

**TOWN AND COUNTRY PLANNING ACT 1990
PERMISSION FOR DEVELOPMENT**

**This permission is subject to an Agreement under
S106 of the Town & Country Planning Act 1990**

Date valid application received: 02/06/2011

Application No: P/2011/00546/CEH/PO

Name and address of Agent

Name and address of Applicant

Signet Planning
Strelley Hall
Main Street
Strelley Village
Nottingham
NG8 6PE

Peveril Homes
Beech Lawn
Green Lane
Belper
Derbyshire

EAST STAFFORDSHIRE BOROUGH COUNCIL in pursuance of powers under the above mentioned Act hereby **PERMITS**:

**Erection of 212 dwellings and associated garages, erection of 14 commercial units and a community building and the provision of public open space, allotments and a sports pitch, including the formation of two vehicular accesses
Land at Burton Road, Tutbury, Staffordshire**

in accordance with the submitted documents and plans and subject to the condition(s) specified hereunder:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 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.s:

6640/P/OS1 Site Location Plan A dated as received on 19th May 2011
6640/P/01H Overall Site Plan dated as received 24th August 2011
6640/P/02H Residential Site Plan dated as received 24th August 2011
6640/P/03B Road Layout dated as received 19th May 2011
6640/P/04 House Type Mix dated as received 19th May 2011
6640/P/05A Open Spaces Areas dated as received 19th May 2011
6640/P/06 Phasing Plan dated as received 19th May 2011
6640/P/07 Site Areas dated as received 19th May 2011
6640/P/08 Site Survey dated as received 19th May 2011
6640/P/10D Type A House dated as received 19th May 2011
6640/P/12E Atlow House Type dated as received 19th May 2011



6640/P/13E Type B House Type dated as received 19th May 2011
 6640/P/14H Wessington Special Floor Plans dated as received 19th May 2011
 6640/P/15H Wessington Special Elevations dated as received 19th May 2011
 6640/P/16A Type C Special dated as received 19th May 2011
 6640/P/17E Atlow Special House Type dated as received 19th May 2011
 6640/P/18C Broadwater House Type dated as received 19th May 2011
 6640/P/19D Bungalow Type A House Type dated as received 19th May 2011
 6640/P/20E Bungalow Type B dated as received 19th May 2011
 6640/P/21D Type C House Type dated as received 19th May 2011
 6640/P/22F Claremont A House Type dated as received 19th May 2011
 6640/P/23D Type D House Type dated as received 19th May 2011
 6640/P/24H Type F House Type dated as received 19th May 2011
 6640/P/25C Type G House Type dated as received 19th May 2011
 6640/P/26E Grangewood House Type dated as received 19th May 2011
 6640/P/28D Lichfield A House Type dated as received 19th May 2011
 6640/P/29E Lichfield B House Type dated as received 19th May 2011
 6640/P/30B Lichfield C House Type dated as received 19th May 2011
 6640/P/31D Sheringham A Floor Plans dated as received 19th May 2011
 6640/P/32D Sheringham A Elevations dated as received 19th May 2011
 6640/P/33F Sheringham B Floor Plans dated as received 23rd August 2011
 6640/P/34F Sheringham B Elevations dated as received 23rd August 2011
 6640/P/35E Taunton House Type dated as received 19th May 2011
 6640/P/36A Claremont B 6640/P/20 dated as received 19th May 2011
 6640/P/37C Welbeck House Type dated as received 19th May 2011
 6640/P/38D Wessington Floor Plans dated as received 19th May 2011
 6640/P/39D Wessington Elevations dated as received 19th May 2011
 6640/P/40B Wessington Extra Floor Plans dated as received 19th May 2011
 6640/P/41B Wessington Extra Elevations dated as received 19th May 2011
 6640/P/42A Garage Plans and Elevations dated as received 19th May 2011
 6640/P/45 Indicative Streetscenes dated as received 19th May 2011
 6640/P/46 Indicative Streetscenes dated as received 19th May 2011
 6640/P/51 Units 1-6 and Community Plans dated as received 19th May 2011
 6640/P/52 Unit 7-14 Floor Plans dated as received 19th May 2011
 6640/P/53 Commercial Units Roof Plan dated as received 19th May 2011
 6640/P/054 Commercial Light Industrial Units dated as received 19th May 2011
 6640/P/055 Commercial Units Northerly Elevations dated as received 19th May 2011
 6640/P/056 Commercial Western Elevations dated as received 19th May 2011
 6640/P/057 Commercial Eastern Elevations dated as received 19th May 2011
 6640/P/058 Commercial Units Southern Elevations dated as received 19th May 2011
 6640/P/059 Commercial Units North & West Elevations to Entry dated as received 19th May 2011
 6640/P/060 Commercial Units South & East Elevations to Entry dated as received 19th May 2011
 6640/P/70 Red Line Site Plan dated as received 19th May 2011.
 L3125/01 Schematic Planting Plan dated as received 19th May 2011
 L3125/03 Detailed Planting Plan 1 of 13 dated as received 19th May 2011
 L3125/04 Detailed Planting Plan 2 of 13 dated as received 19th May 2011
 L3125/05 Detailed Planting Plan 3 of 13 dated as received 19th May 2011
 L3125/06 Detailed Planting Plan 4 of 13 dated as received 19th May 2011
 L3125/07 Detailed Planting Plan 5 of 13 dated as received 19th May 2011
 L3125/08 Detailed Planting Plan 6 of 13 dated as received 19th May 2011
 L3125/09 Detailed Planting Plan 7 of 13 dated as received 19th May 2011
 L3125/010 Detailed Planting Plan 8 of 13 dated as received 19th May 2011
 L3125/011 Detailed Planting Plan 9 of 13 dated as received 19th May 2011



L3125/012 Detailed Planting Plan 10 of 13 dated as received 19th May 2011
L3125/013 Detailed Planting Plan 11 of 13 dated as received 19th May 2011
L3125/014 Detailed Planting Plan 12 of 13 dated as received 19th May 2011
L3125/015 Detailed Planting Plan 13 of 13 dated as received 19th May 2011

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, will not create or exacerbate the risk of flooding in the locality, and will make adequate provision for affordable housing and public open space in accordance with East Staffordshire Local Plan Saved Policies BE1, H6, H12 and T1, Staffordshire Structure Plan Saved Policies T5 and T13, the East Staffordshire Design Guide, the Open Spaces, Parking Standards and Housing Choice Supplementary Planning Documents and the National Planning Policy Framework.

- 3 Prior to the commencement of development of each phase as defined on the approved Phasing Plan (Drawing No. 6640/P/06) samples and details of all external materials and finishes (including those for walls, roofs, windows, doors, parapets and chimneys including details of coursing in respect of brickwork and tiles) shall be submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out using the agreed materials and finishes.

Reason: To safeguard the character and appearance of the buildings and wider surroundings in accordance with East Staffordshire Local Plan Saved Policies BE1 and H6 and the East Staffordshire Design Guide.

- 4 Prior to the commencement of development, and notwithstanding the submitted landscaping details, further landscaping details in respect of the land adjacent to the spine road shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a landscaping scheme to enhance the development is provided and in the interests of highway safety as recommended by the Highway Authority in accordance with East Staffordshire Local Plan Saved Policies BE1 and T1 and the East Staffordshire Design Guide.

- 5 Prior to the commencement of development in respect of Phase 2 as defined on the approved Phasing Plan (Drawing No. 6640/P/06) full details of the play equipment/area, including details of all materials and finishes, shall be submitted to and approved in writing by the Local Planning Authority. The play equipment/area shall be provided in accordance with the approved details prior to the first occupation of any of the dwellings within Phase 2.

Reason: To ensure the play equipment/area is fit for purpose and to safeguard the character and appearance of the locality in accordance with East Staffordshire Local Plan Saved Policy BE1, the Open Spaces Supplementary Planning Document, and the East Staffordshire Design Guide.

- 6 Prior to the commencement of development details of all materials for hard-surfaced areas (including accesses, roads, parking, servicing and turning areas, pavements and any hard-surfaced areas in the public open space and around buildings) shall be submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out using the agreed materials.

Reason: To safeguard the character and appearance of the development and wider surroundings in accordance with East Staffordshire Local Plan Saved Policies BE1 and H6 and the East Staffordshire Design Guide.



- 7 Prior to the commencement of development details of boundary treatment, including materials, finishes, heights and sections (where there are changes in topography) shall be submitted to and approved in writing by the Local Planning Authority. The boundaries between new dwellings and the public realm shall consist of walls and/or railings. The boundary treatment shall be provided in accordance with the approved details prior to the first occupation/use of the part of the development to which it relates.

Reason: To safeguard the character and appearance of the development and wider surroundings in accordance with East Staffordshire Local Plan Saved Policies BE1 and H6 and the East Staffordshire Design Guide.

- 8 Prior to the commencement of the development details of all verges and eaves of buildings (including those for any proposed porches and dormer windows) at a minimum scale of 1:5 shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the buildings and wider surroundings in accordance with East Staffordshire Local Plan Saved Policies BE1 and H6 and the East Staffordshire Design Guide.

- 9 Prior to the commencement of development details of all proposed external joinery, including materials and finishes, sections to a minimum scale of 1:5 showing the relationship of windows and doors to the outer face of walls, and cill and lintel details, shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the buildings and wider surroundings in accordance with East Staffordshire Local Plan Saved Policies BE1 and H6 and the East Staffordshire Design Guide.

- 10 Prior to the commencement of development details of any garage doors, including materials, finish and setback from outer walls shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the buildings and wider surroundings in accordance with East Staffordshire Local Plan Saved Policies BE1 and H6 and the East Staffordshire Design Guide.

- 11 Prior to the commencement of development precise details of the type, size, materials and finish of any proposed rooflights shall be submitted to and approved in writing by the Local Planning Authority. The approved rooflights shall be fitted such that their outer faces are flush with the plane of the roof unless otherwise first agreed in writing with the Local Planning Authority. Once installed the rooflights shall not be replaced with any alternative type without the prior written consent of the Local Planning Authority.

Reason: To safeguard the character and appearance of the buildings and wider surroundings in accordance with East Staffordshire Local Plan Saved Policies BE1 and H6, and the East Staffordshire Design Guide.

- 12 Prior to the commencement of construction of any exterior walls in respect of each phase of the development as defined on the approved Phasing Plan (Drawing No. 6640/P/06), a 1m square



sample panel of brickwork to show the proposed coursing, bonding and pointing (including details of mortar mix and colour) shall be prepared for inspection and approval in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the buildings and wider surroundings in accordance with East Staffordshire Local Plan Saved Policies BE1 and H6, and the East Staffordshire Design Guide.

- 13 Prior to the commencement of development hereby approved details of all slab levels and any regrading proposed to the site shall be submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out in accordance with those details so approved.

Reason: To ensure that the development does not adversely affect the amenities of adjoining properties and the character or appearance of the area in accordance with East Staffordshire Local Plan Saved Policies BE1 and H6, and the East Staffordshire Design Guide.

- 14 Prior to the commencement of development a scheme for the disposal of foul and surface waters, to include sustainable drainage principles and the hydrological and hydrogeological context of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate sustainable urban drainage systems in the form of ponds, swales and underground storage, and include details of how the scheme will be managed once in operation. The development shall only be carried out, and the drainage scheme subsequently managed, in accordance with the approved details.

Reason: To ensure adequate drainage facilities are provided to serve the development, to reduce the risk of flooding, in the interests of highway safety and to prevent pollution of the water environment as recommended by Severn Trent Water Limited, the Highway Authority and the Environment Agency in accordance with the National Planning Policy Framework and East Staffordshire Local Plan Saved Policy T1.

- 15 Prior to the commencement of development a written scheme of investigation securing the implementation of a programme of archaeological work shall be submitted to and approved in writing by the Local Planning Authority. The programme of work shall be implemented in accordance with the approved details.

Reason: To ensure that no development takes place which may adversely affect any items of archaeological interest without adequate prior investigation in accordance with the National Planning Policy Framework.

- 16 Prior to the commencement of development, and notwithstanding the submitted details in respect of Green Lane, full details of off-site highway works and a programme of phased implementation (including details of construction, surface water drainage and street lighting) for the following shall be submitted to and approved in writing by the Local Planning Authority:

(i) Priority junction and ghost right turn facility on the A511 as broadly indicated on submitted Drawing No. F09049/06;

(ii) Priority junction and new footway/cycleway between the site access and Ironwalls Lane broadly indicated on submitted Drawing No. F090049/05/A; and



(iii) Localised widening of Green Lane to 5.5m across the site frontage in the vicinity of Plots 57-59 and a vehicle access to Plots 57-61 constructed as a dropped crossing to a standard width of 5.0m.

The off-site highway works shall be constructed in accordance with the approved details and programme of phased implementation.

Reason: As recommended by the Highway Authority in the interests of highway safety and in accordance with East Staffordshire Local Plan Saved Policy T1.

- 17 Prior to the commencement of development details of all road construction, street lighting and drainage including longitudinal sections and means of draining roads to an acceptable outfall shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the roads shall only be constructed in accordance with the approved details.

Reason: As recommended by the Highway Authority in the interests of highway safety and in accordance with East Staffordshire Local Plan Saved Policy T1.

- 18 Prior to the commencement of development details of sustainability/energy saving measures, techniques and targets to be employed in the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure the development is sustainable and does not contribute unduly to climate change in accordance with the National Planning Policy Framework and the East Staffordshire Design Guide.

- 19 Prior to the commencement of development in respect of the commercial units details of weather-proof, secure cycle storage facilities for use by the commercial element of the development shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to first use of the commercial units and thereafter be made available at all times for their designated purpose.

Reason: As recommended by the Highway Authority in the interests of encouraging the use of sustainable modes of transport in accordance with Staffordshire Structure Plan Saved Policies T5 and T13.

- 20 Prior to commencement of development, and notwithstanding the submitted details, revised details of the public transport facilities within the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the relocation of the bus stop outside Plot 166 to Plots 178 and 179 with a linking footway and hard-standing to the south-bound bus stop, and details of bus stop construction including hard-standings, raised kerbs and shelters. The facilities shall be provided in accordance with the approved details prior to first occupation of the 80th dwelling.

Reason: As recommended by the Highway Authority in the interests of highway safety and to encourage the use of sustainable modes of transport in accordance with East Staffordshire Local Plan Saved Policy T1 and Staffordshire Structure Plan Saved Policies D2, T1A and T13.

- 21 Prior to the commencement of development details of dust mitigation measures during construction shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved measures.



Reason: To safeguard the amenities of occupiers/users of properties within the vicinity of the site in accordance with East Staffordshire Local Plan Saved Policies BE1 and H6.

- 22 Prior to the first occupation of any of the dwellings in Phases 2, 3, or 4 as defined on the approved Phasing Plan (Drawing No. 6640/P/06) the spine road between the Burton Road and A511 site accesses shall be completed to binder course level.

Reason: As recommended by the Highway Authority in the interests of highway safety and in accordance with East Staffordshire Local Plan Saved Policy T1 and Staffordshire Structure Plan Saved Policy T13.

- 23 Prior to the first use of the development to which it relates, the approved parking, turning and servicing areas shall be provided and thereafter be made available at all times for their designated purposes.

Reason: As recommended by the Highway Authority in the interests of highway safety and in accordance with East Staffordshire Local Plan Saved Policies T1, T6 and T7.

- 24 All guttering and downpipes shall have a black finish unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To safeguard the character and appearance of the buildings and wider surroundings in accordance with East Staffordshire Local Plan Saved Policies BE1 and H6 and the East Staffordshire Design Guide.

- 25 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/use of the part of the development to which they relate as defined on Phasing 1, 2, 3 and 4 Layouts (Drawing No. s 6640/P/80, 6640/P/81, 6640/P/82 and 6640/P/83 dated as received on 19th April 2012) or the completion of that part 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 highway safety in accordance with East Staffordshire Local Plan Saved Policies BE1 and T1, and the East Staffordshire Design Guide.

- 26 If during the course of development, contamination not previously identified is found to be present on the site, then no further development (unless otherwise first agreed in writing with the Local Planning Authority) shall be carried out until a method statement detailing how and when the contamination is to be dealt with has been submitted to and approved in writing by the Local Planning Authority. The contamination shall then be dealt with in accordance with the approved details.

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 the National Planning Policy Framework.

- 27 The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated April 2011 Ref. P119 Tutbury FRA 3 undertaken by



Armstrong Stokes and Clayton Limited and the following mitigation measures detailed within the FRA:

Limiting the surface water run-off generated by all events up to the 100 year plus 20% commercial (for climate change), 30% residential (for climate change) critical rain storm so that it will not exceed the run-off from the undeveloped site, and not increase the risk of flooding off-site.

Reason: As recommended by the Environment Agency to ensure that there is sufficient storage and disposal of surface water from the site to reduce the risk of flooding in accordance with the National Planning Policy Framework.

- 28 No operations authorised or required under this permission in respect of the commercial units, including deliveries, unless otherwise agreed in writing by the Local Planning Authority, shall be carried on outside the following times:

Monday to Friday: 0800hrs to 1800hrs

Saturday: 0900hrs to 1400hrs

There shall be no working on Sundays or Bank Holidays.

Reason: To protect the amenities of adjoining properties and the locality in general in accordance with East Staffordshire Local Plan Saved Policies BE1 and H6 and the National Planning Policy Framework.

- 29 There shall be no outside storage or working in respect of the commercial units unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the area and the amenity of neighbouring properties in accordance with East Staffordshire Local Plan Saved Policies BE1 and H6 and the National Planning Policy Framework.

Informative(s)

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

Condition Nos. 3 to 21 inclusive

This means that a lawful commencement of the approved development cannot be made until the particular requirements of the 'prior to commencement' 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 £85 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. If you wish to pay by credit or debit card (1.6% administration charge for credit cards) 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



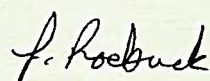
timescale should be borne in mind when programming development.

- 2 The applicants are advised to note and act upon as necessary the comments of the Environment Agency as set out in the attached letter dated 28th June 2011, particularly with regard to the agency's requirements in respect of complying with Condition 14 above.
- 3 The applicants are advised to note and act upon as necessary the comments of the Architectural Liaison Officer as set out in the attached letter dated 8th June 2011. Where this advice conflicts with the terms of this planning permission the latter take precedence.
- 4 The applicants are advised to note and act upon as necessary the comments of the Highway Authority as set out in the Form X dated 15th September 2011.
- 5 The applicant is advised that in complying with Condition 3 above, details of the proposed materials should be submitted in writing to the Local Planning Authority, with any correspondence including notification of the date on which samples will be made available on-site.
- 6 The applicants are advised that in complying with Condition 4 above, the additional landscaping details should include planting which will contain vehicle speeds to a maximum of 20mph.
- 7 The applicants are advised that in complying with Condition 23 above the intention is that the relevant parking, turning and servicing areas will be provided when the part of the development to which they relate has been occupied or brought into use. In the majority of cases this will mean discrete parts of the development such as individual dwelling plots.
- 8 The decision to grant permission has been taken having regard to the policies and proposals in the Development Plan and to all relevant material considerations, and for the following reason(s):

The proposal constitutes development of a sustainable Greenfield Site which it is appropriate to release at this stage based on the fact that at the time of the Committee resolution to permit there was an absence of a 5 year supply of suitable and deliverable Brownfield housing sites. Subject to compliance with the submitted supporting documentation and recommended conditions, the proposal will not detrimentally affect the character or appearance of the surrounding area, will not prejudice the safe or efficient use of the highway network, will not unacceptably harm protected species or their habitats, and will not unacceptably harm the amenities enjoyed by the occupiers of nearby dwellings. The proposal makes adequate provision for affordable housing and public open space, as well as providing a community facility and employment units. Overall the scheme will make a positive contribution to the social, economic, recreational and wildlife value of the village. The proposal therefore accords with the National Planning Policy Framework, Saved Policies BE1, H6, H12 and T1 of the East Staffordshire Local Plan, Staffordshire Structure Plan Saved Policies T5 and T13, the East Staffordshire Design Guide, the Policy Statement on Brownfield and Greenfield Land Release, and the Open Spaces, Parking Standards and Housing Choice Supplementary Planning Documents.

This consent is given in pursuance of the relevant Planning Legislation and does not entitle you to do anything for which the consent of some other landowner, person, public authority, or department of the Council is required.

Dated 10th May 2012

Signed 

Page 9 of 9



INVESTOR IN PEOPLE

Philip Somerfield B.A. Dip T.P., D.M.S. M.R.T.P.I
Head of Regulatory Services
The Maltsters, Wetmore Road, Burton upon Trent, Staffordshire DE14 1LS
www.eaststaffsbc.gov.uk
Helping Conservation – Printed on recycled paper

Decision Notice Com – PA Approve Conditions

GENERAL DEVELOPMENT PROCEDURE ORDER 1995

PART 2

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pes.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Charlotte El Hakiem
Planning Delivery
East Staffordshire Borough Council
Town Hall
Burton Upon Trent
Staffordshire DE14 2EB

Contact: Duncan Fisher
Direct Line: 01785 23 4693
duncan.fisher@staffordshire.pnn.police.uk
Our Ref: **08.06.11 (2058ES)**
Your Ref: P/2011/00546/CEH
Date: 8th June 2011

Peveril Homes
Beech Lawn
Green Lane
Belper
Derbyshire DE56 1BY

Mr Paul Stone
Signet Planning
Strelley Hall
Main Road
Strelley
Nottingham NG8 6PE

Dear Charlotte,

Ref: P/2011/00546/CEH
Proposal: Erection of 212 dwellings and associated garages, erection of 14 industrial units and a community building and the provision of public open space, allotments and a sports pitch, including the formation of two vehicular accesses
Location: Land at Burton Road, Tutbury, Staffordshire

I have taken the opportunity to examine the above planning application with reference to the Association of Chief Police Officer's Secured by Design Criteria and the Principles of Crime Prevention Through Environmental Design.

Whilst we do not object to a residential development of this proportion in this location we object to the proposed levels of permeability and the design and location of pedestrian routes. We are concerned that these proposals will promote crime through unnecessary permeability. It is important that a high level of physical security is incorporated in these proposals and that the following minimum recommendations are complied with.

The Secured by Design Website (www.securedbydesign.com) provides valuable information regarding police and home office recognised standards and licensed component manufacturers.

If I can be of any further assistance with regard to reducing opportunities for crime or fear of crime and disorder in this proposal, please do not hesitate to contact me on 01785 23 4693.

Architectural Liaison Officer
Tamworth Police Station
Spinning School Lane
Tamworth
Staffordshire B79 7BB

Report 2058ES made on the 8th of June 2011 in response to Application P/2011/00546/CEH for the erection of 212 dwellings and associated garages, erection of 14 industrial units and a community building and the provision of public open space, allotments and a sports pitch, including the formation of two vehicular accesses on land at Burton Road, Tutbury.

1. INTRODUCTION.

This guidance incorporates new security standards that have been developed to address emerging criminal methods of attack. The guidance has also been closely scrutinised to ensure that it complements the Code for Sustainable Homes.

1.1 SECURED BY DESIGN.

Secured By Design is a police initiative aimed at guiding and encouraging those involved within the specification, design and build of new homes to adopt crime prevention measures in new development. The following guidance and recommendations have been proven to reduce the opportunity for crime and the fear of crime, and proved to create a safer, more secure and sustainable environment. Secured by Design is owned by the Association of Chief Police Officers (ACPO) and is supported by the Home Office and Communities and Local Government (CLG)

1.2 SUSTAINABILITY AND THE CARBON COST OF CRIME.

ACPO (Association of Chief Police Officers) Secured By Design places great importance upon the need to build sustainable communities. This not only includes the need to use environmentally friendly materials, construction and operational methods, but also the need to raise awareness of the reduction of crime as a positive sustainability issue.

Recent research conservatively estimates the carbon cost of crime within the UK to be in the region of 6,000,000 tonnes of CO₂. This is roughly equivalent to the total CO₂ output of 6 million UK homes. At current domestic burglary rates the marginal carbon costs of building a home to Secured By Design standards will be recovered within four years.

The environmental benefits of Secured by Design are fully supported by independent research proving that Secured By Design housing developments suffer at least 50% less burglary, 25% less vehicle crime and 25% less criminal damage. Therefore the carbon costs of replacing windows or doorsets on Secured By Design developments as a result of criminal activity is more than 50% less than that of non-Secured By Design developments.

These impressive crime reductions have been achieved through the adherence to well researched and effective design solutions and the use of building products, such as doors and windows that have independent third party certification to police preferred specifications.

Secured By Design New Homes.

Secured By Design New Homes addresses the community safety and security requirements for most types of housing development including individual houses, housing estates and low rise apartment blocks up to a maximum of five stories above ground level. The design and layout and physical security requirements can be applied to both new and refurbished homes, regardless of their existing or future tenure. Additional information for sheltered housing projects and high rise developments is available in separate design guides available from the Secured by Design website.

If you would like to apply for Secured by Design certification, please use the Secured By Design New Homes application form at:
http://www.securedbydesign.com/professionals/sbd_developers_award.aspx

2. DESIGN CONCERNS.

2.1 ROADS AND FOOTPATHS.

We do not support the proposed secondary pedestrian link to Portway Drive to the South West. The preferred method of pedestrian access to this proposal from the West is via Green Lane and the proposed entrance to the North West. This route along Green Lane benefits from a large amount of natural surveillance and would remove an escape route that does not benefit from a large amount of direct natural surveillance.

In addition it must be possible to secure against unwanted access and escape between Plots 57 and 61 through use of a locked gate or boundary.

- Routes through this development, for all forms of movement, should be designed so that they are clear, direct, busy and desirable.
- Routes should not undermine the defensible space of neighbourhoods.
- Design features should be incorporated to identify the acceptable routes through a development, encourage their use and enhance the feeling of safety. Rumble strips, change of road surface (colour and texture), pillars or narrowing of the carriageway may be used to limit access/use to residents and legitimate visitors. This will help to define defensive and private space, highlight unwanted and legitimate visitors and encourage a feeling of territoriality among residents.

Permeability.

There are advantages in some road layout patterns over others especially where the pattern frustrates the searching behaviour and escape desire of the criminal. Whilst it is accepted that through routes will be included within development layouts the designer must ensure that the development's security is not compromised by excessive permeability, such as allowing the criminal legitimate access to the rear or side boundaries of dwellings or providing too many or unnecessary segregated footpaths (**Secured By Design New Homes Note 3.1**). Overlooking of the street from the dwellings and a high level of street activity are desirable, but are no guarantee of lower crime, which evidence proves is achieved through the control and limitation of permeability.

Secured By Design Note 3.1: Safer Places – The Planning System and Crime Prevention states, under 'Access and Movement' (page 16), "routes for pedestrians, cyclists and vehicles should, in most cases, run alongside one another, and not be segregated. Movement frameworks based upon 'primary routes' and shared spaces, remove the need for under-used alleyways, short-cuts, footpaths and a large number of minor access points that can become vulnerable to or facilitate crime".

A review of available research in this area concluded that: "Neighbourhood permeability... is one of the community level design features most reliably linked to crime rates, and the connections operate consistently in the same direction across studies: more permeability, more crime.

Several studies across several decades link neighbourhood property crime rates with permeability versus inaccessibility of neighbourhood layout. Neighbourhoods with smaller streets or more one-way streets, or fewer entrance streets or with more turnings have lower property crime rates..." Source: Taylor R B 2002 "Crime Prevention Through Environmental Design (CPTED): Yes, No, Maybe, Unknowable, and all of the above" in Bechtel RB (ed) "Handbook of Environmental Psychology", John Wiley, New York, Pages 413 – 426. Cited by Professor Ted Kitchen Sheffield Hallam University 2007.

Staffordshire Residential Design Guide – Supplementary Planning Guidance on Design Quality in Residential Areas. *(Staffordshire County and District Councils – 2000.)*

Movement. *(Page 19 of Guide.)*

35. Cycling and footpath networks should be accessible and direct and only provided where they are likely to be overlooked and where they are likely to generate high levels of movement. This encourages community interaction and aids natural surveillance, which discourages criminal and anti-social behaviour.

Security and crime. *(Page 21 of Guide.)*

41. The design of housing layouts can make a major contribution to the prevention of crime and anti-social behaviour and in alleviating the fear of crime. The following factors are particularly influential:

- Crime depends on concealment – well used and overlooked streets will deter criminals.
- Anonymity provides opportunity for crime; there should be a clear definition of ownership and responsibility for all parts of a development, and defensible space around houses.
- Routes through a development for all forms of movement should be as clear and direct as possible.

42. Crime reduction measures must be considered as an integral part of the overall design and moderated by the design concept for the whole residential environment. Normally this will lead designers to rely on natural surveillance and overlooking to act as a deterrent. This will impose fewest restrictions on the permeability of the development especially for pedestrians and cyclists; the public realm quality and opportunities for community development and interaction.

43. ...In most of Staffordshire designs to deter crime should be based on natural surveillance; increasing pedestrian activity on the street, creating defensible space and clear and direct movement routes.

45. Security and crime deterrence will always be assisted if the following basic principles are adhered to in designing housing development:

- Long segregated footpaths should be avoided, where possible footpaths should follow the line of roads and be visible to road users. Any segregated footpaths should be well lit with visibility from end to end with no places where criminals can hide from view.

Defensible space. *(Page 22 of Guide.)*

49. ...Footpaths should be seen as part of the overall movement strategy and linked to facilitate easy and direct routes for pedestrians...

Footways and Footpaths. *(Page 52 of guide.)*

198. Footways and footpaths should be located to maximise their use by pedestrians. Routes should be as direct as possible from point to point, especially between dwellings and local shops and employment, schools, play areas and all community buildings. They should not generally be segregated from passing traffic and dwellings.

Footpath design.

Routes for pedestrians, cyclists and vehicles should not be segregated from one another. Networks of separate footpaths to unsupervised areas facilitate crime and anti-social behaviour and should also be avoided.

Public footpaths should not run to the rear of, and provide access to gardens, rear yards or dwellings as these have been proven to generate crime.

Footpaths on Phased developments.

Where the completion of a footpath will be delayed because of phased development or long term planning policy, it may be best to safeguard the land required for the footpath link, but fence it off and not actually construct the path until such time as the full connection can be made. This will avoid in the short to medium term the creation of an underused and possibly isolated movement route.

2.2 COMMUNAL AREAS AND PUBLIC OPEN SPACE.

External communal areas.

Communal areas have the potential to generate crime, fear of crime and anti-social behaviour. They must be designed to allow supervision from nearby dwellings with a clear safe route for users to come and go. Boundaries between public and private space must be clearly defined and open spaces must have features that prevent unauthorised vehicular access (including motor scooters etc.).

Play areas.

Playing areas have the potential to generate crime and antisocial behaviour and increase the fear of crime in the community. They are also vulnerable to crime, being spoiled and suffering damage which is expensive to repair. As a result of this abuse the investment in playing areas, their use and their contribution to quality of life in the community can be seriously reduced.

Community planning issues.

- Play areas must show clear intended use related to age group. This should be considered relative to other local play facilities for other age groups in the community. It is important in avoiding potential abuse that all age groups in the community are provided for adequately and the need for youth gathering and socialising recognised with appropriate facilities included in a positive way.
- Play areas for young and very young children must be located within the protection of the built community and adequate natural surveillance and supervision must be provided.
- It is essential that ownership and management of the proposed facility is in place and that adequate resources are available for maintenance and improvements that will be required.

Play area design issues.

- Boundary fences and landscape must allow natural surveillance across playing areas from public areas, roads and footpaths.
- Public rights of way through playing areas must be discouraged
- Informal public access to playing areas must be controlled to prevent dog fouling and littering of playing surfaces.
- Where necessary a youth gathering shelter should be designed in to avoid creating inappropriate unsafe youth gathering places in a development.

Note: For further information see <http://www.fieldsintrust.org/>

2.3 DESIGN OF SPORTS FACILITIES (Including cricket field).

- **Multi-use games areas and artificial playing surfaces**, usually with lighting for night time use, are expensive facilities that are often targets for intrusion, vandalism and misuse. They need to be carefully planned, managed and protected using all appropriate Secured by Design guidelines and specifications.
- **Illumination** of facilities will inevitably draw local attention to them at night. Lighting needs to be coordinated with actual occupation and use of the particular facility, such as evening community use, to avoid wasting energy and unwanted attention at times when there are no users or 'capable guardians' present.
- **Spectator stands** should be constructed of non combustible materials and sited appropriately to avoid visual obstruction of other buildings that could be subject to crime.
- **Sports pavilions** should be constructed of non combustible materials. Depending upon the uses of such buildings there may be requirements to use the same physical specifications and standards as required for main buildings.

2.4 BOUNDARIES.

Appropriate demarcation between public and private areas must be visible.

- Frontages should have a low boundary such as an open boarded fence, walls or hedges at around 1,000-mm in height.
- Vulnerable areas such as the side and rear of gardens should be secured with a robust fence or wall, without footholds, to a minimum height of 1,800-mm.
- Boundaries and rear gardens facing footpaths, car parking (parking courts) or open land may benefit from additional deterrent features such as trellis top, or defensive planting.
- Open boarded fencing may be required to offer natural surveillance over property (adjacent garage entrances, car parking etc.).
- Horizontal fence members must be positioned to the inside of a boundary to footpaths, car parking or open land, to prevent climbing.

Access to the rear of properties.

Where access to the rear of a properties is proposed (public footpaths, alleyways, adjacent parking courts, access for refuse collection etc.):

- A strong lockable gate should be used to secure boundaries to the rear of gardens and include anti lift hinges and bolts mounted to the top and bottom horizontal members.
- Rear boundaries between properties etc. and gates securing against access to these areas, should be positioned as close as possible to the buildings front elevation or building line (recessed no more than 600mm) to help prevent unauthorised access to the side and rear of properties, where most burglaries take place.
- Gates and adjacent boundaries must be to the same height.

Front garden planting.

Front garden planting of feature shrubs and suitable trees (e.g. open branched or light foliage or columnar habit etc) will also be acceptable provided they are set back from paths and placed to avoid obstructing visibility of doors windows and access gates to the rear of the property.

2.5 GABLE END WALLS.

Secured By Design New Homes Section 12.1 It is important to avoid the creation of windowless elevations and blank walls adjacent to space to which the public have access. This type of elevation tends to attract graffiti and inappropriate loitering. Where possible, provide at least one window, which can be at first floor level, to give views over the public area.

Note: This may require handing of proposed dwelling layouts to provide unobscured glazing to staircases, or landings and hallways.

Glazing providing unobscured natural surveillance is necessary where adjacent garages and rear access (gates and boundaries) are not immediately overlooked.

2.6 DESIGN FEATURES AND CLIMBING AIDS.

Design features that may create climbing and access points should be avoided. Boundary walls, bins and bin stores, any low roofs or balconies should be designed so as not to provide climbing aids to gain access into the property.

2.7 CAR PARKING AND VEHICLE SECURITY.

Note: Where it is not possible to park within an owner's direct view, this leads to obstruction of footpaths and highways and damage to landscaping etc. In addition, this can lead to an owner avoiding designated parking areas that then suffer from misuse through lack of natural surveillance.

Garages.

Garages should be located to maximise opportunities for natural surveillance, and garage entrances should be orientated towards the front of dwellings where they can be easily observed.

Where parking is designed to be adjacent to or between dwelling units, a gable end window should be considered to allow residents unrestricted view over their vehicles (**See section 2.5**).

- The recommended security for garage doors is in accordance with BS 8220/86.
- Any external pedestrian access doors to garages should meet the same physical specification for locking and fixing as dwelling side and back doors. (PAS 24).
- Any internal doors connecting the garage to dwelling must be to the same physical and locking specification as dwelling side and back doors. (PAS 24). Building Regulations will also require these doors to comply with BS 476 part 22 (½ Hour Fire Resistance and automatic closing).
- Windows in built in garages should be avoided.
- Rainwater pipes, adjacent gates and boundaries etc, should be designed so as to avoid providing any climbing opportunities.

Car parking and parking courts.

Parking Courts introduce access to the vulnerable rear elevations of dwellings where the majority of burglary is perpetrated. Where parking courts are intended to include 6 or more parking spaces, then we recommend that vehicular gates be erected to reduce opportunities for problems relating to gathering youths, graffiti and theft of and from vehicles.

- It must be possible to secure these vehicle gates.
- Anti-lift hinges must be used.
- Gates should be to the same height as adjacent boundaries.
- Gates must be designed to prevent access through climbing or crawling under.
- Access control will be required where the parking court includes visitor parking.
- The sighting of gates must not create congestion on the adjoining highway.

Note: Careful design of gates from the outset will enhance the aesthetic quality of a development without the necessity for retro-fitted fortress-like gates at a later date.

Lighting to parking areas and facilities.

Secured By Design New Homes Section 16.7 Communal parking facilities must be lit to the relevant levels as recommended by BS 5489-1:2003. Post mounted lighting is not recommended as this suffers as a result of poor driving, vandalism and can provide a climbing aid.

Landscaping adjacent to parking bays and within parking courts.

It is recommended that planting adjacent to car parking bays should preferably be berberis or thorny and should have a mature or maintained growth height of 500-mm to help prevent people from hiding in those areas.

2.8 PLANTING AND LANDSCAPING.

Landscaping.

Landscaping must not impede natural surveillance and must not create potential hiding places for intruders, especially where it is adjacent to footpaths, public open space or where it may obscure views of and from doors and windows. This is valuable in helping to maintain a clear field of vision around a site, and in reducing fear of crime and opportunities for crime.

- Landscaping to 2 metres to either side of a footpath should be grass or low ground cover planting.
- The location and species of trees should not allow them to obscure lighting or CCTV, or to become climbing aids.
- Growth canopies on any retained mature trees should be maintained up to a minimum height of 2m (2.4-m recommended).
- The development specification should include any future maintenance (and seasonal) needs, and ensure continued compliance as plants grow and mature.
- The correct use of defensive planting (berberis or similar) can help prevent graffiti and loitering, and can be used adjacent to fencing to define and reinforce boundaries.
- All hard landscaping and street furniture should be securely fixed in order to prevent removal, vandalism and/or use as potential ammunition.

2.9 STREET LIGHTING.

All street lighting for both adopted highways and footpaths, private estate roads and footpaths and car parking areas must comply with BS 5489-1:2003. It should be carefully designed to cover all vulnerable areas without causing shadows. This can significantly reduce potential danger spots and reduce the fear of crime. Landscaping, tree planting and lighting schemes shall not be in conflict with each other

2.10 DESIGN OF COMMERCIAL UNITS.

Boundaries.

We recommend that vehicle and pedestrian gates be used to secure against access outside of hours of use (between the Community Building and Unit 4).

A clearly defined boundary using a fence, wall or other effective barrier against intrusion is a prerequisite for a secure site and to define ownership.

A secure boundary will help staff manage the site by limiting trespass and by channelling visitors to the site through appropriate entrances. A secure boundary will also frustrate an intruder and limit the quantity or type of goods that can be stolen.

Secure boundaries are not just important for combating unauthorised access. A secure boundary can also provide for the security and safety of staff, visitors, vehicles and property.

Gates.

The design, height and construction of any gates within a perimeter fencing system should match that of the adjoining fence and not compromise the overall security of the boundary.

Defensive hedging.

In some locations it may be useful to explore the use of defensive hedging, such as Hawthorn, as a means to protect a site perimeter or to further bolster the security of an existing or proposed fence.

Security lighting.

In terms of security, the objective of lighting after dark is to improve the chances of detecting an intruder and to enhance such an intruder's fear of detection.

Lighting design should be co-ordinated with the CCTV installation and the landscape design to avoid any conflicts and to ensure that the lighting is sufficient to support the system.

External illumination is recommended for entrance gates and routes to the main entrances and doors, car parks and vulnerable building elevations.

3. COMPONENT PARTS OF PHYSICAL SECURITY.

It is important that a high level of physical security is incorporated in these proposals, and that this development conforms to the minimum standard of security outlined within these recommendations.

The Secured by Design Website (www.securedbydesign.com) provides all necessary information regarding police and home office recognised standards and licensed component manufacturers.

3.1 DOORS. (Recommended minimum standards.)

Entrance doors.

All doorsets should be a solid core door, be at least 44-mm thick and should comply with BSI. PAS 24-1: 1999 "Doors of enhanced security" and BSI PAS 23-1: 1999 "General performance requirements for door assemblies".

Side and back doors.

Back doors have the same physical requirements as front doors.

3.2 WINDOWS. (Recommended minimum standards.)

All ground floor windows and those above ground floor that are easily accessible should comply with BS7950 "Specification for enhanced security performance of casement and tilt/turn windows for domestic applications". PVCu windows should also be manufactured to BS.7412.

3.3 UTILITIES.

Access to utility meters.

In order to reduce the opportunities for theft by bogus officials, utility meters should be positioned to the outside and front of dwellings where they can be overlooked. This will prevent the need for an official to enter the building in order to read a meter. This consideration is particularly helpful where elderly persons may occupy dwellings. Ground level gas meter boxes are available, and where necessary, meters can be recessed into the building fabric with unobtrusive covers.

3.4 SECURITY OF COMMERCIAL UNITS.

Closed circuit television (CCTV).

CCTV is not a universal solution to security problems. It can help deter vandalism or burglary and assist with the identification of culprits once a crime has been committed, but unless it is monitored continuously and appropriately recorded, CCTV will be of limited value in relation to the personal security of staff and visitors. That being said, the provision and effective use of CCTV fits well within the overall framework of security management and is most effective when it forms part of an overall security plan.

We recommend that the minimum requirement for the proposed units in this location is that they are protected by a CCTV system with a recording capability. It is recommended that fixed cameras are deployed at specific locations for the purpose of obtaining identification shots. The recording of vehicle licence plates may also be practical and useful.

- CCTV systems must be installed to BS EN 50132-7: (CCTV surveillance systems for use in security applications).
- The design of a CCTV system should be co-ordinated with the existing or planned lighting system for the buildings and the external grounds, to ensure that the quality of the lighting is sufficient to support the CCTV.
- Remotely monitored detector activated CCTV systems must be installed in accordance with BS 8418: 2003 (Installation and remote monitoring of detector operated CCTV systems - Code of practice).

4. FURTHER INFORMATION AND GUIDANCE.

Further help and information can be gained from the following web sites:

- **www.securedbydesign.com**
(Police preferred specification scheme and recognised component manufacturers).
- **www.ico.gov.uk**
(Online notification of CCTV schemes and relevant codes of practice).
- **www.bsi-global.com**
(Various security standards).
- **www.brecertification.co.uk**
(Government test house for the Loss Prevention Certification Board).

Crime prevention advice is given free without the intention of creating a contract. The Police Service and the Home Office does not take any legal responsibility for the advice given. However, if the advice is implemented, it will reduce the opportunity for crimes to be committed.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'D. Fisher', with a stylized flourish extending to the right.

D. Fisher (B.Sc. Hon's)
Architectural Liaison Officer.

East Staffordshire Borough Council
Development Control
Grain Warehouse (6) Derby Street
Burton-on-Trent
Staffordshire
DE14 2JJ

Our ref: UT/2011/109314/01-L01
Your ref: P/2011/00546/CEH
Date: 28 June 2011

FAO Charlotte El Hakiem

Dear Madam,

ERECTION OF 212 DWELLINGS AND ASSOCIATED GARAGES, ERECTION OF 14 INDUSTRIAL UNITS AND A COMMUNITY BUILDING AND THE PROVISION OF PUBLIC OPEN SPACE, ALLOTMENTS AND A SPORTS PITCH, INCLUDING THE FORMATION OF TWO VEHICULAR ACCESSES

LAND AT BURTON ROAD TUTBURY STAFFORDSHIRE

Thank you for referring the above application which was received on 2 June 2011.

The Agency has no objections, in principle, to the proposed development but recommends that if planning permission is granted the following planning conditions are imposed and comments taken into account:

Flood Risk

CONDITION

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

- **Limiting the surface water run-off generated by all events up to the 100**

Environment Agency
Sentinel House, 9 Wellington Crescent, Fradley Park, Lichfield, Staffordshire, WS13 8RR.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk

Cont/d..

year plus 20% commercial (for climate change), 30% residential (for climate change) critical rain storm.

- **Provision of surface water run-off attenuation storage on the site to accomodate the difference between the allowable discharge rate and all events up to the 100 year plus 20% commercial (for climate change), 30% residential (for climate change) critical rain storm.**
- **design calculations for the above**
- **confirmation of infiltration tests carried out in accordance with BRE Digest 365**
- **provision of SUDs in the form of ponds, swales and underground storage. Permeable paving where appropriate.**
- **agreementst of discharge points and discharge rates from relevant land owners/authorities**
- **details of how the scheme shall be maintained and managed after completion**

Reason

To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

Environment Agency position

The proposed development will only be acceptable if the following measure(s) as detailed in the Flood Risk Assessment Ref: P119 Tutbury FRA3 dated April 2011 submitted with this application are implemented and secured by way of a planning condition on any planning permission.

CONDITION

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within:

(paragraphs 2.4.3 & 3.4.11) Limiting the surface water run-off generated by all events up to the 100 year plus 20 % commercial (for climate change), 30% residential (for climate change) critical rain storm so that it will not exceed the run-off from the undeveloped site, and not increase the risk of flooding off-site.

Reason

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

INFORMATIVES:

We have looked through the ECUS; Tutbury, Staffordshire, Ecological Assessment, Feb 2010 ref P-2011-00546;

The recommendations from the above report should be implemented to ensure that the proposed development does not have an adverse impact on Biodiversity .

We recommend that the Local Planning Authority require a development of this scale to deliver a significant number of Biodiversity enhancements. The application has been supported by the ECUS; Tutbury, Staffordshire, Habitat Enhancement and Management Strategy, Nov 2011 ref P-2011-00546 which provides specifications for delivering Biodiversity enhancements.

The Agency requests that the following recommendations should be attached as a note

to any planning permission which may be granted:

- We advise that the Environmental Health Officer from the Local Authority is contacted for their comments on risks to human health.
- The Environment Agency recommends the installation of fittings that will minimise water usage such as low, or dual, flush WC's, spray taps and economical shower-heads in the bathroom. Power showers are not recommended as they can consume more water than an average bath. Water efficient versions of appliances such as washing machines and dishwashers are also recommended. In the gardens consider installing water butts to provide a natural supply of water for plants. Following the above recommendations will significantly reduce water consumption and associated costs when compared to traditional installations, reducing the cost to the environment and the householder.
- The Agency also recommends that any landscaping as part of a development incorporates planting during autumn or spring to encourage deep rooting. When planting choose dry weather tolerant plant species and also use water retaining granules or mulches. Contact the government's free Envirowise helpline on 0800 585 794 (www.envirowise.gov.uk) for further information and advice on water and energy saving ideas.
- Reducing water consumption also has the knock-on effect of reducing carbon emissions - water companies use energy to collect, treat and supply water and to subsequently treat waste water. If less water is used then less energy is expended providing it and there is less waste water to treat. Simple demand management measures – particularly those which reduce hot water use – therefore have significant potential to not only save water and energy, but also to reduce the carbon footprint throughout the water system.
- The increased amount of waste water and sewage effluent produced by the new development will need to be dealt with to ensure that there is no detriment in the quality of the water courses receiving this extra volume of treated effluent. There must also be available capacity within the sewerage infrastructure (foul sewerage network and receiving sewage treatment works) in order to accommodate this flow BEFORE any development is occupied. As such there may be a requirement for the expansion and upgrading of current sewage treatment systems, if the volume of sewage requiring treatment within the district increases and this should be discussed fully with Severn Trent Water Ltd at the earliest opportunity.
- Any new sewerage infrastructure would not be allowed to contain storm overflows (CSO's or EO's) - therefore the surface water and foul elements should be separate - this would then enable the re-use of the 'clean' surfacewater element for water features, toilets etc. There must be no increase in discharge quantity or deterioration in discharge quality from existing storm overflows (combined storm overflows) downstream of any new development.
- It is also imperative that adequate consideration be given to the watercourses themselves at all times (including those directly and indirectly affected by this development - on- and off-site, pre- and post-construction). No deterioration in water quality should be allowed (no deterioration from current status is allowed

under the Water Framework Directive). The Water Framework Directive requires all waterbodies to achieve 'Good Ecological Status or Potential' by 2015. More information on the Water Framework Directive can be found in the Humber River Basin Management Plan published on 22 December 2009 on our web site at www.environment-agency.gov.uk/wfd. On page 6 of the main document you will find the principal requirements placed on member states which includes the prevention of deterioration in the status of aquatic ecosystems, their protection and the need to improve the ecological condition of waters.

- **Advice to applicant**

Should this proposal be granted planning permission, then in accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to off site incineration and disposal to landfill during site construction.

- **Advice to applicant**

If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility.

If the operator wishes more specific advice they will need to contact the Environment Management Team at our Stafford offices on 01785 782511 or look at available guidance on our website www.environment-agency.gov.uk/subjects/waste/

- **Advice to applicant**

The Duty of Care regulations for dealing with waste materials are applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate licensed disposal site and all relevant documentation is completed and kept in line with regulations.

- **Advice to applicant**

In England, it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that your SWMP should contain depends on the estimated build cost, excluding VAT. You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, having a SWMP will help you to ensure you comply with the duty of care.

Further information can be found at <http://www.netregs-swmp.co.uk>

Site design should aim to minimise waste arisings and facilitate the sustainable management of waste throughout the whole life of the development ('cradle-to-cradle' design). This should include the construction phase but will also mean considering the design of buildings and supporting infrastructure with respect to their future repair and eventual demolition in the selection of construction mechanisms and materials, and the design of communities and supporting services to encourage and enable communities to follow the waste hierarchy – reduce, re-use, recycle, recover, with landfill as the last resort.

- Waste produced by the development will need to be managed sustainably, and the ability of existing waste management infrastructure to accommodate additional waste arisings resulting from the development needs to be established, the local authority will be able to advise the applicant further regarding this.

Specifically the development should:

- Ensure the design and layout supports sustainable waste management.
- View waste as a resource.
- Take an integrated approach to waste/resource management.
- Seek solutions that provide multiple benefits, including contributing to 'zero carbon' development.
- Ensure adequate interior and exterior storage space and give thought to spatial issues for waste collection
- Ensure that there is suitable provision for recycling in public spaces.
- Carefully consider novel 'in house' systems for segregation (and collection) of materials, if appropriate and in consultation with the local authority.
- Aim to reduce transport-related emissions resulting from waste management (e.g. by managing waste close to the source where it was produced as far as possible and by considering routing of waste collection vehicles at the design stage).

Waste management should be considered alongside other spatial planning concerns such as transport, housing, economic growth, natural resources and regeneration, recognising the positive contribution that waste management can make to the development of sustainable communities.

Finally, in order for the Agency to monitor its effectiveness in influencing the determination of planning applications, a copy of the decision notice (including conditions) for this application would be appreciated.

Yours faithfully

Mr James Kitchen
Team Leader - Planning Liaison

If you have any questions regarding the above information please contact Sarah Victor
Tel. 01543 404880.

To: East Staffordshire Borough Council
Development & Regeneration
The Maltsters - Wetmore Road
Burton Upon Trent
Staffordshire
DE14 1LS

Applicant: PEVERIL HOMES

Address: BEECH LAWN
GREEN LANE
BELPER
DERBYSHIRE
DE561BY

Application Type: FULL

Application Number: ES2011/546

Date Received: 12-SEP-2011

Road Number: D3446

Officer: Alistair Bishop

Date: 15-SEP-2011

Particulars of Development:

ERECTION OF 212 DWELLINGS AND ASSOCIATED GARAGES, ERECTION OF 14 INDUSTRIAL UNITS AND A COMMUNITY BUILDING AND THE PROVISION OF PUBLIC OPEN SPACE, ALLOTMENTS AND A SPORTS PITCH, INCLUDING THE FORMATION OF TWO VEHICULAR ACCESSSES. (ADDITIONAL INFORMATION RECD 10/08/2011)

Location of Development:

LAND AT BURTON ROAD, TUTBURY.

CONDITIONAL:

Recommendations: There are no objections on Highway grounds to the proposed development subject to the following conditions being included on any approval:-

1. The development hereby permitted shall not be commenced until full details of the following highway works and programme of phased implementation have been submitted to and approved in writing by the local Planning Authority which shall include construction, surface water drainage and street lighting details :-

(i) Priority junction and ghost right turn facility on the A511 as broadly indicated on submitted Drawing No. F09049/06;

(ii) Priority junction and new footway/cycleway between the site access and Iron Walls Lane as broadly indicated on submitted Drawing No. F090049/05/A;

(iii) Notwithstanding the details shown on submitted Drawing No. 6640/P/02 H details of the localised widening of Green Lane to 5.5m across the site frontage in the vicinity of Plots 57-59 and a vehicle access to Plots 57-61 constructed as a dropped crossing to a standard including a width of 5.0m.

The offsite highway works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.

2. The development hereby permitted shall not be commenced until details have been submitted to and approved in writing by the local Planning Authority indicating all road construction, street lighting, drainage including longitudinal sections and satisfactory means of draining roads to an acceptable outfall which shall thereafter be constructed in accordance with the approved drawings.

3. The development hereby permitted shall not be brought into use until the parking and servicing areas remaining private have been provided in accordance with approved Drawing No. 6640/P/02 H.

4. The development hereby permitted shall not be commenced until details of surface water drainage including outfall for those areas to remain private have been submitted to and approved in writing by the local Planning Authority. The drainage works shall thereafter be constructed in accordance with the approved details prior to the development first being brought into use.

5. The development hereby permitted shall not be brought into use until details of weather-proof / secure cycle storage facility for use by the commercial element of the development have been submitted to and approved in writing by the local Planning Authority. The facility shall thereafter be provided in accordance with the approved details and be completed prior to first occupation and be retained as such for the life of the development.

6. The development hereby permitted shall not be commenced until full details of a landscaping scheme designed to contain vehicle speeds along the spine road to a 20MPH design speed has been submitted to and approved in writing by the local Planning Authority. The landscaping shall thereafter be provided and maintained as such for the life of the development.

7. Notwithstanding the location shown on submitted Drawing 6640/P/02 H no development shall be commenced until details of the public transport facilities within the site indicating the following have been submitted to and approved in writing by the local Planning Authority.

- (i) The bus stops outside Plot 166 relocated to adjacent Plots 178/179 with details of a linking footway and hard standing provided to the southbound bus stop.
- (ii) Details of Bus Stop construction including hardstanding, raised kerbs and shelter.

The facilities shall thereafter be provided in accordance with the approved details and be completed prior to first occupation and be retained as such for the life of the development.

8. Prior to the occupation of any dwelling in Phases 2, 3, or 4 the spine road between the Burton Road and the A511 site accesses shall be completed.

Reason for Recommendation

1-8 In order to comply with the Staffordshire and Stoke-on-Trent Structure Plan Policy - T13 and East Staffordshire Borough Council Policies T1, T7 and T8.

Informative Note(s) to be included on Decision Notice

A. This Form X is issued on the assumption that the developer enters into a Section 106 Agreement to secure the following necessitated by the proposed development:-

- (i) A Framework Travel Plan covering the Commercial and Residential parts of the development containing targets and remedies. The developer will need to secure a Monitoring Fee of £6,200 for the Travel Plan.
- (ii) A Maintenance Management Company for those communal areas including open space and parking courts within the residential development to remain privately maintained.
- (iii) The provision of a Bus Service into the development serving Burton-on-Trent and Uttoxeter with a 30 minute frequency increasing to 20 minute frequency between the hours of 07:00 to 08:30 and 17:00-18:30. The Bus Service will run along the spine road between the Burton Road and A511 site accesses. The service shall be provided for a minimum period of 5 years commencing upon the occupation of the 68th dwelling within the development.

B. Condition 1 above requiring off-site highway works shall require a Major Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the agreement. The link below provides a further link to a Major Works Information Pack and an application form for the Major Works. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Riverway, Stafford, ST16 3TJ (or e-mail to nmu@staffordshire.gov.uk) <http://www.staffordshire.gov.uk/transport/staffshighway/licenses/>

C. This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highway Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

Notes to the Planning Officer (Charlotte el Hakeim)

A. It is noted from submitted Drawing No. P119/200/P that the footways are in part divorced from the carriageway indicating areas of soft landscaping such as verge. In order to secure the effective maintenance of such areas the Highway Authority of SCC is not opposed to the maintenance being undertaken by the Borough Council under a license as part of the Public Open Space Maintenance Programme to ensure an efficient and regular maintenance as agreed at the Meeting held 25 August 2011.

B. With respect to the construction of the new site access to the A511 it is noted that an existing field access is located opposite the new junction/right turn facility on the eastern side of the A511. The Highway Authority would request that the applicant considers works to permanently close this access with the crossing reinstated as verge / full height kerbs as part of the proposed highway works.

C. The Local Planning Authority should consider a suitably worded condition to ensure pedestrian access to the LEAP from the public highway. It is noted from submitted Drawing No. 6640/P/02 H that the attenuation pond and drainage ditch may preclude access to the LEAP. The Highway Authority would suggest that an additional footpath is provided from the adoptable highway across the drainage ditch into the LEAP.

D. The Home Zone area provided on the scheme depends on the approval of the Statutory Undertakers agreeing to the installation of their apparatus within the shared surface.

E. With regard to the location of the Bus Stops shown on submitted drawing 6640/P/02 H the bus stops adjacent to Plot 166 will need to be relocated clear of the bend and the bus stand provided in a suitable material linking to the footway.

F. With regard to Condition 6 above, details of a landscaping scheme for the Spine road is requested in order to ensure that the forward visibility along the link is reduced in order to contain vehicular speed to 20MPH in accordance with the guidance contained within The Manual for Streets.

G. With regard to the turning head adjacent Plot 182 it would be advisable to lengthen the turning head adjacent to Plot 182 in order to accommodate the swept path of a refuse collection vehicle.

H. Further to recommended Condition 8 above, it is noted that the development is to be built out in phases. It is essential for the successful operation of the bus service that the spine road carrying the bus route is completed.

**for Deputy Chief Executive and Director of Place
on behalf of Staffordshire County Council
as Highway Authority**

