
Agenda Item:	5.2
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Site:	Upper Outwoods Farm, Beamhill Road, Burton Upon Trent,
Proposal:	Reserved Matters application relating to P/2013/00429 for Phase 1 for the erection of 322 dwellings, associated car parking, secondary roads, 2 substations and 1 gas governor including details of access, appearance, layout and scale

Report of Head of Service (Section 151 Officer)

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

[Hyperlink to Application Details](#)

Application Number:	P/2020/00184	
Planning Officer:	Emma Carrington	
Type of Application	Reserved Matters	
Impact on Heritage Assets under S66(1) and S72	No Impacts	
Applicant:	Hallam Land Management/Persimmon Homes/Bloor Homes	
Ward:	Tutbury and Outwoods	
Ward Member (s):	Councillor G Raybould Councillor S P Gaskin	
Date Registered:	17 March 2020	
Date Expires:	12 June 2020	
Reason for being on Agenda	Significant Public Interest	

1. Executive Summary

- 1.1 The application seeks approval for reserved matters following the grant of outline application P/2013/00429 for the erection of 950 dwellings, Primary

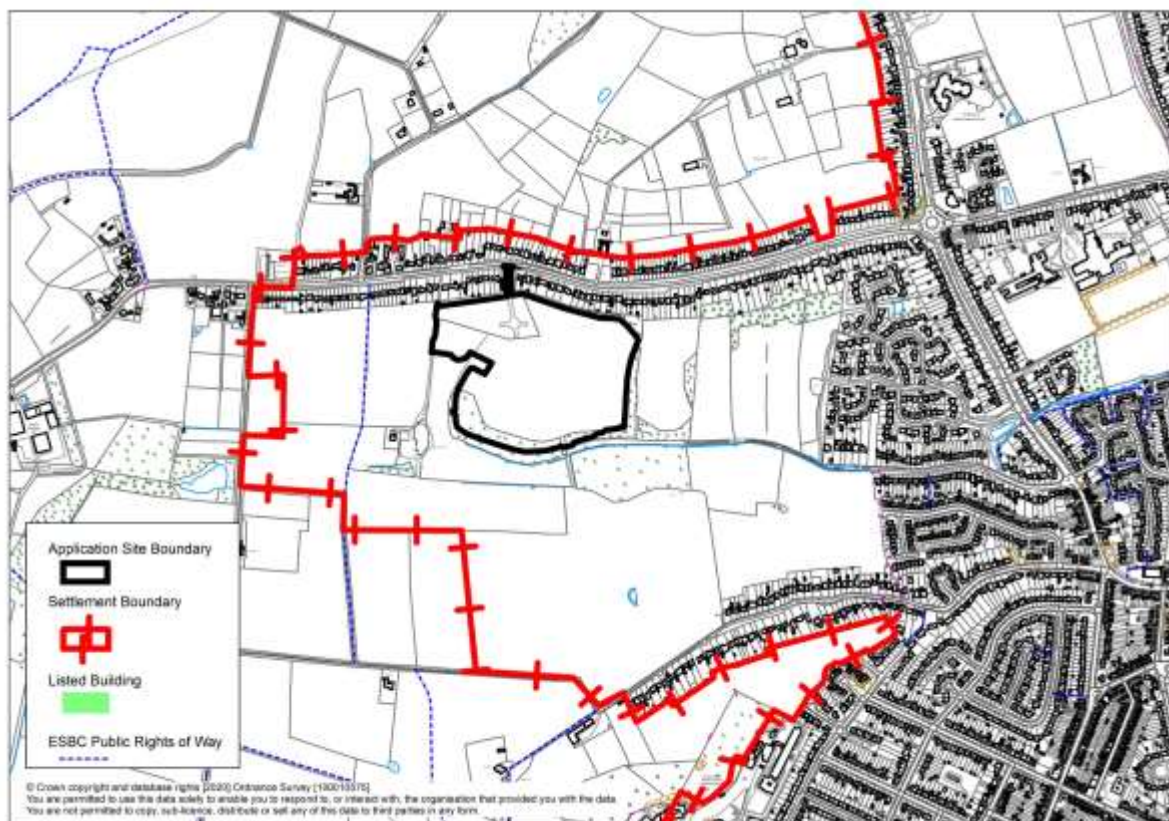
School and children's Day Nursery, 5,000 square metres of retail, health centre and community facilities, associated open space, landscape, drainage, play areas, including the demolition of 92, 94, 142 & 144 Beamhill Road, and agricultural buildings at Green Acres and Upper Outwood Farms. The outline application was approved subject to S106 Agreement.

- 1.2 The outline application site has been divided into phases in accordance with the requirements of condition 5, and each phase is subject to the conditions and timings as specified in the outline application, and the S106 Agreement.
- 1.3 The reserved matters for consideration are layout, scale, appearance and access for 322 dwellings, which is identified as the first phase of the wider site. The proposal also includes associated car parking, secondary roads, 2 substations and one gas governor. The remaining reserved matter, landscaping, has already been approved under separate application P/2016/00232, which also approved the means of access to the site and the foul and surface water drainage strategy. The current proposal also includes informal areas of open space and makes provision for affordable housing.
- 1.4 The application site comprises approximately 9.34 hectares of undulating grassland, formerly in agricultural use, to the south of Beamhill Road, Burton on Trent. The site also includes existing mature tree and hedge planting around the edge of the site, which forms part of the approved landscaping scheme. The built area of the development will cover approximately 8.97 hectares, and includes access roads, private garden areas, incidental open spaces and landscaping, within plot car parking and garaging.
- 1.5 Statutory consultees have raised no objections to the proposal as it is considered that the submitted reserved matters details accord with the outline approval and accompanying S106 Legal Agreement.
- 1.6 Outwoods Parish council have raised objections on the grounds that the development is not in accordance with the original outline and associated plans and that it does not accord with the Outwoods Neighbourhood Plan, or the East Staffordshire Local plan.
- 1.7 145 letters of objection have been received from addresses mainly from the Burton area, but also a number from outside the Borough. Issues raised include the principle of development, impact on residential amenity, impact on highway safety, scale and design of the development, lack of compliance with policy and the approved outline application and related documents, and that the school, health facility and open spaces do not appear to be provided.
- 1.8 The principle of developing the site for residential purposes has been established under the existing extant permission, and the site is allocated as a Sustainable Urban Extension in the East Staffordshire Local Plan. The access to the site from Beamhill Road to the north, has been approved under a previous application, P/2016/00232, and has been constructed together with part of the road in to the site, with the provision of the first internal road junction and roundabout. The access is located on the site of the now demolished dwellings at numbers 142 & 146 Beamhill Road.

- 1.9 It is considered that the submitted scheme is in accordance with the details of the approved outline application and accompanying S106 Agreement, and complies with the provisions of the relevant adopted development plan policies, Neighbourhood Plan policies and the National Planning Policy Framework.
- 1.10 It is not considered that the proposal will have an adverse impact on the residential amenities of nearby residents, have a detrimental impact on highway safety, or the character of the area.
- 1.11 Since the original application was submitted, the number of proposed houses on the site has been reduced from 326 to 322, which is a result of minor changes to the layout of the properties and submission of some amended house types. Despite these minor changes, the overall layout of the site has not changed and the areas reserved for housing and open space are the same, and have not moved any closer to surrounding properties.
- 1.12 In light of the above conclusions on the planning merits of the case, the application is recommended for approval.

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 is approximately 9.34 hectares in size and is currently an area of overgrown, undulating grassland with groups of trees and large hedgerows. The site lies to the south of Beamhill Road, and forms part of a larger approved site that extends to the east south and west. To the north of the site are the rear garden boundaries of residential properties on Beamhill Road. To the east, south and west lies undeveloped grassland, with Upper Outwoods Farm to the south west.
- 2.2 The application site slopes gently downwards in to the site from Beamhill Road, and then slopes upwards again to the south. There is also an east west slope on the land.
- 2.3 Vehicular access to the site has been established for this Phase of the development from Beamhill Road to the north, and has been constructed in accordance with the approved details of a previous reserved matters application, P/2016/00232. The approved access extends in to the site and includes the first junction for the development where a roundabout has been constructed.
- 2.4 The site is within the settlement boundary for Burton and is identified as a Sustainable Urban Extension.
- 2.5 The land is in Flood Zone 1.

3. Planning history

- 3.1 28 January 2014 – **Application Ref: P/2012/00133** - outline application P/2013/00429 for the erection of 950 dwellings, Primary School and children’s Day Nursery, 5,000 square metres of retail, health centre and community facilities, associated open space, landscape, drainage, play areas, including the demolition of 92, 94, 142 & 144 Beamhill Road, and agricultural buildings at Green Acres and Upper Outwood Farms – Withdrawn
- 3.2 6 August 2014 – **Application Ref: P/2013/00429** - outline application P/2013/00429 for the erection of 950 dwellings, Primary School and children’s Day Nursery, 5,000 square metres of retail, health centre and community facilities, associated open space, landscape, drainage, play areas, including the demolition of 92, 94, 142 & 144 Beamhill Road, and agricultural buildings at Green Acres and Upper Outwood Farms
- 3.3 13 May 2015 – **Application Ref: P/2016/00233** - Discharge of condition 5 (phasing plan) of outline planning permission P/2013/00429 relating to the erection of 950 dwellings, primary school and childrens day nursery, 5,000 square metres retail, health centre and community facilities, associated open space, landscape, drainage, play areas, including the demolition of 92, 94,142 & 144 Beamhill Road and agricultural buildings at Green Acres and Upper Outwoods Farm

- 3.4 13 May 2015 – **Application Ref: P/2016/00234** - Discharge of condition 22 of planning permission P/2013/00429 relating to Phase One of the erection of 950 dwellings, primary school and childrens day nursery, 5,000 square metres retail, health centre and community facilities, associated open space, landscape, drainage, play areas, including the demolition of 92, 94,142 & 144 Beamhill Road and agricultural buildings at Green Acres and Upper Outwoods Farm
- 3.5 23 February 2017 – **Application Ref: P/2016/00232** - Reserved Matters application relating to P/2013/00429 for Phase 1 to include details of means of access and landscaping
- 3.6 7 December 2017 – **Application Ref: P/2017/00929** -Discharge of conditions 5 - 21, 23 and 24 for Phase 1 of planning permission P/2013/00429 relating to the Outline application for the erection of 950 dwellings, primary school and childrens day nursery, 5,000 square metres retail, health centre and community facilities, associated open space, landscape, drainage, play areas, including the demolition of 92, 94,142 & 144 Beamhill Road and agricultural buildings at Green Acres and Upper Outwoods Farm

4. The proposal

- 4.1 The application seeks approval of reserved matters for layout, scale, appearance and access for the first phase of a mixed use development under outline planning application P/2013/00429, approved subject to conditions and a S106 Legal Agreement, on the 6 August 2014. The scheme sits within the wider boundary of the outline application and provides for 322 dwellings, associated car parking and access and two substations and gas governor. The proposed means of access to the site is already established on to Beamhill Road, and this part of the development has been commenced. The proposal also includes informal areas of open space within the boundary of this current application, but the wider landscaping and open space provision has been agreed and approved by reserved matters application P/2016/00232.
- 4.2 The proposed dwellings are a mix of house types and designs and also include 36 units for affordable housing. The scheme includes 2, 3, 4 and 5 bed properties across the site which are a mix of detached, semi-detached and small terraces. There are 35 individual house type designs proposed, and a range of materials including brick and render that will give variety and interest throughout the site. The properties are mainly 2 storey in height, but also include 78 units that are 2.5 storeys in height. The proposal includes parking provision for each dwelling which is in the form of off garaging and or street parking.
- 4.3 The proposal comprises the following housing mix

House Type/ Bedrooms	Number
2 Bed House	49
3 Bed House	201

4 Bed House	65
5 Bed Detached House	7
Total	322

4.4 The site layout demonstrates that 322 dwellings can be accommodated on the site, whilst providing adequate levels of on-site parking commensurate with the size of each property, together with private rear garden areas, means of access to the adopted highway and appropriate landscaping and open space provision.

List of supporting documentation

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

- Reserved matters application form
- Site location plan
- Site layout plan
- Sub-station layout and elevations
- Finished floor level plans
- House type floor plans and elevations
- Highway cross section details
- Vehicle tracking details
- Statement of compliance

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 Outwoods parish Council	Whilst the parish council accepts that the site has outline planning approval, Objections are raised to the proposal as it does not comply with the local plan or Outwoods Neighbourhood plan. The proposal also does not comply with the approved design and access statement or the conditions on the outline approval, including the EIA parametres. There is also conflict with approved planning application P/2016/00232 and to phase 1 of P/2013/00429. The application shows 2.5/3 storey dwellings overlooking the rear of properties on Beamhill Road and the buffer zone is inadequate and not at least 9.5 metres wide. The parish council also considers that the proposal is contrary to the requirements of the East Staffordshire Design Guide and Local Plan policies DP1, DP3 and would have an adverse impact on residential amenity in the area, particularly due to overlooking, loss of light and being overbearing.

	Rolleston on Dove Parish Council	<p>The parish council also considers that the proposal does not comply with the Outwoods Neighbourhood Plan, particularly policies RD1, LR2, LR4. Concerns relate to the impact on residential amenity, provision of play facilities for children and facilities for teenagers and adults, and the design of the proposed buffer zone, which should ensure a satisfactory relationship between new and existing development.</p> <p>The parish council is also concerned that The detailed design (reserved matters applications) will apply for the exact dimensions for all new buildings. However, in accordance with the guidance on Design & Access Statements, the DAS provides the lower and upper limits of the development's proposed buildings in terms of width, length and height. This information is identified in the matrix on the following page. The scale of development responds to the characteristics of the site and its surrounding townscape. 2 storey buildings are the common local theme around the edge of the site and within the local villages and the use of 2 storey houses and buildings will be the approach adopted by the development. Overall, the development is of a low density and the style of housing is based upon a broad mix of detached, semi detached and some terrace properties. 2 storey housing would be appropriate within this context. Some very occasional 2.5 or 3 storey dwellings would be acceptable as long as this was for appropriate urban design reasons such as to enhance street enclosure, creating a vertical emphasis along the street or to act as a feature building. This would only occur in certain locations e.g in higher density areas near the Community Hub or on the Main Street/The Avenue. 2.5or 3 storey buildings would not be appropriate on the edges of the development.</p> <p>Requested that the application be delayed given the current coronavirus pandemic and the council's inability to meet under current conditions</p>
5.3	SCC Highways	No objections subject to conditions
5.4	SCC Education	Comment that the education requirements as set out in Schedule 2 of the Deed of variation agreement dated 25 th May 2018 still remain – that is to provide a school within the larger site and for a financial contribution towards a new secondary school.
5.5	SCC Public rights of way	No objections as it appears that Public Footpath No1 Outwoods Parish runs to the west of the application and will not be affected by the proposal
5.6	SCC Historic Environment team	Does not wish to raise any issues in relation to archaeology at this time

5.7	Natural England	The application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes
5.8	Environment Agency	No objections
5.9	Severn Trent Water	No objections as the conditions on the outline still stand
5.1	Primary care	Request a financial contribution to support primary care in the area
5.1	The National Forest	No response to this application but supported the reserved matters application for landscaping P/2016/00232 which included buffer zones and more substantial planting around the site and is still relevant to this site
5.1	Architectural Liaison Officer	Advice offered about crime reduction measures across the site

Internal Consultees		Response
5.1	Environmental Health	No objections subject to conditions
5.1	Housing Strategy	No objections to the mix of affordable proposed
5.1	Open Spaces	No response on this application, but the open space provision is secured by conditions on the outline and through the S106 legal agreement, and a landscaping strategy and management agreement for the areas of open space have been agreed under RM application P/2016/00232.
5.1	Environment Manager	No objections subject to condition requiring refuse collection points to be identified

6. Neighbour responses

- 6.1 The application has been the subject of local publicity by way of 5 site notices posted and an advert in the local press. In addition, over 1600 individuals have been notified by letter, being those members of the public who made representation on the original outline approval.

Neighbour responses	
Principle	<ul style="list-style-type: none"> - Burton does not need more houses - The land should be kept as fields for food production - The proposal does not comply with the Neighbourhood Plan, ESBC local plan, or the original application and plans - The land is currently being used for recreational purposes which will be lost if built upon - The whole site should be landscaped not built upon
Impacts on Amenity	<ul style="list-style-type: none"> - Increased traffic means increase in pollution - Proximity of houses to neighbours will increase noise

	<p>disturbance</p> <ul style="list-style-type: none"> - The height of properties will increase overlooking and loss of privacy - There is no landscaping behind Beamhill Road as promised and the footpath has been deleted - The buffer zone is inadequate and there are now 2.5/3 storey properties which is not in accordance with the outline approval and will overlook properties on Beamhill Road - The number of houses on this phase has increased - Not in keeping with RD1 of the neighbourhood plan in relation to residential amenity
Highways Impacts	<ul style="list-style-type: none"> - The proposal will result in an increase in traffic that will affect highway safety on already busy roads in the area - Increase in congestion - The TA is out of date and traffic calming measures are needed with junction remodelling
Flood and drainage impacts	<ul style="list-style-type: none"> - Losing fields will increase flooding - Existing sewer pipes need to be protected
Other matters	<ul style="list-style-type: none"> - The proposal will result in loss of wildlife - Have secondary education places been considered - Increase in housing means increased pressure on existing services such as doctors and schools - There is reduced green space and there are no shops or school - There is a gas governor proposed. Isn't gas being phased out? - The plans have changed beyond recognition - Impact on the character and appearance of the area needs to be considered -
Ward Member	No comments 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
- SP3: Provision of Homes and Jobs 2012-2031
- SP4 Distribution of Housing Growth 2012 – 2031
- SP7 Sustainable Urban Extensions
- SP10 Education Infrastructure
- SP16 Meeting Housing Needs
- SP17 Affordable Housing
- SP23 Green Infrastructure
- SP24 High Quality Design
- SP26 National Forest
- SP27 Climate Change, Water Body Management and Flooding
- SP28 Renewable and Low Carbon Energy Generation
- SP29 Biodiversity and Geodiversity
- SP30 Locally Significant Landscape
- SP32 Outdoor Sports and Open Space
- SP33 Indoor Sports
- SP34 Health and Wellbeing
- 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
- DP7 Pollution and Contamination
- DP8 Tree Protection

Outwoods

- TA1 – Public Realm
- TA2 – Roads and Streets
- TA3 – Parking
- TA4 – Footpaths and Cycle Routes
- TA5 – Public Transport
- CF1 – Schools and Education
- CF2 – Health Hubs
- CF3 – Community Facilities
- CF4 – Local Shops
- CF5 – Places to Meet
- RD1 – Design
- RD2 – Public and Private Space
- RD3 – Type and Tenure
- LR1 – Sports Pitches
- LR2 – Play for All
- LR3 – Green Space Strategy
- LR4 – Landscape and Drainage

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 31st March 2020 and concludes there is 6.04 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 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.

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

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

10.4 The plan identifies a number of sustainable urban extensions which are expected to meet a variety of principles set out in Strategic Policy 7.

10.5 The application site is wholly within the settlement boundary for Burton Upon Trent and has the benefit of outline planning permission P/2013/00429. In addition, the site is identified as a Sustainable Urban Extension (SUE) in the adopted East Staffordshire Borough Council Local Plan. It is considered therefore, that the principle of developing this site for residential purposes, as proposed, is established and meets the requirements of the policies in the local plan and the principles of sustainable development as set out in the National Planning Policy Framework. The application is accompanied by a Statement of compliance which sets out how the development is in accordance with the approved outline permission and how it adheres to the principles agreed at outline stage.

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

11.1 Paragraph 124 of the NPPF states that ‘ The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

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

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 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.

11.5 The East Staffordshire Design Guide is equally applicable to the policy aspirations of SP24. It states that:

- (a) Residential layouts should be designed with focus on the streets and spaces between dwellings rather than the individual buildings themselves;
- (b) The location of buildings in relation to streets should create interesting streetscapes including consciously arranged views and vistas within and out of the development;
- (c) Long straight and sweeping roads should be avoided with a preference for traffic calming inherent in the design of the development;
- (d) Repetitive house types should be avoided;
- (e) The cramming together of large numbers of detached properties should be avoided.
- (f) High proportions of frontage car parking will not be acceptable.

11.6 Detailed policy 2 aims for development to achieve high sustainability and environmental credentials adopted energy efficiency techniques and other standards where possible.

11.7 Policy RD1- Design- of the Outwoods Neighbourhood Plan requires development proposals to demonstrate a high quality of design and should take account of scale, mass, form, density, character, landscape and materials in accordance with relevant design guidance in force at the time.

Buffer planting should be provided at the edge of all new development. Policy RD2 'Public and Private Space' requires sufficient private amenity area to be provided to serve new dwellings along with a clear definition of public and private space through the inclusion of front boundaries and safe and secure rear boundaries. Outwoods Neighbourhood Plan Policy TA1 'Public Realm' requires all new development to deliver the very highest quality in public realm design

- 11.8 The site is currently overgrown, undulating grassland that slopes gently away from Beamhill Road. There are groups of mature tree planting and large hedgerows across the site, which gives the site a more rural appearance.
- 11.9 The proposed development is to erect 322 dwellings as phase 1 of a larger site granted outline planning permission for a mixed use scheme. The details for consideration are layout, scale, appearance and access. The site gains access from Beamhill Road, which is in accordance with the outline approval. The access has been commenced and laid out up to a junction with a new roundabout within the confines of the application site. Beyond this, the estate roads branch off to the east, south and west to serve the proposed new dwellings. From these main estate roads through, are smaller link roads and culs de sacs. The road layout provides bends and curves in the street scene to avoid long straight stretches of highway, which aids traffic speed management throughout the development and also provides interest and variety in the street scene, with landscaped focal points and dual aspect dwellings. The roundabout has been positioned close to the entrance to the site to provide a feature that will give a focal point on entering the site, and to break up the street scene.
- 11.10 The scheme includes a wide range of house types, styles and materials that will give variety in appearance across the site. No area is dominated by a particular house type or design, and the layout of the road network enables properties to be positioned at varying angles to the highway, to give a more interesting character to the development. The existing residential development in the area has no particular dominant architectural style or character. There are a mix of styles, sizes, materials and ages of properties, therefore it is considered that there are no particularly distinctive architectural features or designs that could be taken from the local vernacular, as it is so varied. In addition, each application is determined on its own merits, and the styles, sizes and design of dwellings as submitted, are not considered to be out of keeping or harmful to the character of the area.
- 11.11 The development has areas of informal open space within the site and has approval for a landscaped buffer zone under reserved matters application P/2016/00232. Where properties are located close to such features, they have been designed to front these areas to provide surveillance and active frontages. The overall density for the site equates to 40 dwellings per hectare, which is considered to be appropriate in this location and is not considered to be overdevelopment.
- 11.12 Each dwelling has access to parking spaces or garages that meet the requirements of the parking standards SPD relevant to the number of

bedrooms. Each dwelling also has private rear garden spaces that meet the minimum guidance in the Separation distances and Amenity SPD.

- 11.13 In addition to the approved landscaped buffer zone, the proposal will also include planting within the plots and informal open space areas, to help to soften the character and appearance of the development, and to integrate it in to the locality. However, the landscaped buffer zone will provide a significant area of accessible open space and landscaping, that will further help to integrate the development in to the area, and help to retain some of the existing planting features on the site.
- 11.14 Based on the above assessment it is considered that the design and layout of the proposed development, together with the approved landscaped buffer zone, is acceptable and provides a development that will be integrated in to the landscape. There is no doubt that the character of the area will be changed by the built development, however, the site has the benefit of planning permission and is part of an allocated SUE. The principle of developing this site is well established. It is considered that the proposal for this phase of the development, provides a balance of built form and landscaping that will help to maintain a sense of open space around the edge of the site, and to screen the proposal from existing residential properties and views across the site. The land slopes away from properties on Beamhill Road, and the new dwellings will be on a slightly lower level, which will also help to reduce the impact on the character and appearance of the area.
- 11.15 Details of the exact materials to be used in the construction of the dwellings and choice of boundary treatments is the subject of a condition on the outline approval, and will need to be submitted for approval before any development can commence on site. Careful consideration of the materials proposed will also help to ensure that the development does not detract from the character of the area.

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.
- 12.2 The Councils recently adopted Separation Distances and Amenity SPD sets out overall spacing standards for new residential development to ensure that existing and future occupiers have a good level of amenity and privacy to enjoy the place where they live.
- 12.3 Policy RD2 'Public and Private Space' of the Outwoods Neighbourhood Plan requires new residential dwellings to have sufficient garden space within their private curtilage to meet the functional domestic needs of the occupants
- 12.4 The nearest residential properties to the application site are located on Beamhill Road, which back on to the application site. The layout of the current proposal includes dwellings that are located behind properties on Beamhill Road, but the boundary of the proposed built development is not adjacent to the rear boundaries of these properties, as they will be separated

by the proposed landscaped buffer zone. In addition, the proposed dwellings will then be set back from the buffer zone. As proposed, the new residential development retains a distance of at least 20 metres from the rear gardens of properties on Beamhill Road. Together with the depths of rear gardens on Beamhill Road, the minimum distance from the new dwellings to existing, is approximately 40 metres, and much greater in some cases. This, together with the planting that will be carried out in the buffer zone, and the fact that the new properties will be on a slightly lower ground level than properties on Beamhill Road, will create a development that will not have an adverse impact on the amenities of surrounding residents.

- 12.5 Concern has been expressed about the fact that some of the properties are 2.5 storey in height, and as they face the back gardens of properties on Beamhill Road, this will increase the adverse impact on residential amenity. However, as described above, the separation distances between existing and proposed dwellings are more than adequate to alleviate any loss of privacy from overlooking or overshadowing, and the lower levels of the land to the rear will also help to reduce any impact, which is further mitigated by the proposed buffer planting.
- 12.6 Within the application site itself, the properties are provided with adequate private rear garden areas, with separation distances between dwellings providing the standards as set out in the Separation Distances and Amenity SPD.
- 12.7 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 or overshadowing 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, the Outwoods Neighbourhood Plan, and the NPPF Summary of proposal against design policies
- 12.8 Neighbours have raised a number of points about facilities that were to be provided, including schools, open space, landscaping, doctors surgery, sports provisions, under the terms of the outline consent. It should be noted that these matters are subject to another phase of the outline approval, and will be secured through the terms of the S106 Agreement. These matters have not been lost or omitted, they are just not part of the current phase.

13. Sustainability (energy efficiency and low carbon)

- 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. Considerations include where relevant:
- follow the energy hierarchy of designing out energy demand from the outset, incorporating energy efficiency measures and introducing low carbon energy supply,
 - incorporate the best environmental practice and construction techniques in line with the Governments zero carbon buildings policy

- use appropriate materials, form, orientation and layout of buildings to maximise the benefits of passive solar heating, cooling, lighting and natural ventilation;
- incorporate facilities to minimise the use of water and the creation of waste, and which maximise opportunities for recycling;
- incorporate ecologically sensitive design and features for biodiversity early on within a development scheme, following guidance in 'Biodiversity by Design' or future revisions;
- where appropriate prepare Site Waste Management Plans to ensure that at least 25% of the total minerals used derive from recycled and reused content;
- aim to reduce predicted carbon emissions through the generation of decentralised and renewable or low carbon energy generation where practicable;
- where on site renewable or low carbon energy generation is not practical, a contribution towards an off-site renewable energy or carbon reduction scheme will be acceptable;

13.2 Policy RD1 'Design' of the Outwoods Neighbourhood Plan states that designs which seek to offer low carbon / carbon neutral buildings through either innovative design or the use of renewable technologies will be supported subject to ensuring that they contribute to a unified street scene and do not appear incongruous or visually prominent within the wider landscape

13.3 Condition 11 of the approved outline application seeks to ensure that each phase of development submitted for approval submits a scheme to demonstrate that energy saving measures will be incorporated in to the design of the development. This condition is applicable to the current proposal, and before development is commenced, this condition will need to be satisfied. In addition, the use of modern, more efficient building techniques will help to satisfy the requirements of these policies.

14. Highway Matters

14.1 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.

14.2 Policies SP1 and SP35 of the Local Plan aim to ensure development is located on sites with good links to the highway network, development is convenient and safe to walk, cycle and travel by public transport. 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.

- 14.3 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.
- 14.4 Outwoods Neighbourhood Plan Policy TA2 'Roads and Streets' sets out highway considerations which should be incorporated into new development such as promoting a street hierarchy and maximising pedestrian access. All highways should be designed to accommodate traffic which may be reasonably expected to utilise the proposed development. Vehicles should be able to manoeuvre safely within the development and to enter and exit streets in forward gear. In terms of residential development, highways must be able to accommodate a variety of vehicle types, including, but not restricted to, grocery delivery vehicles, street cleaning vehicles and waste disposable vehicles. Policy TA5 'Public Transport' of the Outwoods Neighbourhood Plan requires all residential schemes on proposed allocations and committed sites to be located within reasonable walking distance of a bus stop and serviceable route and/or any other public transport provision.
- 14.5 The means of access to the site has been established and has been constructed in to the site from Beamhill Road. The overall layout of this phase of the development has been assessed by the highways department, and the internal road layouts, together with the parking and access arrangements are considered to comply with current policy standards, including access by emergency and refuse vehicles.
- 14.6 Neighbours have raised concerns about the increase in traffic generated by the proposal and that this will have an adverse impact on highway safety in the surrounding highway network, and add to the congestion already experienced in the area.
- 14.7 The issue of highway safety and the impact of the development on the highway network was fully considered at the outline application stage and considered to be acceptable. Conditions on the outline approval and clauses in the S106 Agreement make provision for the laying out of the roads as approved within the site and in relation to off-site works, including the approval of a travel plan for each phase of the development, the appointment of a travel plan coordinator, various off-site improvements to the surrounding highway network, including traffic monitoring. Accessibility through the site creates links to other phases of the development of the overall site, and makes provision for pedestrians and cyclists. The S106 Agreement also includes provision of a bus service for the site.
- 14.8 In conclusion, the highway and access arrangements proposed are considered to be suitable and there will be no significant negative impact on the road network or highway safety arising from the proposal sufficient to sustain a refusal of the scheme. Parking provision is also adequate across the site.

15 . Flood Risk and Drainage

15.1 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.

15.2 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.

15.3 The application site is within Flood Risk zone 1 which is the lowest flood risk area. The approved RM application P/2016/00232 included drainage proposals, which proposed foul water drainage to the existing foul sewerage system, and surface water drainage be directed to a surface water drainage basin in the natural valley area to the south of the site. These details have been agreed in conjunction with the Environment Agency, Severn Trent Water and the Local Lead Flood Risk Authority (SCC). The current reserved matters application will be carried out in accordance with these approved details.

15.4 The proposal is therefore considered to be acceptable in terms of flood risk and drainage, and complies with Policy SP27 and the NPPF.

16. Affordable Housing and Housing Mix

16.1 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.

16.2 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.

16.3 The Housing Choice SPD expects the following housing mix:

	Burton	Uttoxeter	Strategic Villages
1-bedroom homes (flats, houses or bungalows)	3%	3%	2%
2-bedroom homes (flats, houses or	2%	20%	20%

bungalows)					
	Branston	Angelsey	Brizlincote		
	Burton	Horninglow	Stapenhill		
	Eton Park	Shobnall	Winshill		
	Outwoods	Stretton			
Housing for Older People**	11%	20%	50%	10%	35%
2-bedroom houses	14%	13%	8%	8%	6%
3-bedroom houses	32%	29%	17%	30%	23%
4-bedroom houses	26%	23%	14%	20%	10%
5-bedroom houses	11%	10%	6%	9%	4%

16.4 Strategic Policy 16 states that all dwellings providing ground floor accommodation should meet Building Regulations 2010 Standard M4(3) 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.

16.5 Strategic Policy 17 states that housing-led residential development that will provide 4 or more dwellings or on a site of 0.14 hectares or more shall provide up to 40% of affordable housing. The policy states the following percentages:

- On previously developed land within the built up areas of Burton and Uttoxeter; 25%
- On greenfield sites within and on the edge of Burton and Uttoxeter; 33%
- On other land; 40%

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

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

16.8 Outwoods Neighbourhood Plan Policy RD3 'Type and Tenure' states that planning permission will be granted for residential development which delivers an appropriate mix to meet locally assessed needs for open market dwellings.

16.9 The proposed development seeks permission for the construction of 322 dwellings. Across the site, this provides for 2, 3, 4 and 5 bed properties, which are either two or two and a half storey in height. The mix provides 49 two bed dwellings (15%), 201 three bed dwellings (64%), 65 four bed dwellings (20%) and seven 5 bed dwellings (2%).

16.10 Whilst this mix of house types in terms of bedrooms does not accord with the Housing Choice SPD, from a planning point of view it is considered that this will not adversely affect the overall character of the development, such that it is unacceptable.

16.11 The proposed mix focuses on 3-bed properties and reflects Persimmon and Bloor Homes' understanding of the likely market demand for private market housing in the area. It reflects sales experiences on other sites in the East Midlands area where the demand for larger properties has reduced and house buyers are increasingly seeking the mid-range 3-bed housing unit.

16.12 The S106 Legal Agreement that accompanies this application sets out the requirements for the provision of affordable housing across the whole of the outline application site and for each phase of the development. The S106 agreement requires the overall affordable housing provision across the site to be 15%. Each phase must have at least 5% of the dwellings as affordable housing, but no more than 30%.

16.13 This phase of the development includes 36 units for affordable dwellings. This represents 11% of the total dwellings proposed for this site, which is within the thresholds as set out in the S106 Legal Agreement.

16.14 The proposed affordable housing units include 25 two bed properties and 11 three bed properties, and are a mix of 2 and 2.5 storeys. The units are either semi-detached, or in small terraces of 3 or 4 units. No more than 8 units are located in any one particular grouping, and the same house types are used as for the open market housing. The affordable housing units will therefore be integrated in to the development and will not be distinguishable from the open market units.

The tenures proposed are 50 % of the units to be social rented and 50 % for shared ownership. The application is supported by a housing needs statement. The application provides for a total of 36 affordable units, with 18 two bedroom rented units, 7 two bedroom shared ownership units and 11 three bedroom shared ownership units.

The approach to the provision of affordable housing on the site followed initial pre-application discussions and subsequent engagement with registered providers Trent and Dove, Longhurst Group and Riverside Housing, as well as Midland Heart and Orbit Heart of England. The proposed mix to be provided was discussed in detail with them to ensure that the proposed mix would meet with their requirements. These discussions confirmed that the proposed mix and location of the units were acceptable and that they would fit with their programs for 2021 and beyond. Whilst the proposed mix differs from that set out in the previous Housing Mix SPD, it is a mix that has been subject to discussions with relevant providers who have confirmed its suitability.

16.15 The proposed affordable housing mix, tenure and locations within the site have been fully considered and are deemed to be acceptable. Although the mix differs from that set out in the Housing Choice SPD, the applicant's have prepared the application in conjunction with advice from local Registered Providers of affordable housing, and the mix and tenure reflect their experience of delivering affordable housing units. In addition, the council's strategic housing team have been consulted on the application, and have no objections to proposal.

17. Green Infrastructure and National Forest

17.1 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.

17.2 Strategic Policy 23 states that development should contribute towards the creation, enhancement or ongoing management of a series of local green infrastructure corridors. The policy lists 10 standards green infrastructure is expected to meet

17.3 Strategic Policy 26 supports the National Forest Strategy 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.

17.4 The proposals include National Forest Planting which in relation to this phase, has been approved under reserved matters application P/2016/00232. A planting, retention of existing planting and long term management strategy has been agreed and the development will be carried out in accordance with these approved details. In addition, the S106 Legal Agreement has a clause to provide a planting scheme for each phase where forest planting will take place. On this basis, the National Forest Planting has already been approved in relation to this phase and the proposal complies with the objectives of Policy SP26 of the Local Plan.

18. Biodiversity

18.1 Paragraph 118 within Section 11 of the National Planning Policy Framework states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, planning permission should be refused.

18.2 The Natural Environment and Rural Communities Act 2006 states that public authorities in England have a duty to have regard to conserving biodiversity as part of policy or decision making.

18.3 Strategic Policy 29 lists criteria including development retain features of biological interest produces a net gain in biodiversity in line with Staffordshire biodiversity action plan species and supporting developments with multi-functional benefits.

18.4 The outline planning approval was accompanied by an ecological survey that concluded all habitats of any merit were to be retained as part of the proposal. The opportunities for biodiversity provision and retention across the site were considered in full. No evidence was found that there were protected species in any of the areas that were to be developed for this

phase. No evidence has come to light during the processing of this reserved matters application that suggests the presence of any protected species or their habitat. Over and above this, the developer has a duty to ensure that any protected species or their habitat are not damaged or destroyed with out appropriate mitigation. It is recommended that an informative to be attached to any permission given.

19. Open space

- 19.1 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.
- 19.2 Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.
- 19.3 SP32 and SP33 set out the requirements of open space provision across the Borough.
- 19.4 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.
- 19.5 Developers should provide open space to the local standard identified for the area. Local Standards are identified in the Local Plan Supplementary Planning Document
- 19.6 Outwoods Neighbourhood Plan Policy LR2 ‘Play for All’ sets out the requirement that all new residential development is required to provide a mixture of children’s play facilities, of an appropriate scale to meet need, as set out in the East Staffordshire Borough Council ‘Open Space’ guidance. In addition to the provision of play equipment for children and infants, facilities must be provided for teenagers and adults. Play provision must be suitably located, accessible to people with disabilities, dispersed throughout the proposed development and located away from busy roads and benefit from natural surveillance.
- 19.7 Policy LR3 of the Outwoods Neighbourhood Plan sets out requirements in terms of Green and Blue Infrastructure. All new development proposals should attempt to create additional green space of value to, and accessible to the public and preserve and enhance existing trees, hedgerows and other woodland cover. Schemes which remove mature trees, hedgerows and ponds (regardless of their age or quality) will not be supported unless suitable, high quality mitigation is proposed within the application site in order to maintain the current landscape quality.
- 19.8 The approved outline application makes provision for open space across the whole of the site by way of condition that requires each phase of the development to provide an open space strategy to be approved before each

phase commences. In addition, the S106 Legal Agreement makes provision for public open space within the site, landscaping and play equipment. On top of this requirement, there is also provision for a financial contribution towards off site provision for sports facilities.

19.9 In relation to this phase of the development, there is on site provision for informal areas of public open space. The reserved matters for landscaping P/2016/00232 provides a large landscaped buffer zone that will be accessible to the public. In addition, this area is identified as having an equipped play area to the western side. Each phase of the development requires a level of open space commensurate with that phase, and it is considered that the small areas of open space within this site, together with the approved landscaped buffer zone and equipped play area meet the requirements. In addition, there will be wider landscaping and open space provision on the remainder of the site that will be accessible to the public, with links throughout the site. Woodland trails are included, together with the Outwoods Community Park on the southern part of the site. All residents on this phase will have easy access to both landscaped and informal open space areas, and areas that will be equipped. Conditions on the outline permission in relation to this phase have secured the type of equipment on the identified areas, and a management and planting strategy has been agreed. Clauses in the S106 Legal Agreement seek to secure the management and long term retention of these features. It is considered therefore, that the proposal is acceptable in relation to the provision of open space and complies with policies 32 and 33 of the east Staffordshire local plan and policies LR2 and LR3 of the Outwoods Neighbourhood Plan.

20. Education

20.1 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.

20.2 The approved outline application is subject to a S106 Legal agreement that makes provision for a primary school within the application site and for a financial contribution to be made towards the provision of a secondary school on Branston Road, Burton Upon Trent. The school site is identified as a separate phase of the outline approval and will be secured in accordance with the terms of the S106 Agreement.

21. Section 106 Contributions

21.1 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.

21.2 National Planning Practice Guidance states that when CIL is introduced (and nationally from April 2015), the regulations restrict the use of pooled contributions towards items that may be funded via the levy. At that point, no more may be collected in respect of a specific infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy.

21.3 The following contributions are already agreed and set out in the S106 Agreement already in place. **(It should be noted that the triggers in the S106 Agreement to secure the provisions listed below have not yet been reached but will be monitored accordingly)**

Item	Planning Obligation	Cost (where applicable)
Education	Primary school to be provided on site and financial contribution towards a secondary school on Branston Road	
Refuse Containers	Contribution to provide refuse storage containers at £75 per dwelling	
Open space	Provision & maintenance	
Affordable Housing	On site provision of affordable housing of 15% across the whole site, with no less than 5% on each phase or more than 30%	
Travel plan Framework and Bus service	Travel plan submission and monitoring. Provision of Bus service for the site. Off site Road improvements	
National Forest	A scheme of forest planting or contribution	
Open space, play areas and landscaping	To provide areas for play, open space and landscaping, equipment and future management	
Common Amenity Area	To submit a scheme identifying common amenity areas and how they will be managed	
Community liaison group	To set up a community liaison group to advise in relation to operations associated with carrying out of the development	
Medical facilities	To provide Primary health care facilities on the site as required by the Primary care Trust	
Highway provisions	A schedule of the off sites works required and the financial contribution to provide them	

Sports provision	A financial contribution for provision/improvements to sports and recreation facilities	
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22. Conclusions

- 22.1 In overall locational terms, the principle of this proposal has been established by the extant consent P/2013/00429, subsequent approval of reserved matters application P/2016/00232 and discharge of a number of conditions in relation to this phase of the development. In addition, the site is wholly within the Burton Upon Trent settlement boundary and is allocated as a Sustainable Urban Extension, Policy SP7 in the East Staffordshire Local Plan.
- 22.2 The site is capable of accommodating the level of housing being proposed and statutory consultees and relevant departments who have been consulted have raised no objections to the proposal. The submitted plans demonstrate that the development can provide adequate private garden space to serve future occupants. Sufficient parking provision has been demonstrated in accordance with the Revised Car Parking Standards SPD and the policies set out in the Neighbourhood Plan
- 22.3 Overall, the design, layout and massing of the proposed development is acceptable and the scheme would result in no unacceptable detriment to the residential amenities of neighbouring occupiers, with no harm to the habitats of protected species.
- 22.4 The proposal accords with the phasing plan approved for the site, and will be integrated in to the wider development, by landscaping and good transport links, including pedestrian, cycle and vehicular routes.
- 22.5 Taking into consideration the environmental, social and economic impacts of this scheme it is considered that the proposal is acceptable and would be in accordance with relevant policies within the Local Plan, the Outwoods Neighbourhood Plan, and the NPPF.
- 22.6 In addition to the proposal accords with the requirements of the S106 legal Agreement, and will not result in any loss of the specified provisions, which will be secured when the relevant triggers are met.

22.7 RECOMMENDATION

22.8 Grant Permission Subject to Conditions

1. Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans subject to compliance with other conditions of this permission:

Drawing No. P19-2337 003 – Rev C 1:500 site location plan dated as received on 11 March 2020

Drawing No. P19-2337 004 – Rev Q 1:500 Planning Layout dated as received on 4 August 2020

Drawing No: Schedule of proposed House Types – 1:100 elevations and 1:100 floor plans dated as received 9 March 2020 and 13 May 2020

Drawing No. GTC-E-SS-0012-R2-1 1 of 1 1:50 Substation details dated as received on 28 February 2020

Drawing No. UK P6131 – DWG 150 – Rev 1 – 1:10 and 1:20 Kiosk details dated as received on 28 February 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(s) in accordance with East Staffordshire Local Plan Policies SP1, SP23, SP24, SP35, DP1 and DP3, Policies TA2, TA3, RD1 and LR4 of the Outwoods Neighbourhood Plan, the East Staffordshire Design Guide, and the National Planning Policy Framework.

2. Highway Condition

Before any part of the development hereby authorised is brought into beneficial use the numbers and sizes of car parking spaces, cycle parking and garages shall be provided in accordance with the numbers and dimensions required by ESBC policy and SCC Design Guidance.

Reason: To ensure adequate off-street parking exists to serve the development to avoid vehicles parking on the adjoining road and obstructing the free flow of movement of traffic in the interests of highway safety in accordance with East Staffordshire Local Plan Policy SP35.

3. Retention of Garage/Parking Space

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 the approved garage accommodation/parking space provided in connection with the development shall be made available at all times for the parking of vehicles in relation to the residential use of the premises unless planning permission for any alternative use has first been granted by the Local Planning Authority.

Reason: To ensure adequate off-street parking exists to serve the development to avoid vehicles parking on the adjoining road and obstructing the free flow of movement of traffic in the interests of highway safety in accordance with East Staffordshire Local Plan Policy SP35.

4. Details of landscaping

No development shall take place until a scheme of within plot landscaping, has been submitted to and approved in writing by the Local Planning Authority.

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

5. Implementation of Landscaping

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) 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 occupiers of adjacent buildings - where appropriate) and in accordance with East Staffordshire Local Plan Policy SP24, the East Staffordshire Design Guide 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. 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 bats is found during demolition all work should cease and the services of a licensed ecologist procured to ensure an offence is not committed.

3. Environmental Health Comments

The applicant/developer is advised that the Environmental Health Manager has pointed out that since the initial grant of outline planning permission P/2013/00429, advice and standards have been updated. Any application to discharge conditions as recommended by Environmental Health will be assessed using current standards and any reports/statements submitted by the applicant will need refer to these standards accordingly

4. Highways Informative

This estate road and drainage layout will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. If there are detailed issues that may need to be revised in order to achieve technical approval under that process and the developer should be advised to contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works. The obtaining of planning permission for this design/layout will not be considered as a reason to relax the required technical standards for the adoption of the road and drainage and any changes may necessitate the submission of further planning applications.

5. Pre-commencement Conditions

In addition to the pre-commencement condition referred to in condition 4 above, the applicant/developer is reminded that the conditions on the original outline approval **P/2013/00429** and the terms of the associated **S106 Legal Agreement** also apply to this approval of Reserved Matters application and need to be satisfied/complied with accordingly.

This means that a lawful commencement of the approved development/works cannot be made until the particular requirements of these conditions/legal agreement 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 (or £34 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house). 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.

23. Background papers

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

- The Local and National Planning policies outlined above in section 7
- Papers on the Planning Application file reference: P/2020/00184
- Papers on the Planning Application file reference: P/2013/00429
- Papers on the Planning Application file reference: P/2016/00232
- Papers on the Planning Application file reference: P/2016/00233
- Papers on the Planning Application file reference: P/2016/00234
- Papers on the Planning Application file reference: P/2017/00969

24. Human Rights Act 1998

24.1 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.

25. Crime and Disorder Implications

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

26. Equalities Act 2010

26.1 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: Emma Carrington
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