

**Agenda Item:** 5.2

<b>Site:</b>	Land to the West of Uttoxeter, A50 Bypass, Uttoxeter, Staffordshire, ST14 7RB
<b>Proposal:</b>	Outline planning application for residential development (C3), employment uses (B1) (Business), B2 (General Industrial),(B8) (Storage and Distribution)), residential care home (C2) and local centre (A1) (Retail), (A2) (Financial and Professional Services), (A3) (Restaurants and Cafes), (A4) (Drinking Establishments) and (A5) (Hot Food Takeaways), (D1) (Non-residential institutions) with associated green infrastructure, engineering works and means of access from the A50 and all other matters reserved.

**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/2020/00253	
<b>Planning Officer:</b>	Barbara Toy	
<b>Type of Application:</b>	Outline Planning Application	
<b>Impact on Heritage Assets under S66(1) and S72</b>	No impacts	
<b>Applicant:</b>	St Modwen Developments Ltd	
<b>Ward:</b>	Abbey	
<b>Ward Member (s):</b>	Councillor C V Whittaker Councillor C Sylvester Councillor D H Goodfellow	
<b>Date Registered:</b>	09 April 2020	
<b>Date Expires:</b>	08 July 2020 An extension of time has been agreed with the agent	
<b>Reason for being on Agenda</b>	Major Application	
<b>Officer Recommendation</b>	Approval subject to conditions and S106 Agreement	

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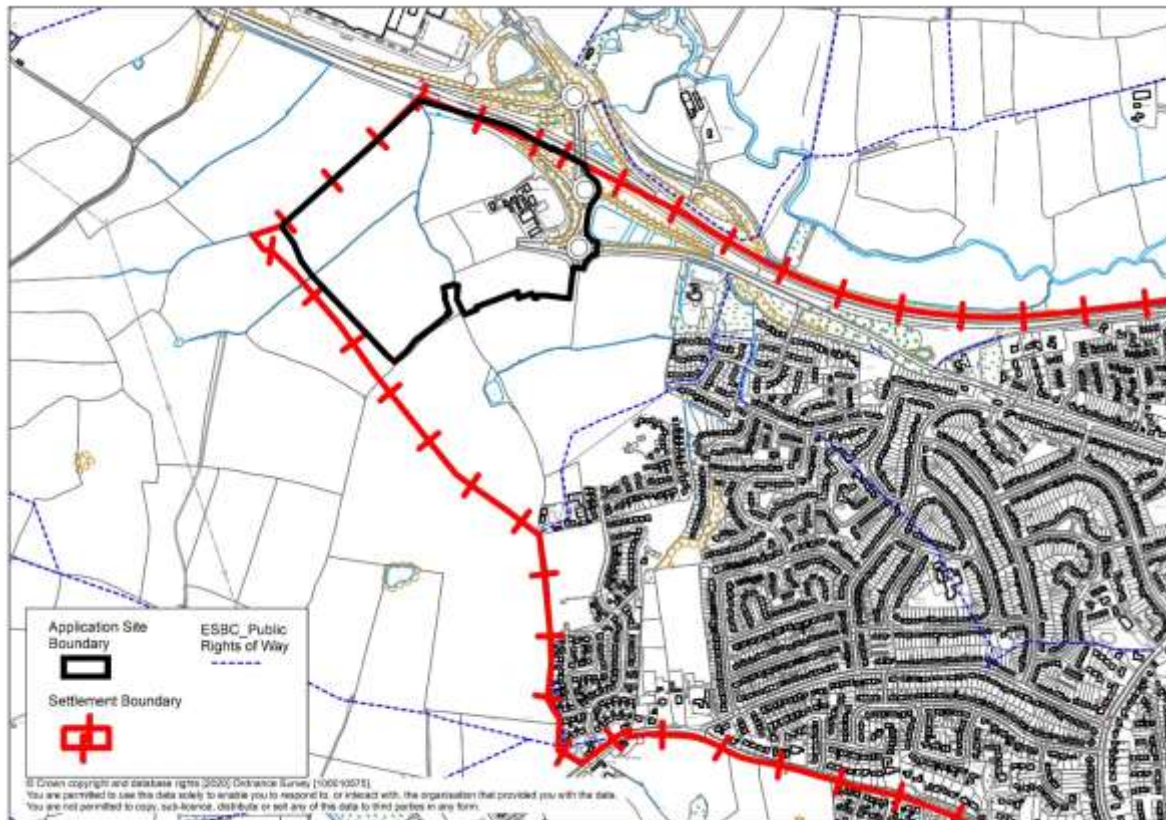
## 1. Executive Summary

- 1.1 The application site comprises approx. 16.67 hectares of predominantly agricultural land on the western edge of the settlement of Uttoxeter. The site forms the most northern element (Phase 3) of the previously approved Sustainable Urban Extension (SUE) site known as Land West of Uttoxeter. Phases 1 and 2 are situated to the south of the application site and have both outline and reserved matters approval for 700 houses and a new first school.
- 1.2 This is an outline application for residential development (C3), employment uses (B1 Business), (B2 General Industrial), (B8 Storage and Distribution)), residential care home (C2) and local centre (A1 Retail), (A2 Financial and Professional Services), (A3 Restaurants and Cafes), (A4 Drinking Establishments) and (A5 Hot Food Takeaways), (D1 Non-residential institutions) with associated green infrastructure, engineering works with means of access from the A50 with all other matters apart from access to be reserved for future determination.
- 1.3 The access to the site would be from the improved A522/West of Uttoxeter SUE access roundabout to the north east of the site which links to the approved spine road (Iverson Way) which will run through the whole SUE site to Bramshall Road to the south. The A522 roundabout links to the north with a further roundabout that accesses the A50.
- 1.4 Statutory consultees have raised no technical objections that cannot be overcome by way of planning conditions.
- 1.5 Uttoxeter Town Council have raised objections on the grounds of the highway impacts of the scheme on the surrounding roads. One neighbour objection has been received on the grounds of biodiversity and climate change and to seek reassurance that affordable housing will be provided.
- 1.6 The principle of the use of the site is already established under the original outline consent for the whole SUE in 2015. Phases 1 and 2 of the SUE have already provided the 700 homes approved under the original outline consent, so the new proposals would provide additional housing. The employment uses, the local centre, care home and green infrastructure would however be in line with the original outline consent and follow the requirements of Policy SP7 for a SUE.
- 1.7 A S106 Agreement would secure financial contributions to ensure affordable housing, education provision, healthcare provision, open space, refuse storage and travel plan monitoring as well as to ensure the provision of public transport is provided to the site and a landscape management company is formed to ensure maintenance within the site. Accordingly, it is considered that the scheme complies with the aims and criteria of relevant policies from the Local Plan, the Council's Supplementary Planning Documents (SPDs), the 'Made' Neighbourhood Plan for the Parish of Uttoxeter and the National Planning Policy Framework.

- 1.8 In light of the above conclusions on the planning merits of the case the application is recommended for **approval** subject to the necessary S106 agreement and conditions.

**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 approx. 16.67 hectares of predominantly agricultural land on the western edge of the settlement of Uttoxeter. The land is predominantly undeveloped except for a group of single storey farm buildings at Park Farm towards the north eastern boundary of the site.
- 2.2 The site forms the most northern element (Phase 3) of the approved Sustainable Urban Extension site known as Land West of Uttoxeter (see history below). Phases 1 and 2 are located to the south of the site and have both outline and reserved matters approval for 700 houses and a new first school. A large number of the approved houses are already built and occupied, accessed off Bramshall Road.
- 2.3 To the north the site is bounded by the A50 and the A522 new highway junction, with JCB World Parts Centre on the opposite side of the A50. To the

west are open fields, immediately to the south is the remainder of the development site off Bramshall Road with a large number of new houses completed and still under construction. To the east existing housing in the western urban edge of Uttoxeter.

2.4 The site is situated within Flood Zone 1

### 3. Relevant Planning History

#### 3.1 Original Outline Consent

**P/2013/00882** - outline consent 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. GSC and S106 Agreement 13-11-2015

#### 3.2 Phase 1A

**P2014/00883** – full application for the erection of 58 dwellings. GSC and S106 Agreement 13-11-2015.

#### 3.3 Phase 1B

**P/2016/00216** – reserved matters application for the erection of 40 dwellings including 13 affordable units GSC 22-11-2016

There was a degree of overlap between Phase 1A and Phase 1B that resulted in an overall provision of 87 dwellings across the two phases including 13 affordable units).

#### 3.4 Phase 1C

**P/2017/00426** – Phase 1C reserved matters application for the erection of 119 dwellings including 18 affordable units GSC 25-08-2018

#### 3.5 Phase 1D

**P/2017/00572** – Phase 1D reserved matters application for the erection of 44 dwellings, including 7 affordable units GSC 22-12-2017

#### 3.6 Phase 3A

**P/2018/00358** – Phase 3A reserved matters application for the erection of 5 detached buildings for Class B1, B2 and B8 uses. GSC 17-08-2018

#### 3.7 Phase 2

**P/2018/00510** – Phase 2 reserved matters application for the erection of 450 dwellings including 121 affordable units GSC 24-10-2018

3.8 **P/2018/00355** – full application for the construction of spine road with associated drainage, electricity sub-station, gas governor, earth works and landscaping GSC 10-08-2018

3.9 **P/2018/01405** – reserved matters application for the construction of new first school (150 pupils plus 26 full time nursery places) GSC and Deed of Variation of the outline S106 Agreement to secure a Travel Plan monitoring fee 18-06-2020

In addition, since the original outline consent there have been a large number of Discharge of Condition applications and Minor Amendment applications.

#### 4. The proposal

- 4.1 This is an outline application for residential development (C3), employment uses (B1 Business), (B2 General Industrial), (B8 Storage and Distribution)), residential care home (C2) and local centre (A1 Retail), (A2 Financial and Professional Services), (A3 Restaurants and Cafes), (A4 Drinking Establishments) and (A5 Hot Food Takeaways), (D1 Non-residential institutions) with associated green infrastructure, engineering works with means of access from the A50 with all other matters apart from access to be reserved for future determination.
- 4.2 The access to the site is shown utilising the improved A522/West of Uttoxeter SUE access roundabout to the north east of the site which links to the approved spine road (Ivinson Way) which will run through the whole SUE site to Bramshall Road to the south. The A522 roundabout links to the north with a further roundabout that accesses the A50, Phase 1 of the A50 highway improvements.
- 4.3 The development description includes no details of the number of residential units to be provided, this will be determined under a future reserved matters application. An illustrative masterplan has been submitted for information only and indicates that 3.8 hectares of the site would be utilised for residential development.
- 4.4 Similarly no details of the proposed industrial development are provided but the submitted illustrative masterplan indicates 10.15 hectares for employment development and 0.62 hectares indicated for the proposed local centre.

#### List of supporting documentation

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

- Site Location Plan
- Illustrative Masterplan
- Demolition Plan
- Design and Access Statement
- Planning Statement
- Noise Survey and Assessment
- Air Quality Assessment
- Arboricultural assessment
- Phase 2 Interpretive Report
- Written Statement of Investigation and Addendum
- Archaeological Building Record
- Archaeological Watching Brief
- Heritage Desk Based Assessment
- Geophysical Survey
- Environmental Statement
- Landscape and Visual Appraisal
- Earthworks Survey
- Transport Statement

- Updated Transport Statement
- Foul Water Drainage Strategy
- Surface water Drainage Strategy
- Drainage Framework Plan
- Park Farm Remedial Strategy

4.6 The relevant findings are dealt with in section 8 onwards below.

## 5. Consultation responses and representations

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

Statutory and non statutory consultee		Response
5.2	Town Council	<p>This new proposal for 162 additional houses on the site will cause further congestion of the roads in the area resulting from the failure of SCC to carry out phase 2 of the A50 improvement project to remove the traffic roundabouts at McDonalds and Derby Road Junctions.</p> <p>The completion of Phase 1 in isolation has resulted in a huge increase in traffic volumes through the village of Stramshall as vehicles attempt to avoid the queues Eastbound towards the McDonalds roundabout which extend to the new junction at peak times (See Google maps from 7.00am onwards). The siting of these 162 houses right against this new A50 access adjacent to the JCB factories at Beamhurst is highly likely to exacerbate this situation as more traffic makes the short trip across the new roundabout system, down to Beamhurst and then through Stramshall in an attempt to escape the traffic jam.</p> <p>In addition, with the McDonalds and Derby Road roundabouts blocked at peak work travel times, many of the other residents of the Bramshall Meadows development will use this 'rat run'. It should be noted that approval of the Bramshall Meadows development was on an understanding that both A50 Projects would be completed in order to provide the necessary infrastructure to support the new development. Further development will further compromise access to and from the A50 at the Phase 1 junction leading to congestion of the entire area as traffic queues to join a very slow moving Eastbound line of HGVs resulting in congestion of the entire roundabout system.</p> <p>Planners should also consider the implications of the new development adjacent to the Blythe Bridge roundabout which will inevitably lead to further congestion of the A50 in that direction too</p> <p>In light of the above we recommend that no approval of these additional houses and business premises should be</p>

		made until the traffic problem on the A50 is resolved by completion of phase 2.
5.3	SCC Highways	Following the receipt of additional information, no objections subject to conditions
5.4	SCC Education	No objections subject to a S106 financial contribution towards first school and middle school education
5.5	SCC Flood Risk Team	No objections subject to condition to secure a surface water drainage scheme
5.6	SCC Archaeologist	No archaeological issues. Conditions 19 and 20 on the outline consent have been satisfied through the archaeological evaluation and recording works undertaken over the past 5 years.
5.7	SCC Waste	No objections subject to S106 contribution of £75 per dwelling for the provision of refuse bins.
5.8	Environment Agency	No objection subject to condition relating to any additional contamination found not previously identified
5.9	Severn Trent Water	No objection subject to condition to secure appropriate foul and surface water drainage for the site and a note to the applicant regarding public sewers
5.10	Natural England	No comments
5.11	Highways England	No objections subject to conditions regarding air quality assessment, noise assessment, surface water drainage and construction management plan
5.12	Architectural Liaison Officer	No objections. Guidance provided on pedestrian and vehicle routes and security (Secured By Design)
5.13	Primary Care (Clinical Commissioning Group)	The increased population that this development will bring will increase the need for local primary care provision therefore a financial contribution towards primary care provision should be secured through a S106 Agreement
5.14	Cadent	No objections, an informative to the developer recommended
5.15	Centre Bus	New revised bus services or bus tickets for new residents or employees should be provided

Internal Consultees		Response
5.16	Environmental Health	No objections subject to conditions regarding air quality, noise and contaminated land.
5.17	Housing Strategy	The will require the provision of affordable housing on site and a commuted sum to be secured through a S106 Agreement
5.18	Open Spaces	No objections subject to condition to ensure 1.45ha of open space is provided on site (not including SUDS)
5.19	Tree Officer	No objections subject to secure replacement tree planting and tree protection during construction. Whilst a number of trees will be lost they are mostly Category C or U not worthy of retention

## 6. Neighbour responses

6.1 1 objection was received.

Neighbour responses	
<b>Affordable Housing</b>	A high level of affordable housing should be provided
<b>Biodiversity</b>	Wish to see a net gain in biodiversity and contribute to measures to reduce the impact of climate change locally  An ecological survey needs to be undertaken  Wildlife corridors should be provided through the site  Native tree planting
<b>Climate Change</b>	The buildings should be highly energy efficient

6.2 Centre Bus have requested clarifications on whether a new/revised local bus service for the site or whether the developer will provide bus tickets for residents or employees of businesses on site (see paragraph 10.10 below).

## 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
- SP3: Provision of Homes and Jobs 2012-2031
- SP4 Distribution of Housing Growth 2012 – 2031
- SP5: Distribution of Employment Growth 2012 - 2031
- SP7: Sustainable Urban Extensions
- SP8: Development Outside Settlement Boundaries
- SP9: Infrastructure Delivery and Implementation
- SP10: Education Infrastructure
- SP13: Burton and Uttoxeter Existing Employment Land Policy
- SP14: Rural Economy
- SP16: Meeting Housing Needs
- SP17: Affordable Housing
- SP23: Green Infrastructure
- SP24: High Quality Design
- SP27: Climate Change, Water Body Management and Flooding
- SP28 Renewable and Low Carbon Energy Generation
- SP29: Biodiversity and Geodiversity



- SP32: Outdoor Sports and Open Space
- SP35: Accessibility and Sustainable Transport
- DP1: Design of New Development
- DP2: Designing in Sustainable Construction
- DP3: Design of New Residential Development, Extensions and Curtilage Buildings
- DP5: Protecting the Historic Environment: All Heritage Assets, Listed Buildings, Conservation Areas and Archaeology
- DP7: Pollution and Contamination
- DP8: Tree Protection

### Uttoxeter Neighbourhood Plan

Policy D1 – Residential Design  
 Policy D3 – Space between buildings  
 Policy B1 – Employment Land  
 Policy T1 – Sustainable Transport  
 Policy T2 – Links to the Town Centre  
 Policy T3 – Parking Standards  
 Policy L3 – Public Open Space  
 Policy H1 – Housing on Windfall Sites  
 Policy H2 – Housing Mix and Standards

### Supplementary Planning Documents

- Revised Car Parking Standards SPD
- Separation Distances and Amenity SPD
- Housing Choice SPD
- East Staffordshire Design Guide SPD
- Open Spaces and Playing Pitch SPD
- Planning Obligations SPD
- Waste Storage and Collection Guidance SPD

## **8. Assessment**

8.1 It is considered that the key issues relevant to the determination of this application are as follows:-

- Principle of the Development
- Access and Highway Matters
- S106 Contributions

8.2 All matters in relation to ‘appearance’, ‘landscaping’, ‘layout’ and ‘scale’ are reserved and are not material considerations of this application. Design, Layout and Residential impacts along with housing mix and car parking provision cannot be taken into consideration under this outline application. These matters will require a separate ‘Reserved Matters’ application which will be given full consideration at that stage.

## **9. Principle of Development**

### **Relevant Policies**

9.1 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.

9.2 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’.

#### 5 Year Land Supply

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

#### Local Plan

9.4 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.

9.5 Strategic Policy 1 sets out the East Staffordshire Approach to Sustainable Development. Principles listed in the policy include social, environmental and economic considerations to be taken into account in all decision making where relevant. The principles are:

- located on, or with good links to, the strategic highway network, and should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of open countryside;
- it is convenient and safe to walk, cycle and travel by public transport between (and for larger sites, around) the site and existing homes, workplaces, shops, education, health, recreation, leisure, and community facilities and between any new on-site provision;
- retains, enhances, expands and connects existing green infrastructure assets into networks within the site and within the wider landscape;
- re-uses existing buildings where this is practicable and desirable in terms of the contribution the buildings make to their setting
- integrated with the character of the landscape and townscape, provides for archaeological investigation where this is appropriate and conserves and enhances buildings of heritage importance, setting and historic landscape character;

- designed to protect the amenity of the occupiers of residential properties nearby, and any future occupiers of the development through good design and landscaping;
- high quality design which incorporates energy efficient considerations and renewable energy technologies;
- developed without incurring unacceptable flood risk or drainage problems and uses Sustainable Drainage Systems (SUDS) where appropriate;
- does not harm biodiversity, but rather enhances it wherever possible, including increasing tree-cover, especially as part of the National Forest;
- creates well designed and located publicly accessible open space;
- would demonstrably help to support the viability of local facilities, businesses and the local community or where new development attracts new businesses and facilities to an area this does not harm the viability of existing local facilities or businesses;
- would contribute towards the creation of sustainable communities through the provision of a mix of housing types and tenures;
- uses locally sourced, sustainable or recycled construction materials (including wood products from the National Forest where this is appropriate), sustainable waste management practices and minimises construction waste;
- safeguards the long term capability of best and most versatile agricultural land (Grade 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future; and
- would result in the removal of contamination and other environmental problems associated with the site.

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

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

9.7 Strategic Policy 5 allocates new employment development on Sustainable Urban Extensions and on sites at Burton Upon Trent and Uttoxeter. Strategic Policy 14 states that within Tier 1 and Tier 2 settlement boundaries and rural industrial estate boundaries employment development will be approved subject to meeting policies in the plan as a whole. Strategic Policy 13 aims to protect existing employment uses and refers to the Employment land review as a key source of evidence in both evaluating the need for new employment sites and listing those sites which should be retained as employment use within the Borough.

9.8 The local plan identifies a number of sustainable urban extensions (SUEs) which are expected to meet a variety of principles set out in Strategic Policy 7

and identifies West of Uttoxeter as a major SUE. Policy SP7 further identifies that all SUE's will make provision for:

- Green Spaces
- A range of housing choice, including affordable housing
- A range of different employment uses
- Appropriate level of retail, leisure, social, cultural, sport, community and health facilities that meet local needs
- Two tier or Three tier educational needs
- Cycle ways
- Housing located within a maximum of 300m of bus services
- Development that respects the environment of its rural surroundings
- Local waste management facilities
- Incorporate renewable or low carbon energy supply
- Conservation of water resources and the implementation of SUDS

9.9 Local Plan Policy DP7 relates to pollution and contamination and states that development proposals will only be granted planning permission where they will not give rise to, or be likely to suffer from unacceptable levels of pollution in respect of noise or light or contamination of ground, air or water.

9.10 Uttoxeter Neighbourhood Plan allocates the application site for housing development (diagram 3)

### **Assessment**

9.11 The proposals include the demolition of the existing single storey buildings at Park Farm, previously approved under the original outline consent. Historic building recording and archaeological evaluations have already been undertaken to discharge conditions on the original outline consent, in compliance with Policy DP5 of the Local Plan.

9.12 The application site forms the northern section of the West of Uttoxeter Sustainable Urban Extension (SUE) allocated in Policy SP7 of the Local Plan, and was granted outline planning consent in 2015 for 700 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 and green infrastructure in line with the requirements of Policy SP7.

9.13 This application forms Phase 3 of the development of the SUE with the reserved matters submissions for Phases 1 and 2 already providing the 700 dwellings and first school approved under the original outline consent.

9.14 The site includes the area already approved for 10 hectares of employment use under application P/2018/00358 and 10 hectares of employment uses was approved under the original outline consent.

9.15 This application now proposes additional residential development, employment development (B1, B2 and B8 uses), a residential care home as well as a local centre to include A1, A2, A3, A4, A5 and D1 uses and associated green infrastructure, in line with the criteria in Policy SP7.

9.16 Whilst an illustrative masterplan has been submitted that shows an indicative site layout this is for information only, the application is outline only and

includes no reference to the number of residential units, the floorspace of the employment uses or the local centre or the size of the residential care home. The proposals are for the principle of the uses on the site with access only for determination at this time.

- 9.17 The appearance, layout, scale, landscaping and all details of the development in terms of drainage, noise, air quality, ground contamination and parking will be determined under any reserved matters applications.
- 9.18 Additional housing on the site would be in compliance with Policy SP7 and is considered appropriate within the SUE.
- 9.19 The site forms part of the Council's employment land supply, providing new employment floorspace and jobs in a strategically important location with good transport access to the A50, in compliance with Policy SP7. In line with the original outline consent and reserved matters application for employment uses a condition is recommended to ensure that a minimum of 10 hectares of land provides employment uses.
- 9.20 The proposed local centre will provide shops and services within walking distance of housing and employment that will meet the day to day needs of the future residents and employees within walking distance of their properties in compliance with Policy SP7. In line with Condition 35 on the original outline consent a condition is recommended to ensure that the local centre size is restricted and the size of the units within it, in order to safeguard the viability and vitality of Uttoxeter town centre.
- 9.21 The principle of providing additional residential development, employment uses, a care home, local centre and green infrastructure at the site are in line with the original outline consent and the provisions of Policies SP1, SP2, SP4, SP5 and SP7 of the Local Plan and is considered appropriate additional development within the SUE.

## **10. Access and Highway Matters**

### **Relevant Policies**

- 10.1 The NPPF in section 4 sets out the role transport policies play in facilitating sustainable development which contributes to wider sustainability and health objectives. Decisions should consider ensure development proposals have taken the opportunities for sustainable transport modes, ensure safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 10.2 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.

- 10.3 The Council's parking standards SPD sets out standards for different uses including space size, accessibility and the quantity of car parking spaces required for different uses.
- 10.4 The Uttoxeter Neighbourhood Plan Policy T3 identifies the parking standards for new development.

### **Assessment**

- 10.5 The submission includes a Transport Statement in support of the proposals and on request from SCC Highways additional information has been provided by the applicants to include trips associated with JCB/Carters Square developments and additional trips associated with the proposed employment use and well as a revised trip distribution for the proposed residential element of the proposals.
- 10.6 Access to the site would be via the improved A522/West of Uttoxeter SUE access roundabout to the north east of the site. A spur into the site from the roundabout is already in place and this will link to the approved spine road (Ivinson Way) which will run from the roundabout to the existing access onto Bramshall Road at the southern end of the SUE. The proposed access and spine road would provide both vehicle and pedestrian access routes into and through the SUE.
- 10.7 Evidence available indicates that there are no existing highway safety issues at the A522/West of Uttoxeter roundabout.
- 10.8 SCC Highways are satisfied from the evidence submitted that the access proposed is appropriate. Conditions are recommended to ensure that specific details regarding the proposed street hierarchy, road construction, vehicle tracking for a refuse vehicle, car parking in line with the Parking Standards SPD, visibility splays, construction management plan, development phasing, cycle storage and proximity to bus stops are provided in detail within any reserved matters submission.
- 10.9 A financial contribution towards the monitoring of the site Travel Plan was paid under the original S106 Agreement and SCC Highways have confirmed that a further monitoring fee will therefore not be required.
- 10.10 The S106 Agreement on the original outline consent included a requirement for a regular passenger bus service no more than 450m from any occupied dwelling. The agent for the application has advised that discussions with bus companies is ongoing for Phase 1 of the development and SCC Highways have advised that they consider that it is unnecessary for this item to be included again in the new S106 Agreement as the proposed dwellings are likely to be within 450m walking distance of the bus stop on the link road that will be provided under the previous consent.
- 10.11 In response to the comments made by Uttoxeter Town Council SCC Highways have advised that the A522 and A50 roundabouts have significantly improved the junction capacity and the ability to accommodate both the original consent and the current proposals for the site. The second phase improvements (known as Project B) would be a Highways England scheme and outside of the control of SCC Highways. There does not appear to be any evidence to support traffic volumes are as suggested by the comments made

by the Town Council which relate to the A50 specifically, which is the responsibility of Highways England not the County Council.

10.12 Accordingly, in terms of Policies SP1 and SP35 of the Local Plan and the Uttoxeter Neighbourhood Plan the scheme is considered to be acceptable in relation to highway safety.

## 11. S106 Contributions

11.1 Paragraph 204 of the Framework and Regulation 122 of the Community Infrastructure Levy Regulations 2011 (as amended) set tests in respect of planning obligations. Obligations should only be sought where they meet the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

11.2 In this case contributions will be sought for the following:

- Affordable Housing
- Education
- Open Space
- Healthcare Provision
- Refuse Containers
- Common Amenity Area Management Scheme

### Affordable Housing and Housing Mix

11.3 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.

11.4 Strategic Policy 17 states that housing- led residential development on greenfield sites within or on the edge of Uttoxeter will provide 4 or more dwellings or on a site of 0.14 hectares or more shall provide up to 33% of affordable housing. The policy states that a minimum of 13% of affordable housing must be provided on site, with the remainder as a commuted sum payment.

11.5 SP17 also states that affordable housing provision should be delivered across the site and not in clusters of more than 8 dwellings.

11.6 The Housing Choice SPD provides guidance on the expected affordable housing mix of sites.

11.7 In this case 33% affordable housing would be required for the development with a minimum of 13% provided on site and the remainder as a commuted sum payment. As the number of dwellings within the development is unknown at this stage no figures can be provided. The S106 Agreement will include the provision of affordable housing in line with the policies SP16, SP17 and the Housing Choices SPD to be confirmed at reserved matters stage.

## **Education**

- 11.8 There is a need for education facility provision in East Staffordshire, particularly at Burton Upon Trent. The need is for both primary and secondary education. Strategic Policy 10 identifies areas where new schools will be expected in Uttoxeter and Burton Upon Trent. In addition, the policy describes how proposals for education facilities will be assessed. Applications will be required to demonstrate that the location is accessible for the need for which it is intended to meet.
- 11.9 In this case SCC Schools Organisation Team have requested a financial contribution towards both first school and middle school education in Uttoxeter as the development would generate a number of school places.
- 11.10 The team have confirmed that the new first school within Phase 1 of the SUE, now approved under application P/2018/01405 was required to mitigate the impact of the 700 dwellings approved under the original outline consent. The current proposals will provide additional dwellings therefore an additional contribution towards first school education will be required to mitigate the impact of these additional homes over and above the original 700.
- 11.11 The Schools Organisation Team have provided a formula for the calculation of the contributions required to be included in the S106 Agreement, so the figures can be calculated on any reserved matters applications, this however is still under negotiation between the applicants and SCC Schools Organisation Team.

## **12. Open space**

- 12.1 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.
- 12.2 Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.
- 12.3 SP32 sets out the requirements of open space provision across the Borough.
- 12.4 The Council will seek to deliver new provision and protect and enhance existing outdoor open space in accordance with the standards set out in the Local Plan. Developers should provide open space to the local standard identified for the area, which are identified in the Open Space and Playing Pitch SPD.
- 12.5 In this case the Open Spaces Team of ESBC have indicated that based on the site area an Open Space of 1.45 hectares would be required on site, this can be made up of varying topography but should not include SUDS.
- 12.6 The S106 Agreement will require the Open Space to be provided on site in accordance with the Open Space and Playing Pitch SPD, with its layout and content to be agreed as part of any reserved matters applications.



### **Healthcare Provision**

- 12.7 Policy SP34 of the Local Plan requires the health and wellbeing of residents in the Borough to be taken into consideration and Policy SP9 requires developers to contribute to infrastructure and services required as a consequence of a development. Health is included in the definition of infrastructure in the Local Plan
- 12.8 In this case the Clinical Commissioning Group for the Borough have identified that the increased population as a result of the development will bring an increase in the need for local Primary Care provision. The team have therefore requested a financial contribution towards Primary Care provision to mitigate the increase in need and have provided a formula (included in the Planning Obligations SPD) for the calculation of the contribution for inclusion in the S106 Agreement. The financial contribution can therefore be calculated depending on the number of dwellings under any reserved matters applications.

### **Refuse Containers**

- 12.9 In line with the Waste Storage and Collection Guidance SPD the developer will be required to pay for the provision of refuse storage bins for each dwelling at a cost of £75 per dwelling. This will be included in the S106 Agreement.

### **Common Amenity Area Management Scheme**

- 12.10 The S106 Agreement on the original outline consent included a requirement for a management company to oversee the maintenance of the common areas throughout the site. A Management company is already in place for Phase 1 of the development. The S106 Agreement for this application will ensure that this is extended to Phase 3 of the development.

## **13. Conclusions**

- 13.1 Having to due regard to the planning merits of the case set out in detail in the Assessment section of this report – and as summarised in the Executive Summary - the application is recommended for **approval** subject to the necessary Section 106 agreement and conditions.

## **13.2 RECOMMENDATION**

Grant outline planning consent subject to the following conditions and the completion of a S106 Agreement

### **Condition 1- Time Limit for Reserved Matters to be Submitted.**

An application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990.

### **Condition 2- Reserved Matters**

No development shall take place until details of the following reserved matters have been submitted to and approved in writing by the Local Planning Authority:

- a - Appearance
- b - Landscaping
- c - Layout
- d - Scale

The development shall be carried out strictly in accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: The application is in outline only and the Local Planning Authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality.

### **Condition 3- Time Limit for Development to Start**

The development hereby permitted shall be begun before the expiration of two years from the date of the approval of the last reserved matter(s) to be approved.

Reason: To conform with Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

### **Condition 4- Approved Plans**

The development hereby permitted insofar as it relates to the extent of the application site and means of access only shall be carried out in accordance with the following approved plans and documents subject to compliance with other conditions of this permission.

Site Location Plan Drawing 4348-L-19 Rev E dated as received on 31-03-2020

Demolitions Plan Drawing 4348-L-21 Rev A dated as received on 31-03-2020

Noise Survey and Assessment by SLR Ref 403.03120.00033 Version 2 Feb/2020 dated as received on 05-03-2020

Air Quality Assessment by SLR Ref 403.03120.00033 Version Rev2 Feb/2020 dated as received on 05-03-2020

Arboricultural Assessment by FPCR Environment and Design Ltd dated February 2020 dated as received on 05-03-2020

Phase 2 Interpretive Report (October 2018) by PJA Ref 02558 dated as received on 05-03-2020

Written Scheme of Investigation (September 2014) and Addendum (December 2014) by Waterman Energy, Environment & Design Ltd dated as received on 06-03-2020

Archaeological Building Record (January 2015) by Waterman Energy, Environment & Design Ltd dated as received on 06-03-2020

Archaeological Watching Brief (March 2015) by Wyas Archaeological Services dated as received on 06-03-2020

Heritage Desk Based Assessment (June 2013) by Waterman Energy, Environment & Design Ltd dated as received on 06-03-2020

Geophysical Survey (November 2014) & (May 2017) by Wyas Archaeological Services dated as received on 06-03-2020

Landscape and Visual Appraisal (February 2020) by FPCR Environment and Design Ltd dated as received on 06-03-2020

Earthworks Survey (December 2014) by Wyas Archaeological Services dated as received on 06-03-2020

Transport Statement (February 2020) by PJA Ref 4729 dated as received on 05-03-2020

Updated Transport Statement (May 2020) by PJA Ref 4729 dated as received on 11-05-2020

Park Farm Remedial Strategy (January 2020) by PJA Ref 02558 dated as received on 05-03-2020

Ecological Appraisal Update Survey Phase 3 (February 2020) by FPCR Environment and Design Ltd dated as received on 06-03-2020

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highway in accordance with East Staffordshire Local Plan Policies SP1, SP2, SP3, SP4, SP5, SP7, SP8, SP9, SP13, SP13, SP16, SP24, SP27, SP29, SP35, DP1, DP2, DP3, DP5, DP7 and DP8, the Uttoxeter Neighbourhood Plan, the East Staffordshire Design Guide, and the National Planning Policy Framework.

#### **Condition 5- Details of Materials**

No development shall take place above damp proof course until samples and details of all materials to be used externally ensuring the product name and manufacturer is provided (including details of coursing of brickwork and roof tiles) have been submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the buildings and its surroundings in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, the Uttoxeter Neighbourhood Plan, the East Staffordshire Design Guide and the National Planning Policy Framework.

#### **Condition 6 - Highways**

The development hereby permitted shall not be commenced until full details of the following have been submitted to and approved in writing by the Local Planning Authority, which shall thereafter be implemented in accordance with the approved details:

- Layout of site including disposition of buildings and provision of adequate parking, turning and servicing within the site curtilage;
- Vehicular visibility splays from the proposed access points and driveways within the development;
- Means of surface water drainage from all areas intended to remain in private ownership;
- Surfacing materials;
- Street lighting
- Full road construction including longitudinal sections and a satisfactory means of draining roads to an acceptable drainage outfall.
- Species of trees and tree pits which are proposed to be located within or adjacent to areas to be put forward for adoption;

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policy SP1

and SP35, Uttoxeter Neighbourhood Plan and the National Planning Policy Framework

### **Condition 7 - Highways**

Notwithstanding the submitted plan 4348-L-20 Rev A, prior to the submission of any reserved matters application in relation to the proposed development hereby approved, a Master Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted Master Plan shall include the following:

- Movement Framework;
- Connections within the development and to the surrounding area for all modes of transport;
- Connection through the site for all modes;
- Street layout and character including measures to restrain the speeds of vehicles to 20mph in residential areas;
- Parking strategy around the community uses (local centre) including the provision of secure cycle parking facilities for all uses on the site;
- All residential dwellings within 450m of a bus stop;
- Development Phasing.

The Master Plan shall be approved by the Local Planning Authority prior to the approval of any Reserved Matters submission and shall have full regard to the relevant details as may be approved in accordance with the conditions pursuant to Planning Permission P/2020/00253. All Reserved Matters submissions in relation to the development hereby approved shall conform to the principles of the approved Master Plan.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policy SP1 and SP35, Uttoxeter Neighbourhood Plan and the National Planning Policy Framework

### **Condition 8 – Construction Environmental Management Plan**

No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to, and agreed in writing with the Local Planning Authority in consultation with Highways England. The submitted CEMP shall include:

- The routing of all demolition and construction vehicles to and from the site. The measures shall include the phasing of movements to avoid traffic congestion.
  - Construction hours
  - The routing of HGV and construction vehicles
  - The parking of vehicles of site personnel, operatives and visitors
  - Arrangements for the loading and unloading of plant and materials
  - Areas of storage for plant and materials used during the construction of the development
  - Measures to prevent the deposition of deleterious material on the public highway during the construction of the development including vehicle wash
- The approved Construction Environmental Management Plan shall be implemented and adhered to throughout the construction period.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policy SP1 and SP35, the Uttoxeter Neighbourhood Plan and the National Planning Policy Framework.

### **Condition 9 – Disposal of Foul and Surface Waters**

The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure adequate drainage facilities are provided to serve the development to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution as recommended by Severn Trent Water Limited in accordance with East Staffordshire Local Plan Policies SP27 and DP7 and the National Planning Policy Framework.

### **Condition 10 - Surface Water Drainage Scheme**

No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority and Highways England. The design must be in accordance with the overall strategy and key design parameters set out in the Uttoxeter West FRA Addendum Technical note and associated appendices (PJA, dated February 2020)

The design must demonstrate:

- Surface water drainage systems designed in accordance with the national and local standards, including non statutory technical standards for sustainable urban drainage systems (DEFRA March 2015);
- SuDS design to provide adequate water quality treatment, in accordance with the CIRIA SuDS annual Simple Index Approach and SuDS treatment design criteria.
- Limiting the discharge rate generated by all rainfall events to a level in accordance with the principles outlined in the Uttoxeter West FRA Addendum Technical note and associated appendices (PJA, dated February 2020)
- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 230 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- The proposals to divert the field drain currently flowing south to north through the site to flow from west to east and then north to the attenuation basin will need consent to be agreed by the Local Planning Authority in consultation with the Lead Local Flood Authority. This is contrary to point 1.3.5 stating no LLFA or EA permission is required to modify this private ditch.
- Plans illustration flooded areas and flow paths in the event of exceedance of the drainage system. Site layout and levels should provide safe exceedance routes and adequate access for maintenance.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure continued performance of the system for the lifetime of the development. This should include a schedule of required maintenance

activities and frequencies, and the contact details for the organisation responsible for carrying out these duties.

Reason: To ensure adequate drainage facilities are provided to serve the development to reduce the risk of creating or exacerbating a flooding problem as recommended by the Lead Local Flood Authority in accordance with East Staffordshire Local Plan Policies SP1, SP27 and DP7 the National Planning Policy Framework and DfT Circular 02/2013 – The Strategic Road Network and the Delivery of Sustainable Development.

#### **Condition 11 – Noise Mitigation**

Prior to any development on site, including earthworks or construction activity a Construction Noise Mitigation Plan shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall be in line with BS 5228-1:2009 + A1:2014 *Code of practice for noise and vibration control on construction and open sites*. Part 1: Noise and be implemented throughout the development phase.

Reason: In the interests of the amenity of the occupiers of the existing dwelling(s) in accordance with East Staffordshire Local Plan Policies SP1 and DP7 and the National Planning Policy Framework.

#### **Condition 12 – Dust Prevention and Air Quality**

A Dust Mitigation Plan shall be submitted to and agreed by the Local Planning Authority prior to any earthworks, demolition or construction activity on the development site. The plan shall be in line with the Institute of Air Quality Management's (IAQM) *Guidance on the assessment of dust from demolition and construction* 2014 and once approved shall be implemented throughout the development phase to ensure air quality measures remain effective.

Reason: In order to safeguard human health and the water environment in accordance with East Staffordshire Local Plan Policy DP7 and the National Planning Policy Framework.

#### **Condition 13 – Contaminated Land**

No development shall take place until:

1. The remedial measures and the further investigation works detailed by PJA in their report 'Parks Farm Uttoxeter, Remedial Strategy' issued 20<sup>th</sup> January 2020 (Project Code: 02558) should be carried out and completed. This includes further investigation of identified arsenic & PAH 'hotspots', supplementary ground gas monitoring to inform a zoning plan, and analysis of any imported soils as specified in section 6.
2. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
3. A verification report demonstrating that the remedial measures have been successfully completed out should be completed and submitted to the local planning authority prior to occupation of the completed development.

Reason: In order to safeguard human health and the water environment and identify potential contamination on-site and the potential for off-site migration in accordance with East Staffordshire Local Plan Policy DP7 and the National Planning Policy Framework.

**Condition 14 – Details of Land/ Slab Levels**

No development other than site clearance shall take place until details showing the existing and proposed land levels of the site including spot heights and the finished floor levels, ridge and eaves heights of all buildings hereby permitted with reference to the finished floor levels, ridge and eaves heights of neighbouring buildings shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in strict accordance with the approved details.

Reason: To ensure that the development does not adversely affect the residential amenities of adjoining properties and the character or appearance of the area in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, the Uttoxeter Neighbourhood Plan, the East Staffordshire Design Guide, , the Separation Distances and Amenities Supplementary Planning Document and the National Planning Policy Framework

**Condition 15 – Noise Assessment**

No development shall take place until a Noise assessment reflecting the detailed development layout has been submitted to and approved in writing by the Local Planning Authority in consultation with Highways England. The measures included within the approved Noise Assessment shall be implemented and maintained in perpetuity to ensure noise mitigation measures remain effective.

Reason: In order to safeguard human health and the water environment in accordance with East Staffordshire Local Plan Policy DP7 and the National Planning Policy Framework and DfT Circular 02/2013 – The Strategic Road Network and the Delivery of Sustainable Development.

**Condition 16 - Scheme of Landscaping**

The reserved matters submissions required under condition 2 above shall include a scheme of landscaping, including details of any trees and hedges to be retained and how they will be protected during construction, along with details of fencing and walling.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with East Staffordshire Local Plan Policies SP1, SP24, SP29, DP1 and DP8, the East Staffordshire Design Guide and the National Planning Policy Framework.

**Condition 17 – Local Centre**

The reserved matters submissions required under condition 2 above shall include a mixed use local centre no greater than 0.62ha in size and the maximum floorspace of any retail unit shall be no greater than 400sqm. The submission should include a schedule for implementation and once approved shall be fully implemented in accordance with the approved details.

Reason: In order define the permission and to safeguard the vitality and viability of Uttoxeter Town Centre in accordance with Local Plan Policies SP7 and SP21 and the National Planning Policy Framework.

**Condition 18 - Garage and Parking Size Requirements**

The reserved matters submissions required under condition 2 shall include garages and parking spaces (including disabled parking spaces) which accord with the standards and minimum dimensions set out in the Councils Parking Standards SPD.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policy SP1 and SP35, Uttoxeter Neighbourhood Plan and the National Planning Policy Framework

**Condition 19 – Hours of Operation**

The reserved matters submissions required under Condition 2 above shall include details of the hours of operation/opening of the B1, B2 and B8 industrial units and the uses within the local centre.

Reason: To protect the amenities of adjoining properties and the locality in general in accordance with the National Planning Policy Framework and East Staffordshire Local Plan Policy SP24.

**Condition 20 – M4 (2) Compliance**

The reserved matters submissions required under condition 2 above shall include a scheme to provide 10% of dwellings on site to be constructed in accordance with Building Regulation 2010 Standard M4 (2) standards. The development shall be completed to the Building Regulation 2010 Standard M4 (2) before the first occupation of the relevant dwelling unit(s) concerned.

Reason: In the interests of residential amenities and in accordance with East Staffordshire Local Plan Policy SP16, East Staffordshire Housing Choice Supplementary Planning Document and the National Planning Policy Framework.

**Condition 21 - Weatherproof Cycle Storage**

The reserved matters submissions required under condition 2 above shall include details of weatherproof cycle storage to be provided prior to the first occupation of any dwelling or commercial premises, which shall thereafter be retained as such for the parking of cycles for the life of the development.

Reason: To ensure the development makes provision for the safe and secure storage of cycles and to encourage an increase in the number of journeys made by sustainable modes of travel in accordance with East Staffordshire Local Plan Policies SP1 and SP35, the Parking Standards Supplementary Planning Document and the National Planning Policy Framework.

**Condition 22 – Travel Plan**

No B1, B2 or B8 development shall be occupied until a Workplace Travel Plan has been implemented in accordance with details that must first be submitted to and approved in writing by the Local Planning Authority. The Workplace Travel Plan shall set out proposals (including a timetable) to promote travel by



sustainable modes which are acceptable to the Local Planning Authority. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning consent to the Local Planning Authority for approval for a period of five years from first occupation of the development permitted by this consent. The Travel Plan shall include targets for modal shift as well as additional measures should those targets be missed.

Reason: To promote sustainable forms of transport in accordance with East Staffordshire Local Plan Policies SP1 and SP35 and the National Planning Policy Framework.

### **Condition 23 – Spine Road**

Prior to the first occupation of any residential or commercial unit (employment or local centre) the spine road through the SUE shall be completed in accordance with the details approved under PA P/2018/00355.

Reason: In order to define the permission and ensure satisfactory access through the SUE is provided, in accordance with policies S1 and SP35 of the Local Plan and the National Planning Policy Framework.

### **Condition 24– Surfacing of Parking and Turning Areas**

Prior to the first occupation of each dwelling hereby granted permission the access, turning and car parking provision to serve that dwelling shall be provided in a bound porous material, and thereafter shall be made available at all times for their designated purposes.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policy SP1 and SP35, Uttoxeter Neighbourhood Plan and the National Planning Policy Framework

### **Condition 25 – Noise Mitigation**

In order to protection the residential dwellings from environmental noise a scheme of noise mitigation shall be submitted to and agreed by the LPA prior to first residential occupation of the site. The scheme shall meet the required standards for both internal and external areas, in line with BS8233:2014 *Guidance on sound insulation in noise reduction for buildings*.

Reason: In the interests of the amenity of the future occupiers of the dwelling(s) in accordance with East Staffordshire Local Plan Policy DP7 and the National Planning Policy Framework.

### **Condition 26 – Electric Vehicle Charging**

Prior to first occupation of the development hereby permitted details of electric vehicle charging points, shall be submitted in writing to and agreed in writing by the Local Planning Authority. The approved electric vehicle charging points shall be installed in accordance with the approved details and shall be retained and maintained for the lifetime of the development.

Reason: In the interests of creating a sustainable form of development and to encourage the use of ultra low emission vehicles in accordance with Policies SP1 and SP35 of the Local Plan and the Parking Standards SPD.

**Condition 27- Details of Ecological Enhancement Measures**

Prior to first occupation of the development hereby permitted details of ecological enhancement measures (including bird nesting and bat roosting facilities) to be installed on the site shall be submitted to and approved in writing by the Local Planning Authority. The approved ecological enhancement measures shall be installed prior to the first occupation of the development and thereafter made available at all times for their designated purposes.

Reason: To safeguard protected species and their habitats in accordance with East Staffordshire Local Plan Policy SP29 and the National Planning Policy Framework.

**Condition 28 - Noise**

The Specific Noise of fixed plant associated with commercial activity when measured at the nearest noise-sensitive receptors shall not exceed measured background levels. This shall be assessed in line with BS 4121:2014+A1:2019 *Methods for rating and assessing industrial and commercial sound*.

Reason: In the interests of the amenity of the future occupiers of the dwelling(s) in accordance with East Staffordshire Local Plan Policy DP7 and the National Planning Policy Framework.

**Condition 29 - Landscape Implementation**

All planting, seeding or turfing comprised in the approved details of landscaping required under conditions 2 and 17 above shall be carried out in the first planting and seeding season following the first occupation of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome in the interests of the visual amenities of the locality and in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, the East Staffordshire Design Guide and the National Planning Policy Framework.

**Condition 30 – Walling and Fencing Implementation**

Any scheme of walling and fencing approved as part of the landscaping scheme required by Condition 17 above shall be completed prior to the development first being brought into use.

Reason: To safeguard the visual amenities of the area and the amenities of occupiers of adjoining properties in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, the East Staffordshire Design Guide and the National Planning Policy Framework.

**Condition 31 – No Working or Storage in the Open**

No working or storage shall take place in the open areas at any B1, B2 or B8 unit unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area and in the interests of existing and future residential amenities in accordance with East Staffordshire Local Plan Policy SP24, DP1 and DP7 and the National Planning Policy Framework.

## **Informatives**

### **1. Engagement**

During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

### **2. Pre-commencement Conditions**

The conditions identified below require details to be approved before commencement of the development.

Condition No's 5 - 15

This means that a lawful commencement of the approved development cannot be made until the particular requirements of these conditions have been met.

As from 6th April 2008 requests for confirmation of compliance with planning conditions requires a payment of a fee to the Local Planning Authority. The fee chargeable by the authority is £116 per request. The fee must be paid when the request is made. Any number of conditions can be included for each request. Payment can be made by cheque or card only. Please telephone 01283 508606.

Although we will endeavour to discharge all conditions within 21 days of receipt of your written request, legislation allows the Local Planning Authority a period of 8 weeks, and therefore this timescale should be borne in mind when programming development.

### **3. Ecological Responsibilities**

The applicant/developer is advised that this permission does not absolve them from their responsibilities in relation to protected species. If evidence of protected species is found at any point all work should cease and the services of a licensed ecologist procured to ensure an offence is not committed.

### **4. Cadent Gas**

Cadent have advised that there are gas pipelines and associated equipment within the vicinity of the application site. The applicants are advised to contact the plan protection team prior to any works commencing on site.

Email: [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com) Tel: 0800 688588

## **5. Leading Local Flood Authority**

Please refer to SuDS Handbook for further information:

<https://www.staffordshire.gov.uk/environment/FloodRiskManagement/Information-for-Planners-and-Developers.aspx>

LLFA can be contacted on [flood.team@staffordshire.gov.uk](mailto:flood.team@staffordshire.gov.uk)

## **14. Background papers**

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

- Papers on Planning Application file P/2013/00882
- Papers on Planning Application file P/2014/00883
- Papers on Planning Application file P/2016/00216
- Papers on Planning Application file P/2017/00426
- Papers on Planning Application file P/2017/00572
- Papers on Planning Application file P/2018/00510
- Papers on Planning Application file P/2018/00358
- Papers on Planning Application file P/2018/00355
- Papers on Planning Application file P/2018/01405
- The Local and National Planning Policies and Supplementary Planning Documents outlined in the report above
- Uttoxeter Neighbourhood Plan

## **15. Human Rights Act 1998**

15.1 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.

## **16. Crime and Disorder Implications**

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

## **17. Equalities Act 2010**

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

For further information contact: Barbara Toy  
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