

Agenda Item:	5.2
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Site:	Howards Transport, Clays Lane, Branston, DE14 3HS
Proposal :	Reserved Matters application relating to P/2014/01460 for the construction of 86 dwellings including details of appearance, landscaping, layout and scale (AMENDED PLANS RECEIVED 26.06.19) (Revised Drainage Strategy received 26.06.2019)

Report of Head of Service (Section 151 Officer)

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

[Hyperlink to Application Details](#)

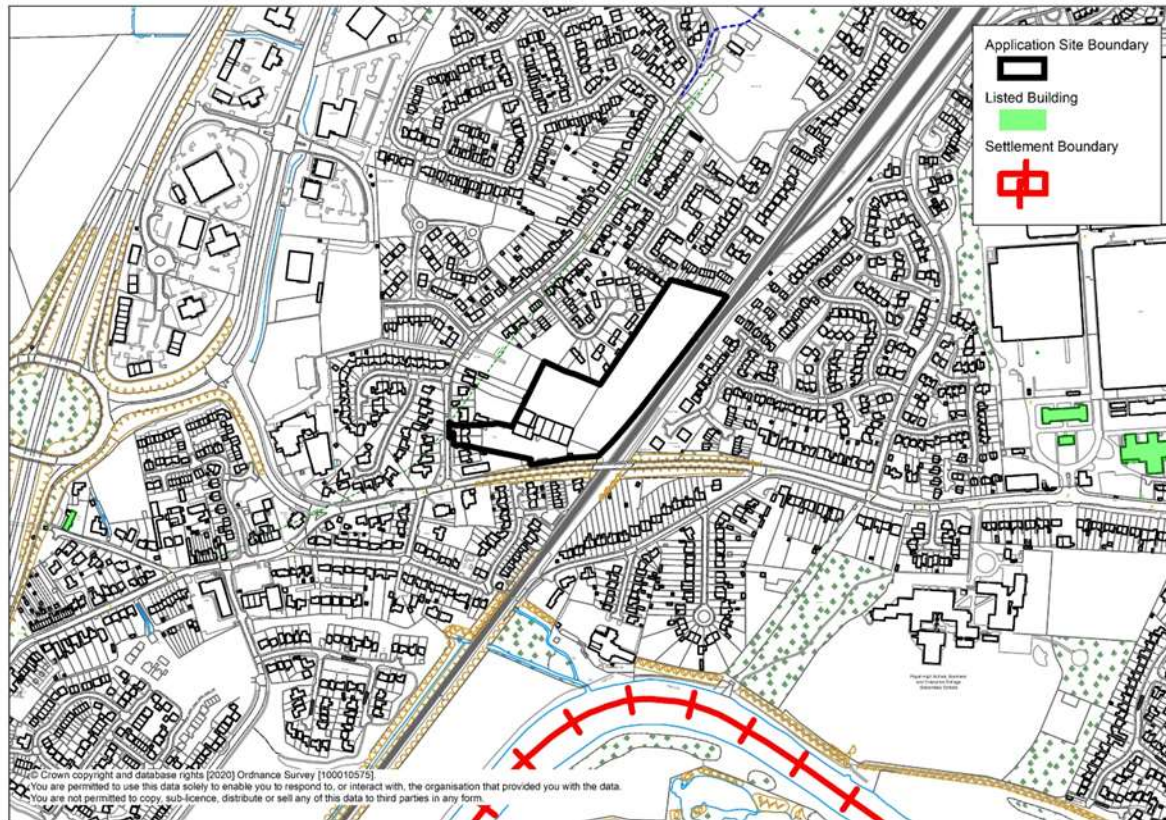
Application Number:	P/2018/01042	
Planning Officer:	Kerry Challoner	
Type of Application:	Reserved Matters	
Applicant:	Mr Tom Broster	
Ward:	Branston	
Ward Member (s):	Councillor A Clarke Councillor Mrs P L Ackroyd Councillor R G W Grosvenor	
Date Registered:	04 September 2018	
Date Expires:	03 December 2018	
Reason for being on Agenda	The application is considered to be in the public interest.	

1. Executive Summary

- 1.1 The application site has outline planning consent for the erection of up to 86 dwellings. This application scheme for 84 dwellings (including apartments), is the first reserved matters application to be submitted for the site.

- 1.2 This reserved matters submission for the erection of 84 dwellings and apartments includes details of appearance, landscaping, layout, and scale for consideration.
- 1.3 This development has access off Clays Lane, forming a self-contained estate. The density of the development is slightly lower than that granted under the outline planning permission. There is an area of public open space located relatively centrally within the site. The site contains several turning heads with private drives spurring off them creating a natural hierarchy of streets.
- 1.4 Statutory consultees have been in discussions throughout the entire process and are now satisfied with the revised proposals raising no objections that cannot be overcome through the use of appropriate planning conditions. The revisions related to the layout of the development, access arrangements and surface water drainage.
- 1.5 Local residents and Branston Parish Council have been notified of the application and a site notice posted. Five representations and Parish Council response have been received raising objections in respect of the proposals.
- 1.6 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.
- 1.7 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 and biodiversity.
- 1.8 In light of the above conclusions on the planning merits of the case the application is recommended for **approval** subject to conditions.
- 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 application site comprises 2.56 hectares (6.33 acres) of land to the north of Main Street and the east of Clays Lane, Branston. The site consists of a former haulage yard and adjoining grassland bounded by Branston Village Hall and a highway embankment to the south, the Derby to Birmingham railway line to the east, residential properties to the north and residential properties and grassland to the west. The site lies within the Burton on Trent development boundary.
- 2.2 The application site is enclosed by a variety of boundary treatments. The boundary to Branston Village Hall consists of a concrete fence approximately 2 metres (6'6") in height, as well as a row of established coniferous trees. The boundary with the adjoining railway line comprises a mesh fence approximately 1 metre (3'3") in height. Boundaries with adjacent dwellings predominantly consist of post and rail fencing approximately 1 metre (3'3") in height, with the exception of the northernmost site boundary, which comprises a vertically boarded timber fence approximately 2 metres (6'6") in height. There are several established trees along the western site boundary.

3. Planning history

- 3.1 P/2014/01460 - Outline application to develop 2.56 hectares for residential purposes (up to 86 dwellings) including details of access. Conditionally approved 29/11/2016.

- 3.2 P/2010/00519 – Renewal of OU/05203/021. Conditionally approved.
- 3.3 OU/05203/021 – outline application to develop 2.56 hectares of land for residential purposes – Conditionally approved 06/04/2006.
- 3.4 OU/05203/020 – Outline application to develop 0.58 hectares of land for residential purposes – Withdrawn 19/11/2005.

4. The proposal

- 4.1 The application is a reserved matters submission for the erection of 84 dwellings and apartments, including details appearance, landscaping, layout and scale. The outline application was approved under delegated powers in November 2016. This reserved matters scheme is being brought forward by two developers, Peverill Homes and Wise Living.
- 4.2 The residential accommodation comprises:

Peverill Homes

- 10 no. 3 bedroom detached dwellings
- 20 no. 4 bedroom detached dwellings

Wise Living

- 17 no. 2 bedroom duplex apartments
- 31 no. 3 bedroom semi-detached dwellings

Affordable Housing

- 2 no. 1 bedroom duplex apartments
 - 4 no. 2 bedroom dwellings
 - 1 no. 3 bedroom dwelling
 - 1 no. 4 bedroom dwelling
- 4.3 The proposed dwellings are almost equally split between detached and semi-detached. There some terraced rows of duplex apartments and all of the development is 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 soft landscaping scheme has been submitted with the application and consists of tree planting mainly to frontages, specimen shrub and shrub planting and planting to the area of public open space (POS).

4.5 Proposed boundary treatments consist of a mixture 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 Parish Council	Object on the grounds of inadequate infrastructure ie access/exit not adequate for this scale of development.
5.3	SCC Highways	No objection subject to conditions.
5.4	SCC Education	No objection.
5.5	SCC Flood Risk Team	No objection subject to conditions.
5.6	Environment Agency	No objection.
5.7	The National Forest	No objection.
5.8	Network Rail	No objection subject to conditions.
5.9	Crime Reduction	No objections but makes recommendations to improve crime prevention.

Internal Consultees		Response
5.10	Environmental Health	No objections subject to conditions. Methods of ventilation will need to be secured by condition, it is noted that details of contamination and appropriate mitigation required as part of the outline consent (condition 6) are still required. .

6. Neighbour responses

6.1 Five (5) letters of representation were received.

Neighbour responses	
Highways Impacts	Concerns over the access and the level of traffic generated by the development.
Demolition	Objects as they occupy one of the properties due to be demolished.
Boundary Treatments	Concerns over the boundary treatment to plots 46 to 54.
Land Contamination	Proposal is being built upon a land fill site.
Other Considerations	Impact on wildlife, design and landscaping and the impact on local services.
Ward Member	No representations received.

7. Policy Framework

National Policy

- National Planning Policy Framework

- National Planning Policy Guidance

Local Plan

- Principle 1: Presumption in Favour of Sustainable Development
- SP1: East Staffordshire Approach to Sustainable Development
- SP2 Settlement Hierarchy
- NP1: Role of Neighbourhood Plans
- 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
- DP4 Replacement Dwellings in the Countryside
- DP7 Pollution and Contamination
- DP8 Tree Protection

'Made' Neighbourhood Plans

Branston

- B1 – Integrating New development with Existing Communities
- B2 – Design
- B4 – Local Landscape Character
- B5- Health and Well Being
- 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

Supplementary Planning Documents

- Housing Choice SPD
- Car Parking Standards SPD
- Separation Distances and Amenity SPD
- East Staffordshire Design Guide SPD
- Open Spaces and Playing Pitch SPD

8. Principle of Development

8.1 The NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a

golden thread running through both plan-making and decision-taking. Paragraph 14 of the NPPF states that for decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

8.2 Paragraph 251 of the NPPF states that ‘due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the framework, the greater the weight that may be given’.

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 and scale of the development 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 Strategic Policies 1 and 24 state that development proposals must contribute positively to the area in which they are proposed. The policy lists a number of criteria developments are expected to achieve including creating a sense of place, reinforcing character, reflecting densities and where possible minimise the production of carbon through sustainable construction.

- 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.
- 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 compliment its surroundings.
- 11.7 The East Staffordshire Design Guide is equally applicable to the policy aspirations of SP24. It states that:
- (a) Residential layouts should be designed with focus on the streets and spaces between dwellings rather than the individual buildings themselves;
 - (b) The location of buildings in relation to streets should create interesting streetscapes including consciously arranged views and vistas within and out of the development;
 - (c) Long straight and sweeping roads should be avoided with a preference for traffic calming inherent in the design of the development;
 - (d) Repetitive house types should be avoided;
 - (e) The cramming together of large numbers of detached properties should be avoided.
 - (f) High proportions of frontage car parking will not be acceptable.
- 11.8 Detailed policy 2 aims for development to achieve high sustainability and environmental credentials adopted energy efficiency techniques and other standards where possible.
- 11.9 The Separation Distances and Amenity SPD sets out spacing standards for new residential development and includes requirements for parking and garaging.

- 11.10 The site is accessed from Clays Lane and within the site there is also a number of short private driveways accessing no more than five properties. This has been assessed thoroughly by the County Highway Authority who have raised no objections to its inclusion confirming that the scheme would not prejudice the efficacy of the highway or strategic network subject to suitable visibility splays and access geometry. These details can be secured via a suitably worded condition (attached).
- 11.11 The site has an inward looking layout due to the backland nature of the site with the area of open space benefitting from natural surveillance. The layout provides a well planted main route through the site to maintain a softening of the development.
- 11.12 Each plot is provided with sufficient off-street car parking which is either provided within driveways, integral garages or detached garages. A condition will be applied to ensure that the garages are maintained for their intended purpose. The spacing standards as set out in the Separation Distances and Amenity SPD are met.
- 11.13 The proposed development consists of two storey dwellings and duplex apartments. Whilst plots will vary, eaves heights for the Peveril Homes are typically between 5 and 5.5 metres and ridge heights of between 7.8 to 8.9 metres depending on the house type. The Wise Living properties have an eaves height of 4.7m with a ridge height of 6.7 metres. The range of houses has been designed by Peveril Homes with similar traditional styles and designs, which demonstrates a satisfactory 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 excessive repetition. The Wise Living properties have a simpler, less traditional design but are considered satisfactory within the context of the site and wider surroundings. It is considered that the scale of development proposed is consistent with the outline consent.
- 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 a satisfactory form of development that is sympathetic to the adjacent built form.
- 11.15 Overall, 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 and B7 of the Branston Neighbourhood Plan, the East Staffs Design Guide. The Separation Distances and Amenity SPD and the NPPF.

12. Residential Amenity

- 12.1 The National Planning Policy Framework and DP1, DP3 of the Local Plan seeks to ensure new residential development will not have an adverse impact on the amenities of new or existing residents by way of loss of light, overlooking or overbearing.
- 12.1 The Borough Council's Design SPD was adopted prior to the outline permission being granted and contains no set separation nor garden size requirements. The Separation Distances and Amenity SPD was adopted in October 2017, and as such can be given limited weight in the assessment of

this reserved matters application. Notwithstanding this, the separation distances and garden sizes set out in this document are considered to be reasonable and have been applied and used as broad standard in the assessment of this application. The proposed layout shows that the dwellings can be accommodated on the site without compromising the reasonable amenities of their future occupiers, and allowing for sufficient outdoor private amenity space. It is therefore considered that the proposed development integrates satisfactorily with the adjoining built form, in compliance with the provisions of Local Plan Policies DP1 and DP3.

- 12.2 The proposed layout shows each new dwelling is sufficiently distant from both existing residential properties and proposed residential properties to avoid causing them an unacceptable loss of light or privacy or any overbearing impacts. The scheme is therefore compliant with the provisions of Local Plan Policies SP1, SP24, DP1 and DP3, the East Staffordshire Design Guide, the Separation Distances and Amenity SPD and the NPPF.
- 12.3 Taking into consideration the layout of the scheme the relevant separation distances set out in the Separation Distances and Amenity SPD would be met. The density of the development gives rise to adequately sized front and rear gardens, with appropriate planting proposed to front gardens. The exception to this would be the 'duplex apartments' of plots 12-36, which back onto the railway line along the Eastern boundary of the site. Areas of private amenity space are provided to the side and rear of these dwellings, however it is noted that this would fall short of the requirements set out in the Separation Distances and Amenity SPD. On balance, given the layout of the apartments, the parameters set by the host 'outline' permission and the large area of public open space within a short distance of plots 12-36, it is not considered that a refusal of the application could be sustained on the grounds of insufficient amenity space being provided to plots 12-36.
- 12.4 The floor layout plans indicate a good level of residential accommodation for future occupiers and therefore it is considered that the proposals would result in a good to acceptable standard of living accommodation for future residents.
- 12.5 Due to the level of noise from the adjacent railway line, the layout and design of plots 12-36 has been redesigned to include single aspect facades adjacent the railway line and a 3m barrier adjacent the southern boundary, adjacent to Main Street. Taking into consideration the layout of these apartments, it is considered that they still provide an acceptable standard of living accommodation for future residents. Environmental Health have confirmed that specific details of ventilation to these plots will be required, this can be covered by a suitably worded condition.
- 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 Concerns have been raised in regard to contaminated land. This reserved matters application does not cover this issue. Contaminated land is covered by

condition 6 of the outline consent. Condition 6 requires the submission of a contaminated land assessment and associated remedial strategy to be submitted and approved by the Local Planning Authority.

12.8 In conclusion, therefore, the proposed layout shows that 84 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, the objectives of the Separation Distances and Amenity SPD and the National Planning Policy Framework.

13. Landscaping, Green Infrastructure and National Forest

13.1 Strategic Policy 30 states that development proposals will be expected to demonstrate that they have taken into account the Landscape Character Assessment for Staffordshire and consist of a scheme which reflects the landscape character and where possible enhances the landscape quality.

13.2 Policy DP8 relates to tree protection. This policy states that where there are existing trees of value on site developers must ensure that new developments are designed to retain as many trees as possible.

13.3 Policy B4 of the Branston Neighbourhood Plan ‘Local Landscape Character’ states that development should respect the local environment, taking account of the local landscape character and its historical development. All development defined as major for planning applications purposes will be required to demonstrate how landscape character, have been considered and have been used to influence the development’s layout and design. Hedgerow networks should be conserved and new developments should seek to enhance the local landscape through new woodland creation, tree planting and enhancing connectivity between new developments and existing woodlands.

13.4 Policy B5 of the Branston Neighbourhood Plan sets out that new major developments should provide increased healthy lifestyle choices through high quality accessible open spaces and Policy B6 requires new development to support local wildlife habitats and give consideration to the treatment of urban edges in new developments.

13.5 The National Planning Practice Guidance is clear that green infrastructure is important to the delivery of high quality sustainable development, alongside other forms of infrastructure such as transport, energy, waste and water. Green infrastructure provides multiple benefits, notably ecosystem services, at a range of scales, derived from natural systems and processes, for the individual, for society, the economy and the environment. To ensure that these benefits are delivered, green infrastructure must be well-planned, designed and maintained. Green infrastructure should, therefore, be a key consideration planning decisions where relevant.

13.6 Strategic Policy 23 states that development should contribute towards the creation, enhancement or ongoing management of a series of local green infrastructure corridors and strategic policy 26 sets out requirements in terms of the National Forest. This policy supports the National Forest Strategy and expects developments within the National Forest to contribute towards the

creating of the Forest by providing on-site or nearby landscaping that meets the National Forest planting guidelines.

- 13.7 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. Planting has been located so as not to result in visibility issues for streets and parking. The National Forest Company has stated they are satisfied with the proposed landscaping plan. Whilst there is no specific National Forest Planting on site, the S106 agreement attached to the outline consent makes provisions to secure the necessary £11,000 in off site contributions. 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.
- 13.8 Accordingly, it is considered that the proposed landscaping scheme is acceptable and the objectives set out in Local Plan Policies SP23, SP26 and SP30, Branston Neighbourhood Plan Policies B4, B5 and B6 are met.

14. Open Space

- 14.1 The NPPF states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area.
- 14.2 Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.
- 14.3 SP32 and the Open Spaces and Playing Pitch SPD sets out the requirements of open space provision across the Borough.
- 14.4 The Borough Council will seek to deliver new provision and protect and enhance existing outdoor open space and sport facilities by safeguarding sites for the benefit of local communities and applying the standards set out in the Local Plan.
- 14.5 Developers should provide open space to the local standard identified for the area. Local Standards are identified in the Local Plan Supplementary Planning Document.
- 14.6 The Branston Made Neighbourhood Plan policy B7 encourages new developments to integrate open space/ green infrastructure into new developments.
- 14.7 The proposed development includes an area of open space centrally located along the length of the development. The open space incorporates a footpath and tree planting and is of a suitable size to be a meaningful and useable space for future residents. The provision of open space is consistent with the extant consent, and includes suitable access points for residents. The objectives of the relevant Local and Neighbourhood Plan Policies and the NPPF are therefore met by this proposal.

15. 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 Branston Neighbourhood Plan 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.

16. Highway Matters

- 16.1 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.
- 16.2 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.
- 16.3 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.
- 16.4 The Car Parking Standards SPD requires two off road parking spaces to be provided for two to three bedroom houses and 3 spaces for 4+ bedroom houses.

Neighbourhood Plan policies (those relating to parking)

- 16.5 The Branston Neighbourhood in policy B11 sets out the following minimum parking standards:

1	Bed/House/Flat	1 off road car parking space
2	Bed/House/Flat	2 off road car parking space
3	Bed/House/Flat	2 off road car parking space
4	Bed/House/Flat	2 off road car parking space
5	Bed/House/Flat	3 off road car parking space

- 16.6 There is adequate parking to serve each plot with several of the larger properties also having 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.
- 16.7 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. A condition can be applied to ensure compliance with the Parking Standards SPD in regard to cycle storage.
- 16.8 The Parking Standards SPD requires the ability to provide electric charging points within some of the properties. It is considered that this can be secured by a suitably worded condition.
- 16.9 The County Highway Authority has no objections to the layout proposed, subject to appropriate conditions, most dealing with technical aspects of the development.
- 16.10 A Strategic Construction Management Plan is required as part of condition 12 of the outline host 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.
- 16.11 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.

17. Flood Risk and Drainage

- 17.1 Section 10 of the National Planning Policy Framework seeks to ensure that new development is not at risk from flooding, or does not increase flood risk elsewhere. It advocates the use of a sequential test with the aim of steering new developments to areas with the lowest probability of flooding. The Environment Agency produces flood risk maps which classifies land according to probability of flooding. The areas of highest risk are classified as Flood Zone 3, with a 1 in 100 or greater annual probability of flooding, and the areas of lowest risk are classified as Flood Zone 1, with a less than 1 in 1000 annual probability of flooding.
- 17.2 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.
- 17.3 The site falls within Flood Zone 2. The Environment Agency has been consulted and has raised no objections to the proposed development.

- 17.4 Revised and detailed surface water drainage details have been submitted during the course of the application. The Local Lead Flood Authority has withdrawn their initial objections and are satisfied with the revised drainage strategy, as shown in Drawing No. 101, Rev E, dated June 2019, where all foul water will drain to an existing Severn Trent Water sewer network. It is considered that the drainage strategy can be secured by a suitably worded condition.
- 17.5 Therefore, the scheme is developable in accordance with Local Plan Policy SP27 and the NPPF.

18. Affordable Housing and Housing Mix

- 18.1 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.
- 18.2 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.
- 18.3 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. The applicant has confirmed on the revised layout drawing that plots 18-20, 23, 24, 27, 28, 33 and 34 will be built to the M4 (2) standard. These properties provide a range of accommodation sizes in line with the guidance referred to above. A condition to secure provision of the standard for these dwellings is attached.
- 18.4 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.
- 18.5 The proposal provides for 8 No. properties which would be affordable housing and located within the site in line with the outline consent. With the changes in house types now being proposed on the overall site there would be 2 No. 1 bed duplex apartments, 17 No. 2 bed duplex apartments, 4 No. 2 bed dwellings, 42 No.3 bed dwellings and 21 No. 4 bed dwellings varying in design, layout and scale.
- 18.6 The proposed housing mix and affordable housing provision is considered to be sufficiently in line with the parameters set by the outline planning consent and agreed s.106 agreement so as to continue to meet with the objectives of the Local Plan in respect of Policies SP16 and SP17, Branston Neighbourhood Plan Policy B9 and the NPPF.

18.7 The location, layout and mix of dwellings is considered appropriate for the development and is generally in accordance with development plan policy.

19. Other Matters

19.1 The applicant has confirmed that 10% of dwellings will have electric charging points and superfast broadband would be made available to all properties within the development.

20. Conclusions

20.1 This proposal will result in the development of 84 dwellings and apartments upon which the principle of development has previously been established by the granting of outline planning permission in 2016.

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 RECOMMENDATION

APPROVE RESERVED MATTERS, subject to the following conditions:-

1. Compliance with the approved plans (Standard Condition No. 0002).
2. Details of properties to be delivered to the M4(2) Building Regulations standard (Bespoke)
3. Details of new access including visibility splays, pedestrian drop crossing (Bespoke)
4. Parking and turning facilities to be provided before each dwelling is first occupied (Standard Condition No. 00004a).
5. The site access road to be constructed to the levels indicated on Drainage Strategy drawing PJS18-18-101 Revision F (Bespoke)
6. No gates to be installed within 12 metres from edge of carriageway of Clays Lane. Any gates are to open away from the highway (Bespoke)

7. Cycle storage facilities provided in accordance with details to be submitted before occupation of any dwellings. (Bespoke)
8. Garages to be retained as being available for parking at all times (Bespoke)
9. Construction with the ability of installation of electric charging points. (Bespoke)
10. A scheme of dust and construction noise mitigation to be submitted and approved prior to commencement (Bespoke).
11. Implementation of the submitted Drainage Strategy
12. Details of ventilation
13. Removal of Permitted Development Rights (00012a)

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. Highway Works Agreement
5. The development will need approval under Staffordshire Act 1983 and Highways Act 1980
6. Any soakaway should be located a minimum of 4.5m rear of the highway boundary
7. 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/2014/01460 and associated Section 106 Agreement
- National Planning Policy Framework
- National Planning Practice Guidance
- ESBC Local Plan and related SPDs
- Branston Neighbourhood Plan
- All documents on file P/2018/01042

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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