

Agenda Item:	5.3
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Site:	Land to the west of Uttoxeter, A50 Bypass, Uttoxeter, Staffordshire
Proposal:	Reserved Matters application relating to Outline planning permission ref: P/2013/00882 for the erection of 44 No. dwellings including 7 No. affordable units, together with drainage and highways infrastructure, and details of access, appearance, landscaping, layout and scale (Phase 1D) (Revised and Additional Plans and Information Received)

Report of Head of Service (Section 151 Officer)

This report has been checked on behalf of Legal Services by John Kirkham

[Hyperlink to Application Details](#)

Application Number:	P/2017/00572	
Planning Officer:	Alan Harvey	
Type of Application:	Reserved Matters	
Applicant:	St Modwens Homes	
Ward:	Abbey	
Ward Member (s):	Councillor C Whittaker Councillor G A Allen Councillor Ms L Shelton	
Date Registered:	12 June 2017	
Date Expires:	11 September 2017 – an extension of time has been agreed until 17 November 2017.	

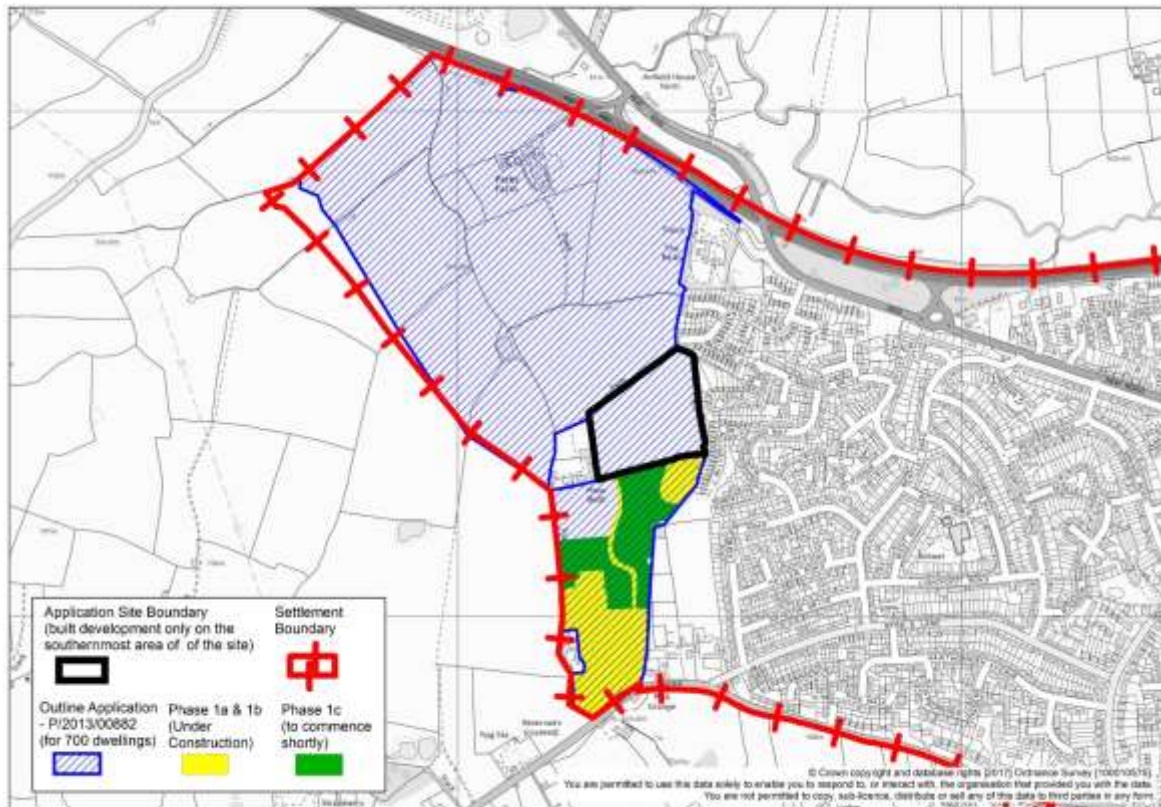
1. Executive Summary

- 1.1 The application site consists of some 1.2 ha of land to the west of Uttoxeter which is part of an overall 50.7 ha site with outline approval (ref: P/2013/00882) for the development of up to 700 No. dwellings, 10 hectares of employment use (Classes B1, B2 and B8), a first school, a mixed use local centre incorporating retail, leisure, social, cultural community and health facilities, green infrastructure, associated engineering works and an access to New Road and Bramshall Road. The proposed development is accessed from the northern side of Bramshall Road.
- 1.2 The application is a reserved matters submission for the erection of 44 No. dwellings including 7 No. affordable units, together with drainage and highways infrastructure, and details of access, appearance, landscaping, layout and scale

(and is hereafter referred to as Phase 1d). The scheme would ‘complete’ the Phase 1 development of 250 No. dwellings (in conjunction with the previously approved Phases 1a, 1b and 1c).

- 1.3 Statutory consultees have raised no objections that cannot be overcome via planning conditions. Uttoxeter Town Council objected to the application as originally submitted (for 113 No. dwellings) on the basis that the proposed 15% affordable housing provision was inconsistent with Strategic Policy 17 of the Local Plan which calls for 33% Affordable Housing in Greenfield developments on the edge of Uttoxeter. The Town Council also wished to reiterate their view that the spine road should be capable of taking HGV's in order to relieve pressure on town centre traffic - and request that ESBC make provision for this – and indicated that they welcomed the buffer zone (to the eastern side of the site) designed to protect the interests of existing residents but emphasised the importance of the developers continuing to consult with residents. In relation to a revised version of the 113 No. dwelling scheme the Town Council sought for the Borough Council to clarify as to how the Section 106 to the outline planning permission will achieve the delivery of the appropriate levels of affordable housing in the light of the viability report submitted by the applicants.
- 1.4 Local residents were notified of the application for 113 No. dwellings - in its original and revised form - and a site notice posted. 12 No. local residents/interested parties made representations raising objections/concerns in respect of the proposals. No consultations were undertaken with residents on the reduced scheme for 44 No. dwellings (including 7 No Affordable housing units).
- 1.5 It is considered that the scheme as now revised is in line with the conditions and remit of the outline planning approval - and its associated Section 106 Agreement - and compliant with the provisions of the relevant development plan policies and the National Planning Policy Framework.
- 1.6 The proposal would not be likely to adversely affect the amenities of occupiers of existing and proposed nearby dwellings, and would provide an acceptable level of amenity for the occupiers of the new dwellings. The proposal will not have an unacceptably adverse impact on the wider existing highway network nor give rise to any environmental concerns. The scheme would also provide necessary mitigation in relation to biodiversity.

Map of site



2. The site description

- 2.1 The application site consists of some 1.2 ha of land to the west of Uttoxeter which is part of an overall 50.7 ha site with the benefit of outline approval for the development of up to 700 No. dwellings, 10 hectares of employment use (Classes B1, B2 and B8), a first school, a mixed use local centre incorporating retail, leisure, social, cultural community and health facilities, green infrastructure, associated engineering works and a access to New Road and Bramshall Road.
- 2.2 The proposed development (known as Phase 1d) is accessed from the spine road which comes off Bramshall Road and is a northern continuation of the recently approved Phase 1c residential development of 119 No houses being undertaken by Bellway (further to the recent approval of reserved matters). The application site is presently grassland with some areas of mature hedgerows. The land is undulating and an open ditch runs along the eastern boundary northwards towards the A50. A public footpath runs east to west immediately to the north of the site.
- 2.3 The application site is adjoined to the east by the rear garden areas of dwellings on Milverton Drive, Ashleigh Drive and Tunnicliffe Way. To the west is Moss Beds Farm. To the north is land proposed to be developed through the original outline permission for the west of Uttoxeter strategic site. The development of this land (being 'Phase 2' of the scheme) will be considered by other future reserved matters submissions.

3. Planning history

- 3.1 **Application ref: P/2014/00667** - Formation of new access road and other associated services off Bramshall Road to serve new residential development. Approved in July 2014.
- 3.2 **Application ref: P/2013/00882** - outline planning permission granted for the development of the 50.7 ha site for up to 700 No. dwellings, 10ha of employment use (Classes B1, B2 and B8), a first school, a mixed use local centre incorporating retail, leisure, social, cultural community and health facilities, green infrastructure, associated engineering works, access to New Road and Bramshall Road and associated internal access roads including demolition of Parks Farm and associated buildings, with all matters reserved.
- 3.3 The outline scheme was permitted by the Planning Committee in March 2014, although the final decision notice was not issued until November 2015 upon completion of the Section 106 Agreement. The Section 106 Agreement provides *inter alia* for the following:-
- The provision of 38 No. affordable dwellings during Phase 1 of the development (out of a total of 250 No. dwellings)
 - Landscaping as per the requirements of the Local Plan policies
 - A contribution of £300,000 towards indoor sports upon the occupation of the 300th dwelling.
 - 2 ha of sports pitches on site (or a contribution of £50,000 per ha towards off-site sports provision) along with open space and formal play facilities (the locations of which have been subsequently agreed under a discharge of condition submission).
 - The provision of a bus service upon the occupation of the 250th dwelling.
 - Traffic calming measures in Bramshall before the first occupation of any dwelling.
 - The setting up of a management scheme to maintain the open space.
 - A contribution of £45,000 towards refuse and recycling.
 - The provision of a new first school (primary level with some nursery provision).
 - A commuted sum of £2,203,971 for middle school, high school and sixth form places.
- 3.4 The highway related conditions attached to the outline permission (application ref: P/2013/0882) provided that the spine road through the site was to function as a link road between the northern and southern accesses (New Road and Bramshall Road) and that:-
- No more than 501 dwellings shall be commenced until the spine road has been completed (as per condition 28).

- As part of a movement framework measures should be introduced to restrain the speeds of vehicles along the link road to 20 mph (as per condition 22).
- In terms of proposed off-site works that before 300 dwellings are occupied improvement works need to be undertaken to the Silver Street/Dove Bank/Church Street junction (as per condition 27).

- 3.5 **Application ref: P/2014/00883** - full planning permission granted for the erection of 58 No. dwellings along with new pumping stations, temporary service road and surface water retention basin (hereafter referred to in this report as Phase 1a). The scheme was also supported by the Planning Committee in March 2014, although again the final decision notice was not issued until November 2015 upon completion of the associated Section 106 Agreement. There have also been a number of discharge of condition submissions approved in relation to the Phase 1a development to enable the development to progress on the site.
- 3.6 **Application ref: P/2016/00164** - In February 2016, an application was submitted for the discharge of conditions 5, 21 and 22 of the outline planning permission ref: P/2013/0882. Condition 5 relates to the phasing of the scheme - including development composition and indicative timings - and conditions 21 and 22 relates to the route alignment of the link road and the movement framework/parking strategy respectively. As all the conditions were specified as being for highway safety purposes, the submissions were subject to consultation and agreement with the County Highway Authority. The application was approved under officer delegated powers in April 2016. The first phase of the development comprises of a total of 250 No. dwellings all accessed from Bramshall Road; as per the requirements of the Section 106 Agreement attached to outline planning permission.
- 3.7 **Application ref: P/2016/00216** - Application for reserved matters approval for the erection of 40 No. dwellings (including 13 No. affordable dwelling units), together with drainage and highways infrastructure, and including details of access, appearance, landscaping, layout and scale (hereafter referred to as Phase 1b). Approved in November 2016. There has also been a number of discharge of condition submissions approved in relation to the Phase 1b scheme to enable the development to progress on the site. It is also pointed out that as there was a degree of overlap onto the Phase 1a scheme (with changes of plots and housing designs) that taken together Phases 1a and 1b will bring forward a total of 87 No. dwellings (including 13 No. affordable units).
- 3.8 **Application ref: P/2016/01040** - Application for non-material amendment in relation to minor changes to the facades of the dwellings (on Plots 39-43, 46-48, 51, 54 and 56-58). Approved in August 2016.
- 3.9 **Application ref: P/2017/00025** - An application for a non-material amendment relating to proposed changes to the external elevations of the dwellings on Plots Nos. 68 and 69. Approved in January 2017.
- 3.10 **Application ref: P/2017/00303** - An application for a non-material amendment relating to proposed changes to the parking arrangements/residential curtilages

of the dwellings on Plots Nos. 48, 49, 50, 51 and 52. Approved in April 2017.

3.11 Application ref: P/2017/00306 - An application for a non-material amendment relating to proposed changes to the external elevations of the dwellings on Plots 23, 24, 33, 61, 66 and 67. Approved in April 2017.

3.12 Application ref: P/2017/00426 - An application (by Bellway) for reserved matters relating to P/2013/00882 for the erection of 119 dwellings including 18 affordable units, together with drainage, landscaping and highways infrastructure and including details of appearance, landscaping, layout and scale (Phase 1C). Approved in August 2017. Applications for discharge of conditions have been submitted to seek to facilitate the development of the site.

4. The proposal

4.1 The application is a reserved matters submission for the erection of 44 No. dwellings including 7 No. affordable units, together with drainage and highways infrastructure, and details of access, appearance, landscaping, layout and scale

4.2 The residential accommodation comprises of:

- 8 No. two bedroom dwellings;
- 22 No three bedroom dwellings; and
- 14 No. four bedroom dwellings.

4.3 The proposed two storey dwellings are a mix of detached, semi-detached and terraced units. In terms of the proposed facing materials these comprise either red brickwork or off-white render (or a mix of both); along with external cladding to some plots. The roofs are of brown tiles.

4.4 The scheme includes an extension to the spine road running northwards from the northern 'boundary' of Phase 1 (the details of which were previously approved under Phase 1b). A new SuDs basin and new pumping station are proposed in the north-eastern area of the application site (adjacent to Ashleigh Drive and Tunnicliffe Way) with a temporary access track being provided from the areas of the site to be occupied by dwellings. A new electricity sub-station is proposed to the south-western corner of the site.

4.5 The scheme will result in the loss of some existing mature hedgerows and trees. The landscaping being proposed as part of the scheme will, however, include new compensatory tree and hedge planting. The mature trees to the southern boundary, the subject of a recent Tree Preservation Order notice, are proposed to be retained. The mature hedgerow is also to be retained to the southern boundary. An unplanted buffer - some 5.0 metres in width - is to be retained to the eastern boundary of the site for access for maintenance purposes to the existing watercourse. The existing hedgerow is also to be retained to the eastern boundary; also common to the existing adjoining dwellings. A 2.0 metre wide buffer with a new hedgerow is proposed to the western boundary with Moss Beds.

4.6 During the course of the application revisions and additional submissions have been secured from the applicants in the light of the initial consultation responses of the County Highway Authority, the County Ecologist, the Lead Local Flood Authority and the ESBC Tree Officer. Also during the application

process – when the application housing numbers stood at 113 No. dwellings - the applicants submitted a viability report which was subject to an independent assessment; which concluded that the site should be capable of delivering affordable housing levels above that of the 15 per cent figure being proposed by the applicants. It was in response to this conclusion, that the applicants decided not to progress the Phase 2a element of the scheme (thus resulting in the number of dwellings being reduced on the application submission from 113 No. to 44 No.)

List of supporting documentation

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

- Location Plan
- Proposed Site Layout Plan
- Proposed Landscaping Plans
- Proposed Materials Plan
- Proposed Dwelling and Garage Type Drawings
- Cycle Shed details.
- Streetscape Drawings
- Planning Statement
- Design and Access Statement
- Flood Risk Assessment
- Drainage Strategy
- Waste Management Plan
- Arboricultural Submissions
- Ecological Submissions (including Protected Species submissions)
- Biological Enhancement and Habitat Management Plan.
- Transport Statement

4.8 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	Uttoxeter Town Council	<p>Original Submissions (113 No. dwellings)</p> <p>The Town Council raised the following points:</p> <p><i>(a) Council welcomed the buffer zone designed to protect the interests of existing residents adjacent to the area (Milverton Drive and Grenville Close particularly) but emphasised the importance of the developers continuing to consult with residents as development progresses so the residents' needs are taken into account in the development process.</i></p> <p><i>(b) Council noted that the proposals include proposed provision of affordable housing at 15% of the Units (17</i></p>

		<p><i>out of 113). Council objects on the basis that this proportion of affordable housing is inconsistent with ESBC’s Strategic Policy 17 in its Housing Choice Supplementary Planning Document (Adopted April 2016), which calls for 33% Affordable Housing in Greenfield developments on the edge of Uttoxeter.</i></p> <p><i>(c) Council noted that this development will result in the spine road through the development being completed, linking Bramshall Road and the A50. Council wished to reiterate their view that the spine road should be capable of taking HGV’s in order to relieve pressure on town centre traffic and request that ESBC make provision for this.</i></p> <p>Revised Submissions (113 No. dwellings)</p> <p><i>The Town Council commented that it “notes that the affordable housing provision is compliant with the obligations in the Section 106 Agreement which accompanies the outline planning permission. A viability appraisal has been submitted to justify the proposed affordable housing on the remainder of the site. (The Parish) Council would like ESBC to clarify how the Section 106 will achieve this objective.”</i></p>
5.3	SCC Highways	<p>Original Submissions (113 No. dwellings)</p> <p>Sought revisions to the scheme during the application process to address concerns about retaining visibility splays.</p> <p>Revised Submissions (113 No. dwellings)</p> <p>Raise no objections in principle subject to conditions.</p>
5.4	SCC Education	<p>Request that the education contributions are brought forward in line with the extant outline approval/Section 106 agreement.</p>
5.5	SCC Ecology	<p>Original Submissions (113 No. dwellings)</p> <p>Sought additional information in relation to protected species and recommended layout modifications to allow retention of important landscape and ecological features and to improve ecological connectivity.</p> <p>Proposed Submissions (113 No. dwellings)</p> <p>Indicated that submissions have taken on board their previous comments although reiterated the need for habitat matters to be given proper due consideration at the future discharge of condition stage.</p>

5.6	SCC Archaeology	Remind the LPA of the applicants need to meet the archaeological obligations of the outline scheme.
5.7	SCC Rights of Way	Points out that a public right of way runs to the north of the site and emphasise the need to keep it free of obstruction.
5.8	Environment Agency	No objections
5.9	Severn Trent Water	No comments received to date. Any response received will be reported on the update sheet.
5.10	Local Lead Flood Authority	No objections in principle.
5.11	Ramblers Association	No objections but wish to request that the safe use of the adjoining public right of way is maintained.
5.12	Architectural Liaison Officer	Provided guidance on crime reduction.

Internal Consultees		Response
5.13	Environmental Health	<p>Original/Revised Submissions (113 No. dwellings)</p> <p>No objections in principle and recommend that the dust control measures contained within the Construction Management Plan submitted for Condition 23 of the previous outline decision notice shall be extended to include the proposal.</p>
5.14	Tree Officer	<p>Original/Revised Submissions (113 No. dwellings)</p> <p>Raised concerns in relation to the proximity of the dwellings to the trees to the southern boundary which are subject to the recent tree preservation order.</p> <p>Amended Submission (44 No. dwellings)</p> <p>Comments that along with sufficient tree protection methods there is now sufficient room for development to take place without compromising the trees (to be retained on the site). As the tree canopy does not take up more than half of the available gardens there is sufficient for the residents to be able to get reasonable enjoyment from them.</p>
5.15	Environment Manager	<p>Original/Revised Submissions (113 No. dwellings)</p> <p>Advised that a communal presentation point should be provided for the housing square(s) for residents to place their bins on collection day.</p>

6. Neighbour responses

- 6.1 Neighbours were notified of the application for 113 No. dwellings in its original and a revised form, a press notice published and a site notice posted. Comments were received from 12 No. local residents/interested parties in total raising the following objections/concerns summarised below:-

Neighbour responses	
Principle of the development	<ul style="list-style-type: none"> • The site was shown on the drawings at the outline planning permission stage to be allocated for a new school and its playing fields • The school/playing field allocation on the outline masterplan was misleading and meant that the scheme raised little objection at that time. • Local residents would lose their existing views across open fields. • The original school proposals are being ignored to progress a more profitable scheme for housing. • It is questioned as to why Greenfield development is being progressed when there are vacant sites in the town that are yet to be developed. • St Modwens did not consult residents ahead of changing their plans. • Existing residents do not want a building site on their doorstep. • Proper consideration is not being given to the wider impact of all the developments, including the current application, on the town. • The development will increasingly make Uttoxeter a commuter town for places such as Derby and Stoke.
Character/Design/ Layout of the Development	<ul style="list-style-type: none"> • The terraced housing element of the scheme will be visually dominated by car parking provision, although some sympathetic planting might soften the impact. . • It is questioned as to the purpose of the area described as a 'buffer zone' which runs alongside the eastern boundary of the site (and therefore the watercourse). • There are concerns that bins could be unsightly and it should be ensured that a bin collection point is put in place.
Impacts on Existing Facilities	<ul style="list-style-type: none"> • It is questioned as to whether the local schools can accommodate the additional children. • Reassurance is sought that the infrastructure in Uttoxeter can support the level of development being proposed. • Increasing the population will place strain on the limited bus and train services which serve the town.
Drainage	<ul style="list-style-type: none"> • It is considered that additional information is required in relation to the drainage strategy given the introduction of the attenuation pond and the use of the watercourse running along the eastern boundary of the site to which an outflow is proposed.

	<ul style="list-style-type: none"> • The use of the watercourse for drainage may effect adjoining gardens as they already suffer from water flooding down the fields in the winter.
Wildlife/Landscaping and Open space	<ul style="list-style-type: none"> • It is questioned as to where the playing fields that were previously proposed on this site (on the outline submission) are now to be located. • The trees are not plotted accurately the submitted drawing. • It is suggested that a wildlife corridor is incorporated into the scheme to link woodland/trees on the adjacent land/eastern side of the site with the open countryside. • Concerns are raised that the scheme may result in the loss of the existing hedgerow to the rear of properties on Milverton Drive. • There are concerns about the long term safety of a tree on the eastern boundary of the site (adjacent to Ashleigh Drive) and the future access for maintenance that will be available from development site.
Highways/Transport	<ul style="list-style-type: none"> • The scheme would exacerbate existing problems with traffic speeds on surrounding highways. • The development will increase congestion on nearby roads. • The additional traffic would add to hazards for schoolchildren walking to nearby schools. • The developers are already blocking the footpath route at the end of Tunnickliffe Way.
Impacts on residential amenities	<ul style="list-style-type: none"> • The scheme will result in a loss of privacy to adjoining residents. • The pumping station will generate noise and smells to the detriment of local residents. • It is questioned as to whether the pumping station can be relocated to the west of the attenuation pond to address objections. • The provision of the proposed lagoon/attenuation pond will lead to possible flooding risks to local residents. • The development of the site at the same time as the improvements works to the A50 would exacerbate the already detrimental problems of noise, disturbance and dust meaning additional suffering for local residents.
Other Matters	<ul style="list-style-type: none"> • The development would devalue local house prices.
Andrew Griffiths MP	<p>During the initial stage of the application process Andrew Griffiths MP raised the following matters which had been brought to his attention by constituents :-</p> <ul style="list-style-type: none"> • That the current scheme for residential development bore no resemblance to the original outline scheme which showed the land to be used for a school and its

	<p>playing fields. Residents were therefore questioning why this had happened.</p> <ul style="list-style-type: none"> • That whilst no residents wanted building on their doorstep, there was slight relief that they would be bordered by playing fields (rather than houses) and therefore the outline permission was “<i>granted easily without very little opposition.</i>” • Where was the provision of school facilities for the new residents. • Why was the Borough Council not insisting that brownfield sites were developed before Greenfield ones. • Why was a main thoroughfare being proposed from Bramshall Road to the A50 when that was not shown on the outline approval. <p>Subsequently, Andrew Griffiths MP raised the following matters which had also been brought to his attention by one of his constituents :-</p> <ul style="list-style-type: none"> • Residents were reporting that work has started on the development even before it had been reported to the Planning Committee. • That the noise from these works is terrible with the workers starting before 8 am every morning until 7pm at night and also working on Saturday morning. With the construction work already being carried out for the A50 that is only allowed between Monday and Friday, the resident says that local residents are finding the additional noise very distressing – especially as this is happening outside of working hours and at the weekends. • The resident asks that given the noise and disruption from the A50 works, why could this development not be delayed until the A50 has finished ? • The resident asks that if the site were to get approval, would the Council be able to impose that works are carried out only during working hours as the resident believes that the builder/developer has already asked for permission to work outside allowable working times.
<p>Ward Member</p>	<p>Councillor Shelton comments on the most recent submissions that :-</p> <p><i>“I have no comments on the revised plans (for 44 No. dwellings) as they stand attached. We have been advised that the proposed location of the school has been changed but it is not on these plans. The only comment I would give would be as follows:</i></p> <p><i>Residents have raised concerns about what they considered to be unauthorised works and working outside of specified hours.</i></p>

Following investigation by ESBC I am satisfied that no unauthorised works have been carried out and that, although there was some working and noise out of hours, this issue was dealt with by the site foreman as soon as it was reported and we have been assured by the contractors that this situation will not arise again. I have received no other communications or complaints about this development from residents local to the site.”

Councillor Allen – During the application process Councillor Allen raised the following matters which had been brought to his attention by local residents :-

- Residents were questioning as to why the applicants were being allowed to propose residential development on a site allocated for a school and its playing fields on the plans submitted at the outline stage.
- That residents were pointing out that the outline permission was approved with little opposition from local residents because the site was allocated for the school and playing fields.
- Residents were questioning where the provision of school facilities would be for the children on the new development.
- Residents were questioning as to why brownfield sites are being developed before greenfield ones.
- It is being pointed out by residents that a thoroughfare is now being proposed from Bramshall Road to the A50 when that was not shown on the outline approval.
- That residents were reporting in July 2017 that work has started on the development even before it had been reported to the Planning Committee.
- That the noise from the unauthorised building works were starting before 8am and going onto 7pm during the working week and also happening on Saturday morning. Along with construction work already being carried out for the A50 this is causing noise and disturbance to local residents.
- Residents are requesting that given the noise and disruption from the A50 works as to whether the current application development could not be delayed until the A50 works have ended.
- That residents are requesting that if the permission was granted as to whether the LPA would be able to impose that works are carried out by developers only during working hours.

6.2 During the course of the progression of the application (in July 2017) complaints were received directly from local residents - and also via the Local Members and the Andrew Griffiths MP as constituents (as set out above) - that

works had already started on the development and that works on other areas of the site (i.e. the approved phases 1a and 1b) were being commenced before the agreed start times set out in the approved Construction Management Plans for those areas. These matters were investigated by Borough Council officers and the conclusions were as follows :

- That the works being undertaken on the site in relation to trench digging were in respect of soil stripping works and the applicant undertook to cease any further such works until such time as an approval was in place for this phase of the scheme.
- That all operatives and sub-contractors would be reminded of the need to comply with the agreed stated hours of operation in relation to the construction works being undertaken on Phases 1a and 1b.
- That the stockpiling of earth - with movements being from other areas of the site - was being undertaken as permitted development.

6.3 Since late July 2017 no further breaches of planning legislation have been reported to the Borough Council by local residents.

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
- SP9 Infrastructure Delivery and Implementation
- SP10 Education Infrastructure
- SP16 Meeting Housing Needs
- SP17 Affordable Housing
- SP23 Green Infrastructure
- SP24 High Quality Design
- SP25 Historic Environment
- SP27 Climate Change, Water Body Management and Flooding
- SP29 Biodiversity and Geodiversity
- SP32 Outdoor Sports and Open Space
- SP33 Indoor Sports
- SP35 Accessibility and Sustainable Transport
- DP1 Design of New Development
- DP2 Designing in Sustainable Construction
- DP3 Design of New Residential Development, Extensions and Curtilage Buildings
- DP5 Protecting the Historic Environment: All Heritage Assets, Listed Buildings, Conservation Areas and archaeology
- DP7 Pollution and Contamination
- DP8 Tree Protection

Uttoxeter Neighbourhood Plan

- Policy D1 – Residential Design
- Policy D3 – Space between buildings
- Policy T1 – Sustainable Transport
- Policy T2 – Links to the Town Centre
- Policy T3 – Parking Standards
- Policy T4 – Traffic and Town Centre
- Policy L2 – Local Green Spaces
- Policy L3 – Public Open Space
- Policy E1 – Uttoxeter’s Network of Green Infrastructure
- Policy E2 – Landscape and Setting
- Policy E3 – Green Links
- Policy H2 – Housing Mix and Standards
- Policy C2 – Health Provision
- Policy C3 – Education and Childcare Provision

Supplementary Planning Documents/Guidance

- East Staffordshire Design Guide
- Parking Standards
- Waste Storage and Collection Guidance for New Developments

Principle of Development

- 7.1 The principle of the development of the site on lands to the west of Uttoxeter has been established with the approval of the outline planning permission in 2015. In their representations a number of local residents raise objections to the residential scheme in principle on the grounds that the submitted plans at the outline stage showed the land in question as being proposed to be allocated for a new school and its associated playing fields. It is, however, pointed out that the plans provided at the outline stage were of an illustrative nature and there are no conditions on the outline planning permission which now prevents the applicants from proposing the residential development of the site within the terms of the outline approval. The Section 106 Agreement does require that a new first school be delivered on the wider development scheme and land - of some 1.2 hectares - to the south of Moss Beds remains available for that purpose, although no formal application has been submitted to date. The development of the application site for housing therefore in principle accords with the outline approval.
- 7.2 Further, as the application is one for reserved matters the scheme is subject to the requirements of the conditions and the Section 106 Agreement attached to that outline planning permission (and these are referenced where relevant in the sections of the report below).

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

- 8.1 The NPPF attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that permission should be refused for development of

poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

- 8.2 Strategic Policy 1 and 24 state that development proposals must contribute positively to the area in which they are proposed. Policy SP24 lists a number of criteria developments are expected to achieve including creating a sense of place, reinforcing character, reflecting densities and where possible minimise the production of carbon through sustainable construction.
- 8.3 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. Policy 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
- 8.4 The East Staffordshire Design Guide requires the design of development to demonstrate a strong, considered and sensitive response to its context. Design which is relevant to the site and wider context will be important, as this can support local distinctiveness. The Guide allows for development which employs a more modern architectural style but in terms of its proportions and siting it should still complement its surroundings.
- 8.5 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.
- 8.6 Detailed Policy 2 aims for development to achieve high sustainability and environmental credentials adopted energy efficiency techniques and other standards where possible. The proposal is the northern continuation - and completion - of the ongoing first phase of this residential development (of a total of 250 No. dwellings) off Bramshall Road.
- 8.7 The layout of the development is largely one of dwellings being served directly off the highway; either off the link road or the spur road that will leave the link road in the south-western corner of the site. There is also a small housing square off the north of the spur. It is considered that the scheme would make

adequate provision of bin stores so that they would not be unsightly in the context of the streetscape of the new development.

- 8.8 The proposed scale of the development is two storeys throughout (unlike some of the earlier phases which include three storey properties), however, given the variation in design in terms of the facades and roofscape within this Phase 1d scheme the development would again create visual interest in the streetscape. Also in terms of the visual appearance of the streetscape there would be sufficient space provided between dwellings.
- 8.9 The Phase 1d scheme reflects the palette of materials that have been used in the earlier phases; with the basis of the facades being either of red brickwork or off-white render. The roofs are of brown rooftiles. Visual interest is provided to the main facades with the use of panels of cladding or render.
- 8.10 In architectural terms, the scheme replicates the contemporary design theme as per the Phase 1a and 1b developments. Further, given the design adaptations secured to the stripped down architectural details of the Phase 1c Bellway scheme (of the more typical dwellings of the volume housebuilder), it is considered that the scheme will provide a sufficiently coherent streetscape in terms of the visual progression of these earlier (southern) phases of the wider scheme along the spine road.
- 8.11 Parking is provided in front or alongside properties and there is good surveillance of parking. A number of detached properties are provided with a detached single garage. Some properties have integral garaging.
- 8.12 The proposed common boundary treatment on individual plots is largely of close boarded fencing. There is also existing hedging retained to the southern boundary of the site; to inside of which will run a timber fence.
- 8.13 In conclusion, therefore, it is considered that the scheme in terms of its design and materials will sufficiently respect the character of the Phases 1a, 1b and 1c development and having regard to the siting and scale of the proposed dwellings would be in line with the criteria of Policies DP1 and DP3.
- 8.14 The sustainability approach for this development is for the new housing to incorporate improved fabric energy efficiencies. This is achieved by utilising energy efficient construction methods and water efficiency measures. The proposed development is therefore in line with Policy DP2 of the Local Plan.

9. Residential Amenity

- 9.1 The National Planning Policy Framework and DP1 and DP3 of the Local Plan seek 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.
- 9.2 With regard to the relationship with existing dwellings there are separation distances of at least 23 metres between the rear elevations of the proposed two storey dwellings and the principal rear elevations of the existing dwellings to the east of the site. Accordingly, having regard to the distances of separation from existing dwellings, it is considered that the proposed dwellings on the application scheme would not have any significant overbearing, overshadowing

or overlooking impacts that would be detrimental to the residential amenities of any existing dwellings. There are also sufficient separation distances (at 13 to 15 metres) between the existing outbuildings at Moss Beds and the proposed dwellings along the western side of the site such that future residents of the new dwellings would enjoy acceptable residential amenities.

- 9.3 The development scheme is also considered to have an acceptable relationship with the dwellings to be constructed as part of Phase 1c. Specifically, the scheme has been designed so that dwellings respect the siting of those on the approved scheme for Phase 1c. These design features, along with appropriate proposed boundary treatment provision, ensure that there are no significant overbearing, overshadowing or overlooking impacts that would impact on future residential amenities. Within the development itself the proposed separation distances between habitable windows serving properties are considered to mitigate any overlooking concerns.
- 9.4 The Borough Council's Design SPD sets out in paragraph 2.9 separation distances required. It concludes that there are no set standards specified in terms of separation distances between buildings. The performance of development will be considered in terms of its acceptability in design terms with regard to overlooking. It is considered that the proposed layout shows each new dwelling is sufficiently distant from both existing residential properties and proposed residential properties to avoid causing them unacceptable loss of light or privacy. The scheme is therefore compliant with the provisions of Local Plan Policies DP1 and DP3.
- 9.5 Rear Garden sizes start at 9.5 metres in depth, although most properties have garden depths of at least 10 metres. However, given the separation distances between dwellings throughout the development and on the adjoining existing/approved developments it is not considered that the removal of permitted development rights for the erection of garden structures would be justified in this instance
- 9.6 In conclusion, therefore, the proposed layout shows that 44 No. dwellings can be accommodated on the site without compromising the reasonable amenities of their future occupiers, and allowing for sufficient outdoor private amenity space and integrates satisfactorily with the existing and proposed adjoining built form again complying with the provisions of Local Plan Policy DP1 and DP3.
- 9.7 In relation to activity, the scheme will necessarily generate traffic along the spine road and associated proposed services, however, given the separation distances involved it is considered that this vehicular activity would not unacceptably affect the amenities enjoyed by the occupiers of existing dwellings adjacent to the application site in terms of noise and disturbance. Similarly, the comings and goings of vehicles to individual new dwellings are unlikely to generate levels of noise and disturbance to the detriment of existing residential amenities. It is also considered that the separation distances from the proposed pumping station and the respective nearest proposed dwellings – and the existing dwellings to the east of the site - would mean that the operation of these facilities would not give rise to levels of noise or smells that would be detrimental to residential amenities. The ESBC Environmental Protection Section have not raised any concerns in these respects; and other such similar provision has been made on the earlier phases of the scheme (Phases 1a and 1b).

- 9.8 The concerns raised by local residents in respect of dust relating to the proposed development is a matter that will be subject to controls under the Construction Management Plan to be agreed before the start of this phase of the development (as set out in the outline approval); a matter reaffirmed by the ESBC Environmental Protection Section in their consultation response. Officers have already addressed such concerns with the applicants - St Modwens - where they have arisen under the terms of the Construction Management Plan submitted in respect of Phases 1a and 1b. This has similarly been the case in relation to breaches of start times by St Modwens Homes for site operations on Phases 1a and 1b. The hours of operation themselves for Phase 1d would fall to be agreed under the Construction Management Plan (under the auspices of a condition of the outline approval); although it is anticipated that these would replicate the applicants agreed hours for Phases 1a and 1b – these being 7.30 to 19.00 Monday to Friday, 8.00 to 14.00 on Saturdays and no working on Sundays and Bank Holidays.
- 9.9 It is noted that residents have requested that no works should be allowed to commence on the development whilst works are being undertaken on the A50 bypass improvements. Whilst these concerns are recognised it is considered that it would be unreasonable to constrain the applicants in terms of the start date of their development in light of activities to which they - or indeed the local planning authority - have no control.
- 9.10 The concerns raised by local residents in respect of the possible devaluation of the existing local house prices is not a material planning consideration.

10. Highway Matters (including Public Rights of Way)

- 10.1 The NPPF in section 4 sets out the role transport policies play in facilitating sustainable development which contributes to wider sustainability and health objectives. Decisions should ensure development proposals have taken the opportunities for sustainable transport modes and to ensure safe and suitable access to the site to be achieved for all people. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 10.2 Policies SP1 and SP35 of the Local Plan aim to ensure development is located on sites with good links to the highway network, development is convenient and safe to walk, cycle and travel by public transport. Developments should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of the open countryside. For those developments likely to have an impact on the wider highway infrastructure, proposals should be accompanied by a transport assessment clearly setting out how the likely impacts of the development will be addressed.
- 10.3 The Council's parking standards SPD - recently revised - sets out standards for different uses including space size, accessibility and the quantity of car parking spaces required for different uses.
- 10.4 The proposed dwellings on Phase 1d are to be served off the approved spine road which includes the provision of traffic calming measures. The County Highway Authority has no objections to the layout proposed, although they request that surface water interceptors be provided where necessary. A condition of the outline approval provides for securing details of street lighting.

- 10.5 There is adequate parking servicing each plot, regardless of the size of the property. Many of the larger properties also have additional parking in the form of either stand alone garages or integral garages. The Highway Authority recommends that conditions be attached to any approval to secure parking/garaging before any dwelling is first occupied and that any dwelling without access to a garage be provided with a secure weatherproof cycle storage facility. It is also recommended that a condition be put in place removing permitted development rights for garage conversions retaining the future use of the garages for the parking of vehicles. Parking is situated close to properties to facilitate easy access for residents to the housing and the proposed integral garages to properties have a width of 3 metres (as per the requirements of outline permission conditions). The parking requirements therefore conform to the Borough Council's updated parking standards.
- 10.6 It is not therefore considered that the proposal would prejudice the safe or efficient use of the highway network.
- 10.7 There are no public rights of way which physically cross the lands the subject of this submission and as such there will be no direct impacts on any rights of way. There is, however, a public right of way which runs west to east immediately along the northern boundary of the site and as such a note to applicant will draw the attention of the applicants to the need to ensure that any development activities do not prevent the safe use of the public footpath concerned.

11. Historic Environment

- 11.1 Paragraph 126 of the NPPF states that Local Planning Authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.
- 11.2 In determining planning applications with respect to any building or other land in a conservation area, local planning authorities are under a statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Case law has established that this means that considerable importance and weight has to be given to that statutory duty when balancing the proposal against other material considerations. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 11.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Again, as for the Section 72 duty referred to above, case law has established that this means

that considerable importance and weight has to be given to that statutory duty when balancing the proposal against other material considerations.

- 11.4 Strategic Policy 25 states that Development proposals should protect, conserve and enhance heritage assets and their settings, taking into account their significance, as well as the distinctive character of the Borough's townscapes and landscapes.
- 11.5 Detailed Policy 5 goes into more detail regarding Historic Assets, Listed Buildings, Conservation Areas and Archaeology. Detailed policy 6 aims to protect other heritage assets which are not necessarily covered by listed building or conservation area status, such as shopfronts and the setting of important historic landscapes.
- 11.6 There are no designated above ground heritage assets - conservation areas or listed buildings - within 1km of the application site. The Uttoxeter Town Centre Conservation Area is some 1.65 km distant to the east and the nearest listed buildings of Grange Farm and a milepost (both Grade II) are some 1.1km away to the west on Stone Road in Bramshall. Given these separation distances, it is not considered that the proposal will have any impact on views into, or those out of designated areas, or affect any listed building or its setting and that the statutory duties under Section 66 and under Section 72 are not therefore engaged.
- 11.7 With regard to archaeological value, the County Archaeologist reminds the Borough Council that there is a requirement on the outline permission for archaeological mitigation to be agreed. A note to applicant on the decision notice will draw attention to this fact for the avoidance of any doubt.

12. Flood Risk and Drainage/Contaminated Land

- 12.1 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.
- 12.2 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.
- 12.3 The application site is situated in Flood Zone 1 and the Environment Agency and Local Lead Flood Authority have not raised any objections in principle to the current scheme. Detailed foul and surface water details are required to be submitted in due course under the requirements of the conditions of the outline approval (and will need to be approved in conjunction with the Local Lead Flood Authority), although the scheme will utilise surface water drainage into a detention basin in the north-east area of the site whereupon it will be released

at a controlled discharge rate into the watercourse that runs along the eastern boundary of the site.

- 12.4 At the outline stage no specific contaminated land concerns were raised in relation to the development of this area of the site that comprises former farmland and ESBC Environmental Protection confirm that this remains the case. A condition of the outline approval provides for mitigation measures to be agreed by the Council ahead of development commencing on Phase 1d.

13. Affordable Housing and Housing Mix

- 13.1 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 respond to this requirement.

- 13.2 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.

- 13.3 The Housing Choice SPD expects the following housing mix:

	Uttoxeter
1-bedroom homes (flats, houses or bungalows)	3%
2-bedroom homes (flats, houses or bungalows)	20%
<i>Housing for Older People**</i>	10%
2-bedroom houses	8%
3-bedroom houses	30%
4-bedroom houses	20%
5-bedroom houses	9%

- 13.4 Strategic Policy 16 states that all dwellings providing ground floor accommodation should meet Building Regulations 2010 Standard M4(2) relating to accessible and adaptable dwellings. Further guidance has been prepared setting out how this policy will be applied. The guidance states that the standard will be expected on 10% of major applications. The standard should be applied to a range of properties and not just those larger properties.

- 13.5 Strategic Policy 17 of the Local Plan 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 33% of affordable housing (as a green field site at Uttoxeter), however, in the case of the outline permission for this site the Section 106 Agreement specifically requires that a total of 38 No. affordable units be secured during the first development phase of 250 dwellings. Policy SP17 of the Local Plan states that affordable housing provision should be delivered across the site and not in clusters of more than 8 dwellings and the Housing Choice SPD provides guidance on the expected affordable housing mix of sites.

- 13.6 The development on Phase 1d comprises of 8 No. two bedroom dwellings, 22 No three bedroom dwellings and 14 No. four bedroom dwellings and as such respects the aims of the housing mix required by the Housing Choice SPD, which was adopted subsequent to the approval in principle of the outline permission under application ref: P/2013/00882.
- 13.7 With regard to the guidance providing that ground floor accommodation should meet Building Regulations 2010 Standard M4(2) on 10% of major applications, as this guidance post dates the outline approval this cannot be required of the developers at this reserved matters stage. The developers will, however, be encouraged to comply with such provision once development commences on site and a note to the applicant on any planning permission will deal with this matter.
- 13.8 Insofar as affordable housing provision is concerned, the scheme provides for 7 No. affordable housing units. This would mean that the requirement of the Section 106 Agreement for 38 No. of the first 250 No dwellings to be built on the land to the west of Uttoxeter to be in the form of affordable housing units will have been fulfilled (given that the earlier approved phases - 1a,1b and 1c - are bringing forward a combined total of 31 No. affordable housing units).
- 13.9 With the total number of units being 7 No, the affordable housing provision is not in a cluster of more than 8 dwellings on any street; being in line with the aims of the Housing Choice SPD.

14. Green Infrastructure/Biodiversity/Impact on protected species

- 14.1 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 in planning decisions where relevant.
- 14.2 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 which green infrastructure is expected to meet.
- 14.3 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.
- 14.4 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.
- 14.5 Strategic Policy 29 lists criteria including development needing to retain features of biological interest to produce a net gain in biodiversity in line with

Staffordshire biodiversity action plan species and supporting developments with multi-functional benefits.

- 14.6 The scheme will result in the loss of existing mature hedgerows and trees as a consequence of the development proposals; albeit it is acknowledged that the trees in question are of little amenity value. These losses in the short term will change the habitat for wildlife, however the scheme does provide for new tree planting. The scheme also provides for the retention of the mature trees to the southern boundary of the site (common to the northern boundary of the Bellway scheme) which were recently given formal protection with the serving of a Tree Preservation Order. The siting of the nearest dwellings to these trees and the associated hedgerow (also proposed for retention) has been amended during the course of the application process to respond to the concerns of the ESBC Tree Officer. The properties concerned have been re-located further away from the trees concerned. Protection measures for existing hedges/trees to be retained are the subject of a condition of the outline approval. There are also conditions in place on the outline approval to ensure that the developers bring forward a maintenance schedule as each phase of the scheme progresses.
- 14.7 With regard to the impact on habitats and protected species, the scheme would not give rise to any specific concerns that would not be addressed by the landscaping and tree/hedgerow planting that is being provided by this development scheme. The mitigation works on the earlier phases fall outside the remit of this current application (for Phase 1d) and officers have been/are addressing the matters raised as part of the discharge of condition submissions in relation to Phase 1b (Natural England are also been directly involved in the project having granted a derogation licence to St Modwen Homes to clear the Phase 1 site of Great Crested Newts). It is, however, suggested that a condition be put in place in respect of any approval of the Phase 1d scheme to ensure that works undertaken during the construction phase of the scheme do not impact negatively on the habitat protection areas being created under Phase 1b.
- 14.8 It is therefore concluded, in the light of the applicant's submissions along with the necessary mitigation conditions, that the issue of the impacts on protected species and biodiversity on the Phase 1d scheme has been appropriately addressed.

15. Open space

- 15.1 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. SP32 and SP33 set out the requirements of open space provision across the Borough and developers should provide open space to the local standard identified for the area. Local Standards are identified in the Local Plan Supplementary Planning Document.
- 15.2 The scheme provides for linkages from Phase 1d to the children's play area to be laid out under the approved scheme for Phase 1b (in line with overall open space provision envisaged by the outline approval). The scheme will also be well related to the future - already agreed (under a condition of the outline approval) - playing field provision that will in due course be provided on the land to the north of the application site as part of the Phase 2 development on the wider site.

16. Made Uttoxeter Neighbourhood Plan

- 16.1 This section sets out an assessment of the proposal against the relevant policies in the Made Uttoxeter Neighbourhood Plan (albeit there is some repetition given the overlapping requirements of the Local Plan policies).
- 16.2 Policy D1 – Residential Design sets out the following criteria for what schemes should seek to do:
- 1) Deliver a strong network of green and blue infrastructure, improving biodiversity and appropriate public and private spaces
 - 2) Reinforce character and identity through locally distinctive design and architecture
 - 3) Establish a gateway to the site and, where appropriate, to the town itself
 - 4) Establish a clear hierarchy of streets and spaces including pedestrian priority routes and integrated existing footpaths
 - 5) Deliver a scale, mass and density commensurate with the surrounding townscape (particularly for apartment proposals)
 - 6) Establish a sensitive transition with the wider landscape where a new settlement edge is created
 - 7) Use sustainable drainage systems and water management, through water catchments and green spaces to avoid increasing surface water run-off into watercourses to alleviate flooding and improve water quality.
- 16.3 Where appropriate developers should demonstrate how they have addressed their criteria through the use of masterplans, design coding and design briefs for specific sites. In appropriate circumstances planning conditions may be placed on planning applications to ensure that any design codes and planning briefs are respected as part of the development concerned.
- 16.4 Policy D3 aims to see quality public realm between developments. The relevant part of the policy is set out below:
- 16.5 Appropriate contributions will be sought from developments to establish a high quality environment within streets and public spaces. Applications which offer high standards of public realm design as part of residential, and town centre developments – specifically on the key sites identified in policy TC2 - will be strongly supported, subject to meeting the other policies of this Plan and the Local Plan. Schemes should ensure routes and spaces are well lit and subject to passive surveillance. Applications must provide a materials palette consistent with that found in the Uttoxeter vernacular.
- 16.6 The requirements of Policies D1 and D3 are broadly consistent with the Local Plan Design policy and overall it is considered that the house types and the layout of the scheme ensure that the criteria set out above are met. The materials as a continuation of the existing palette are considered appropriate to the locality. The scheme also utilises a sustainable drainage system (as have the earlier phases) and provides for compensatory planting.
- 16.7 Policy T1 – Sustainable Transport states that all applications, regardless of scale, should consider their wider impact on traffic and road safety. It also states that all new developments, excluding householder applications should seek to encourage a modal shift (or transition) by integrating into existing walking/cycling links and bus routes and provision of bike storage.

- 16.8 Policy T2 states that new development, where appropriate, should contribute towards the provision and enhancement (including servicing and lighting) of pedestrian and cycle links to the wider town and to routes identified under Policy E3 (Green Links). The policy also seeks improvements to existing key walking and cycling routes, including from development sites to the town centre.
- 16.9 The proposal forms part of the larger development scheme on lands to the west of Uttoxeter (as per the outline approval of November 2015) which includes the provision of a bus service through the site and to the town centre (upon the occupation of the 250th dwelling as per the Section 106 Agreement attached to the outline approval) along with pedestrian and cycle links to the other areas of the town through the introduction of pavements and enhancement of safe linkages. The outline approval also set the parameters to ensure sufficient space within garages or within residential plots for the storage of cycles and the County Highway Authority are satisfied that in principle these have been met. Having taken all relevant matters raised by the proposal into account, it is considered that the proposal meets the policy requirements.
- 16.10 The Uttoxeter Neighbourhood Plan includes a specific policy (T3) on parking standards and the level of provision within the site is appropriate for the development being proposed and meets the standard set out in the recently update District Council's Parking SPD.
- 16.11 Policy T4, Traffic and the Town Centre requires the following:
- “All major applications should take account of the consequent traffic impact on the town centre. Where appropriate major planning applications should be designed to reduce and manage journeys and reduce environmental and road safety impacts.*
- Applications that are likely to generate heavy commercial vehicle movements will only be supported if they commit to a routing strategy that avoids the town centre. Applications that through their location or design are able to help reduce the number of heavy commercial vehicles through the town centre will also be supported.”*
- 16.12 In relation to the current application (in its form as 113 No. dwellings) Uttoxeter Town Council commented that it *“is noted that this development will result in the spine road through the development being completed, linking Bramshall Road and the A50. Council (also) wished to reiterate their view that the spine road should be capable of taking HGV's in order to relieve pressure on town centre traffic and request that ESBC make provision for this.”* The application itself will not complete the spine road; rather it would merely extend it into the southern part of the Phase 2 scheme. As per the requirements of a condition of the outline approval (No. 28) the spine road has to be completed before works on the 501st dwelling is commenced. In terms of the capability (or otherwise) of the spine road for the taking of HGV's is concerned this is a matter that will fall under the remit of the County Highway Authority as this will be controlled by a weight limit under the Highway Acts.
- 16.13 As set out in this report the County Highway Authority has no objections to this reserved matters scheme on its own merits.

- 16.14 Policy L3 requires the provision of new public open space as part of large residential developments. The public open spaces should be new allotments, parks and play spaces and playing pitches. Other recreational facilities such as trim trails and other forms of social space will also be supported. For developments over 11 dwellings, public open space should be provided on site in line with the Open Space SPD.
- 16.15 The proposals for open space are set out elsewhere in this report and the proposal largely addresses this neighbourhood plan policy (albeit that allotments did not form an integral part of the provisions set for the scheme at the outline stage).
- 16.16 Policy E1 seeks to establish a network of green infrastructure, including existing trees, hedgerows, historic field patterns, the Strategic Green Gap and other such assets across the town linking the landscape setting with the urban area. Applications which retain and enhance such features and take the opportunity to re-introduce them into key sites, will be supported. Schemes which seek to establish lines of trees or hedgerows to contribute to this network within the urban street scene will also be supported.
- 16.17 The proposals for green infrastructure are set out elsewhere in this report and include a variety of different types of space and features. The proposal meets this neighbourhood plan policy.
- 16.18 Policy E2 states that new development should protect and where appropriate enhance the landscape setting of the town, and with a particular emphasis on the Picknall, Tean and Dove valleys. Planning applications that would result in the loss or fragmentation of this setting will not be supported. Planning applications that sensitively manage flood risk issues will be supported. All planning applications should demonstrate the extent to which they have respected and reinforced historic landscapes in general, and field patterns in particular.
- 16.19 Flooding and landscape considerations are set out elsewhere in this report, however it is considered that any flood risks will be sensitively managed through the use of SuDS provisions and the layout of the scheme has been designed to provide for appropriate levels of landscaping.
- 16.20 Policy H2 states that in order to secure a sustainable and mixed community, outside the town centre, each development site of greater than ten houses should provide a mix of dwelling types, including bungalows, executive housing and starter homes, and a range of tenures, including affordable housing provision in line with the East Staffordshire Local Plan. Affordable housing should be in accordance with the East Staffordshire Local Plan policy. All new residential development should demonstrate how it will be suitable, flexible and accessible for all users and occupants.
- 16.21 The housing mix assessment is set out elsewhere in the report and it is considered having regard to the outline approval that a suitable mix is provided and includes properties that are suitable for a range of users and occupants. The affordable housing provision is in line with the requirements of the Section 106 Agreement attached to the outline approval as it relates to the first 250 No.dwellngs to be delivered on the site.

- 16.22 Policy C2 relates to health provision and states that where appropriate, contributions for primary healthcare infrastructure will be sought to meet housing and employment growth. The Neighbourhood Plan will support applications for development which demonstrably seek to improve health through play and sports space, high quality and attractive walking and cycle links suitable for all users, subject to compliance with other Plan policies.
- 16.23 The application proposal is an integral part of the larger development site which will deliver (as required by conditions) the quantity and type of open space and green infrastructure that will offer opportunities for health and wellbeing. The scheme itself ensures pedestrian linkages are provided to the already approved children play space/open spaces (on Phase 1a and 1b) and the wider footpath network. The outline approval does not in the Section 106 agreement provide for a contribution towards primary healthcare infrastructure and a reserved matters application can not in legislative terms impose such a requirement retrospectively.
- 16.24 Policy C3 relates to Education and Childcare Provision and seeks to ensure the provision of education and childcare facilities in sustainable urban extensions. The existing Section 106 has in place requirements for the provision of a first school (primary level with some nursery provision) on the larger site along with a commuted sum of £2,203,971 for middle school, high school and sixth form places.
- 16.25 Taking the above context into account and the fact that the outline approval pre-dates the Neighbourhood Plan, it is considered that the proposal complies with the overall aims of the relevant policies in the Neighbourhood Plan.

17. Section 106 Matters/Other Matters

- 17.1 As set out in this report insofar as the matters are relevant to this (first) phase of the development of the land to the West of Uttoxeter the proposals are in line with the requirements of the Section 106 attached to the outline approval.

18. Conclusions

- 18.1 This proposal (for Phase 1d) will result in the continuing development of the green-field site to the west of Uttoxeter upon which the principle of development has previously been established by the granting of outline planning permission in 2015; and which in part has already been approved in a detailed form with the approval of the full application in respect of Phase 1a (also in 2015) and the reserved matters in relation to Phases 1b and 1c (in November 2016 and August 2017 respectively).
- 18.2 The submitted details for Phase 1d demonstrate that the development will fit acceptably into the context of adjoining existing and proposed built form by way of its siting, scale, massing and design. The proposed layout shows that separation distances between existing and proposed dwellings are such that the site can be developed without having a significant detrimental impact on the reasonable amenities of any existing or proposed neighbouring properties. The Highway Authority has confirmed that there are no issues in relation to highway safety and it is considered that the mitigation of all ecological and biodiversity issues have in principle been successfully addressed.

- 18.3 The change in the character and appearance of the area, the benefits of the proposal including the provision of housing, including affordable, alongside the economic benefits associated with new development mean that on balance the benefits of the scheme outweigh any specific concerns that are raised in relation to the proposal. The proposal is therefore considered to be in line with the outline approval and with the aims of the policies of the adopted Local Plan and the National Planning Policy Framework.
- 18.4 The proposed development is not within a conservation area and given the separation distances and the form of existing built development, it is not considered that the proposal would have an impact on views into, or those out of, the nearest conservation area nor is any Listed Building or its setting affected. The statutory duties under Section 66 and 72 are therefore not engaged.

19. RECOMMENDATION

APPROVE RESERVED MATTERS, subject to the following conditions:-

1. Compliance with the approved plans (Standard Condition No. 0002).
2. Details of Surface Water drainage interceptors to be provided. (Bespoke)
3. Parking and turning facilities to be provided before each dwelling is first occupied (Standard Condition No. 00004a).
4. Garages to be retained as being available for parking at all times. (Standard Condition No. 00004d).
5. Provision of approved cycle shelters to those dwellings without garaging prior to first occupation and thereafter retained. (Bespoke)
6. Any soakaways to be sited a minimum distance of 5.0 metres back from the edge of the highway. (Bespoke)
7. All landscaping works to be undertaken in first season post completion (Standard Condition No. 00003b).
8. Security fencing to be provided to pumping station compound before pumping station first brought into use. (Bespoke)
9. Precise details of bin stores/bin collection points which are required to be provided before the dwelling(s) they serve are first occupied (Bespoke).
10. Details of mitigation measures to be put in place to ensure the construction phase of the development does not impact negatively on the biodiversity works being provided to the south of the site (on the phase 1b development) (Bespoke).

Informatives

1. Standard Engagement informative.
2. Notification of outline permission conditions addressed by the reserved matters submission and which remain outstanding.
3. Standard Pre-commencement conditions informative
4. Contact ESBC Waste Management in relation to provision of bins.
5. Recommendation that 10% of the dwellings shall have ground floor accommodation that meets Building Regulations 2010 Standard M4(2).
6. The developer is reminded to ensure there is safe access at all times for users of the public right of way which runs to the north of the application site.

20. Background papers

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

- The Local and National Planning policies outlined in the report above
- Papers on the Reserved Matters Application file reference P/2017/00572
- Papers on the Reserved Matters file reference P/2016/00216
- Papers on the Outline Planning Application file reference: P/2013/00882 and associated Section 106 Agreement
- Papers on the Planning Application file reference: P/2014/00883 and associated Section 106 Agreement
- Papers on the Discharge of Condition application reference: P/2016/00164.
- Papers on the Reserved Matters file reference: P/2016/00216
- Papers on the Reserved Matters Application file reference: P/2017/00426

21. Human Rights Act 1998

21.1 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.

22. Crime and Disorder Implications

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

23. Equalities Act 2010

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

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