borough Council) commissioned an independent highway consultancy (SCP) to review the situation; who acknowledge that in the absence of a dropping off/picking up facility potential parking issues could occur such as:
- *“Parked vehicles in the vicinity of nearby resident's driveways and potential for conflict with movements into and out of the driveways.*

- *Parking on bends and in the vicinity of junctions.*
- *Prior to the link road opening the spine road past the site would be a cul-de-sac and vehicles would be required to turn around using the turning head at the northern limit of this. The turning head could be congested at the busiest periods and result in 3-point turns in the carriageway.*
- *Parking in the vicinity of the proposed bus-stop opposite the school.*
- *Parking on the east side of the spine road will require parents/carers and pupils to cross the spine road amongst parked vehicles.”*

12.14 SCP comment further nevertheless that *“whilst these issues show some potential safety concerns and may inconvenience and / or affect the amenity of residents, they are not untypical of those encountered by many schools and would occur over short periods of time around school start and finish times.”* SCP also point out mitigation measures could be put in place (by way of condition) such as the stewarding of car parking, traffic regulation orders to prevent car parking in unsuitable locations and the staggering of start / finish times by class or key stage and as such conclude that that *“in line with NPPF, it is not considered that the proposals would result in an unacceptable impact on highway safety or that the residual cumulative impacts on the road network would be severe.”* The relevant highway safety measures recommended by SCP and the County Highway Authority are recommended to be secured by conditions.

12.15 With regard to the request of the County Highway Authority to require temporary turning facilities be provided should the link road/spine road not be completed upon the bringing into use of the school (as is programmed for September 2021) it is unlikely that this situation will arise as St Modwens have indicated the link road will be finished by December 2020. Nevertheless, it is considered that the potential eventuality can be readily addressed by a condition of any permission.

12.16 There is a public right of way (Uttoxeter Town No. 52) which runs alongside, but outside, the western boundary of the lands the subject of this submission. The County Council Public Rights of Way (PROW) Officer raises no objections in principle but requests that an informative draws the attention of the applicants to the need to ensure that any development activities do not prevent the safe use of the existing public footpath concerned. An informative will attached to any decision notice accordingly. The Ramblers had no objections to the scheme.

### **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.

13.2 In determining planning applications with respect to any building or other land in a conservation area, local planning authorities are under a statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

13.3 Section 72 duty referred to above, 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.

- 13.4 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.
- 13.5 Strategic Policy 25 states that Development proposals should protect, conserve and enhance heritage assets and their settings, taking into account their significance, as well as the distinctive character of the Borough's townscapes and landscapes.
- 13.6 Detailed Policy 5 goes into more detail regarding Historic Assets, Listed Buildings, Conservation Areas and Archaeology. Detailed policy 6 aims to protect other heritage assets which are not necessarily covered by listed building or conservation area status, such as shopfronts and the setting of important historic landscapes.
- 13.7 There are no designated above ground heritage assets - conservation areas or listed buildings - within 1km of the application site. The Uttoxeter Town Centre Conservation Area is some 1.65 km distant to the east and the nearest listed buildings of Grange Farm and a milepost (both Grade II) are some 1.1km away to the west on Stone Road in Bramshall. Given these separation distances, it is not considered that the proposal will have any impact on views into, or those out of designated areas, or affect any listed building or its setting and that the statutory duties under Section 66(1) and under Section 72 are not therefore engaged.
- 13.8 With regard to archaeological value, the archaeological survey work for this part of the development site was completed during the construction of the phase 1 residential scheme. The County Archaeologist therefore raises no historic environment concerns regarding the proposals.

#### **14. Flood Risk and Drainage/Contaminated Land**

- 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 probability of flooding. The Environment Agency produces flood risk maps which classifies land according to probability of flooding. The areas of highest risk are classified as Flood Zone 3, with a 1 in 100 or greater annual probability of flooding, and the areas

of lowest risk are classified as Flood Zone 1, with a less than 1 in 1000 annual probability of flooding.

- 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 application site is situated in Flood Zone 1 and the Environment Agency and Local Lead Flood Authority have not raised any objections in principle to the current scheme. Detailed foul and surface water details would be 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), although the scheme will utilise the infrastructure to be provided on the wider the development site.
- 14.4 At the outline stage no specific contaminated land concerns were raised in relation to the development of this area of the site that comprises former farmland. A condition of the outline approval provides for mitigation measures to be agreed by the Council ahead of development commencing on the scheme. This would also address any issues that may have arisen as a result of the land having been used as a site compound during the earlier residential phases.

## **15. Biodiversity Impact (including Protected Species)**

- 15.1 The National Planning Policy Framework states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, planning permission should be refused.
- 15.2 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.
- 15.3 Strategic Policy 29 lists criteria including development needing to retain features of biological interest to produce a net gain in biodiversity in line with Staffordshire biodiversity action plan species and supporting developments with multi-functional benefits.
- 15.4 The scheme will change the habitat of the locality for wildlife, however the scheme does provide for substantial new hedging and tree planting. Protection measures for existing hedges/trees to be retained are the subject of a condition of the outline approval. There are also conditions in place on the outline approval to ensure that the developers bring forward a maintenance schedule as each phase of the scheme progresses.
- 15.5 With regard to the impact on habitats and protected species, the scheme would not give rise to any specific concerns that would not be addressed by the landscaping and tree/hedgerow planting that is being provided by this school development. The level of solid acoustic fencing to be provided as part of the scheme is not extensive and as such this is unlikely to have any significant impacts on wildlife.



- 15.6 It is also pointed out that the protected species mitigation works on the earlier housing development phases (on Phase 1) fall outside the remit of this current application; and in any event officers have addressed the matters raised as part of the discharge of condition submissions; with Natural England also directly involved in the project having granted a derogation licence to St Modwens to clear the development site of any Great Crested Newts..
- 15.7 It is therefore concluded, in the light of the applicant's submissions along with the necessary mitigation conditions, that the issue of the impacts on protected species and biodiversity on the school scheme has been appropriately addressed.

## **16. Section 106 Matters/Other Matters**

- 16.1 As set out in this report insofar as the matters are relevant to this phase of the development of the land to the West of Uttoxeter the proposals are in principle in line with the requirements of the Section 106 attached to the outline approval. This approval would itself be subject to a Deed of Variation to that Section 106 Agreement to secure the necessary Travel Plan monitoring fee of £6,895 in line with the requirements of the County Highway Authority.

## **17. Conclusions**

- 17.1 This proposal for the school development will result in the continuing development of the sustainable urban extension site to the west of Uttoxeter upon which the principle of development has previously been established by the granting of outline planning permission in 2015.
- 17.2 The submitted details for school scheme are considered to 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 the school building and existing and proposed dwellings are such that the site can be developed without having a significant detrimental physical impact on the reasonable amenities of any existing or proposed neighbouring properties. The scheme will not be likely give rise to unreasonable noise and disturbance impacts on surrounding properties whilst the building is in use.
- 17.3 The proposed development is not within a conservation area and given the separation distances and the form of existing built development, it is not considered that the proposal would have an impact on views into, or those out of, the nearest conservation area; nor is any Listed Building or its setting affected. The statutory duties under Section 66 (1) and 72 are therefore not engaged. It is also considered that the mitigation of all ecological and biodiversity issues have in principle been successfully addressed.
- 17.4 With regard to highway safety, the Highways Agency and the County Highway Authority raise no objections in principle to the scheme and the off-street parking provision (for staff parking) and the secure cycle parking (for staff and pupils) meets the criteria set out the Council's Revised Car Parking Standards SPD. The school scheme does not incorporate a dropping off/picking up bay as is required by the Borough Council's Revised Car Parking Standards. However, given that the (LPA's) appointed independent highway consultants (SCP) have concluded that having regard to the NPPF "*it is not considered*

*that the proposals would result in an unacceptable impact on highway safety or that the residual cumulative impacts on the road network would be severe.”*, it follows that it is not considered that the Borough Council would be in position to sustain a reason for refusal on highway safety grounds.

17.5 Therefore, in the light of all relevant material planning considerations, the application is recommended for approval.

## **18. RECOMMENDATION**

**APPROVE RESERVED MATTERS**, subject to a Deed of Variation to the Section 106 Agreement attached to outline permission ref: P/2013/00882 (to secure the necessary Travel Plan monitoring fee) and the following conditions:-

1. Compliance with the approved plans (Standard Condition No. 0002).
2. Provision, enactment and review of a travel plan/traffic management plan to serve the development as per the recommendations of SCC Highways and of the LPA highway consultants (SCP). (Bespoke)
3. Details of a scheme for the provision of bat and bird boxes/roosts to be agreed and implemented prior to the first occupation of the school and thereafter retained. (Bespoke).
4. Provision and enactment of a management plan for the use and operation of the services access/services area at the school site (including times of operation) to be agreed prior to the first occupation of the school building. (Bespoke)
5. Precise details of all plant and equipment to be installed to serve the development (including noise/dust mitigation where necessary) to be agreed prior to the first occupation of the school building. Scheme to be installed as per the approved details. (Bespoke)
6. Precise details of landscaping to be agreed prior to the first occupation of the school building. (Bespoke)
7. Accessing, servicing, parking and turning facilities to be provided before the school is first occupied and thereafter retained (Bespoke).
8. Provision of all approved secure cycle shelters before the school is first occupied and thereafter retained. (Bespoke)
9. The development hereby permitted shall not be brought into use until the access drives to serve the development to the rear of the public highway have been surfaced and thereafter maintained in a bound and porous material for a minimum distance of 10m back from the site boundary in accordance with the approved plans. (Bespoke)
10. All approved boundary treatments shall be erected/provided before the school is first occupied. (Bespoke).
11. Bin stores shall be provided before the school is first occupied (Bespoke).
12. Approved vehicle charging points shall be provided prior to the first bringing into use of the school and thereafter retained as available (Bespoke).
13. School Keep Clear road markings and pedestrian guard rail at the school entrances to be provided in accordance with a scheme first agreed with the LPA prior to the school first being brought into use. (Bespoke).
14. All landscaping works to be undertaken in first season post completion (Standard Condition No. 00003b).
15. No floodlighting units shall be illuminated between the hours of 9pm and 7am at any time. (Bespoke).

16. No lighting other than that shown on the approved plans shall be erected/installed at the site unless planning permission has been first granted by the Local Planning Authority. (Bespoke).
17. The approved 2 metre high screen fence shall be erected to the emergency/maintenance access prior to the first bringing into use of the school and thereafter retained in situ at all times. (Bespoke).
18. The pedestrian gated access to the western boundary shall not be used by pupils accessing/egressing the school site at any time (other than in an emergency situation). (Bespoke).
19. This permission relates to the use of the building for a maximum occupancy level of 150 No. pupils for a first school and a maximum occupancy level for 26 No. full time equivalent nursery pupils. (Bespoke).
20. Should the link road/spine road not be complete at the time of the opening of the school a management scheme (including a timetable of operation) for turning facilities shall be first agreed with the Local Planning Authority prior to the first bringing into use of the school. (Bespoke).

### **Informatives**

1. Standard Engagement informative (of negotiations with the applicant).
2. Notification of outline permission conditions addressed by the reserved matters submission (conditions 2, 7, 10 and 25) and which remain outstanding (conditions 6, 8, 9, 11, 13, 16, 18, 23, 32 and 33).
3. Standard cost and timing of discharge of conditions informative
4. Contact ESBC Waste Management in relation to provision of bins.
5. The developer is reminded to ensure there is safe access at all times for users of the existing public right of way (Uttoxeter Town No. 52) which runs adjacent to the application site.
6. You are advised that in respect of the hours of operation during the construction phase that these would be expected to replicate the agreed hours for Residential Phases 1 and 2; with these being 7.30 to 19.00 Monday to Friday, 8.00 to 14.00 on Saturdays and no working on Sundays and Bank Holidays. These details should form part of the Construction Management Plan.
7. Any highway works shall require a Minor Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a further link to a Minor Works Information Pack and an application form for the Minor Works Agreement. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, Stafford, Staffordshire ST16 2DH. (Or email to [nmu@staffordshire.gov.uk](mailto:nmu@staffordshire.gov.uk))
8. This approval is subject to a Deed of Variation to the Section 106 Agreement (attached to outline permission ref: P/2013/00882) to secure a Travel Plan monitoring fee of £6,895.
9. The County Highway Authority advises that the proposed 'School Keep Clear' road markings scheme referred to in the condition(s) above. requires a Traffic Regulation Order This recommendation of approval should not be construed as though the County Council is prejudging the outcome of the Order making process. The developer should note that

the Order will be made on behalf of the developer by Staffordshire County Council at the developer's expense and has to be secured before development commences as it is an 'ESSENTIAL' component of the required mitigating measures associated with the proposed development. Please note that there are no guarantees that the Order will be successful and can take at least 6 months to introduce so contact with the Traffic Regulation Order Team should be made as early as possible.

10. You are advised that a separate application may be required for the school signage and it is suggested you contact the Local Planning Authority before installing any signage to discuss the matter.

## **19. Background papers**

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

- The Local and National Planning policies outlined in the report above
- Papers on the Reserved Matters Application file reference P/2018/01405
- Papers on the Reserved Matters Application file reference P/2018/00510 and associated discharge of condition applications.
- Papers on the Reserved Matters Application file reference P/2018/00358 and associated discharge of condition applications.
- Papers on the Planning Application file reference P/2018/00355 and associated discharge of condition applications.
- Papers on the Reserved Matters Application file reference P/2017/00572 and associated discharge of condition applications.
- Papers on the Reserved Matters Application file reference: P/2017/00426 and associated discharge of condition applications.
- Papers on the Reserved Matters file reference P/2016/00216 and associated discharge of condition applications.
- Papers on the Discharge of Condition application reference: P/2016/00164.
- Papers on the Outline Planning Application file reference: P/2013/00882 and associated Section 106 Agreement (with amendments to the Agreement) and associated discharge of condition applications.

## **20. Human Rights Act 1998**

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

## **21. Crime and Disorder Implications**

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

## **22. Equalities Act 2010**

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

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