

<b>Agenda Item:</b>	5.1
<b>Site:</b>	Land to the south of, Forest School Street, Rolleston on Dove, Staffordshire, DE13 9AZ
<b>Proposal:</b>	Substitution of house types on Plots 29 & 30, 71 to 74, 76 & 78 to 83

### Report of Head of Service (Section 151 Officer)

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

### [Hyperlink to Application Details](#)

<b>Application Number:</b>	P/2020/01361	
<b>Planning Officer:</b>	Kerry Challoner	
<b>Type of Application:</b>	Detailed Planning Application	
<b>Applicant:</b>	Mr Chris O'Hanlon	
<b>Ward:</b>	Rolleston on Dove	
<b>Ward Member (s):</b>	Councillor Mrs B Toon	
<b>Date Registered:</b>	15 December 2020	
<b>Date Expires:</b>	15 March 2021	
<b>Reason for being on Agenda</b>	The scheme seeks to alter a consent that was previously granted for residential development on the site by Planning Committee.	
<b>Officer Recommendation</b>	<b>Approval</b> subject to conditions.	

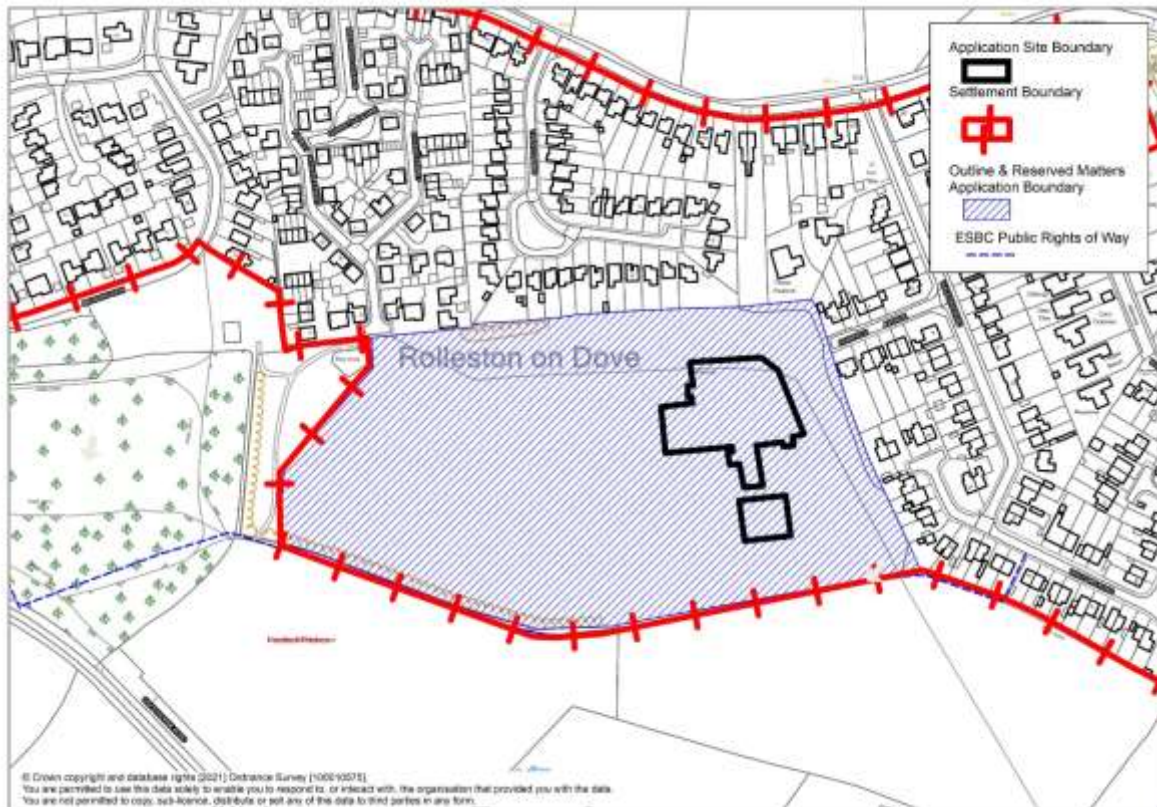
## 1. Executive Summary

- 1.1 The application seeks approval for the substitution of 13 dwellings within a residential development in Rolleston On Dove. The proposal is limited to the revision of 13 plots only and does not seek to alter the overall layout of the development. The original scheme includes consent for 100 dwellings and works are underway on site.
- 1.2 Statutory consultees have raised no technical objections that cannot be overcome by way of planning conditions and one response raising objections to the proposal has been received from a local resident. Rolleston on Dove

Parish Council have raised no objections and no response was received from the Ward Councillor.

- 1.3 The principle of developing the site for residential purposes is established under the existing extant planning permission. The overall design approach, layout and massing of the alternative house designs on 13 of the plots in the central area of the site are considered to be acceptable in visual and residential amenity terms and the County Highway Authority have raised no objections on highway safety grounds. The Lead Local Flood Authority have assessed the proposal and raise no objections. Severn Trent Water have requested a drainage condition to ensure the proposed drainage remains acceptable.
- 1.4 The proposal would alter the proposed housing mix, however the resultant housing mix remains acceptable in light of current planning policies and the local housing needs set out in the Rolleston On Dove Draft Neighbourhood Plan and the objectives of the Housing Choice SPD.
- 1.5 The proposal would cause no detriment to the character and appearance of the Rolleston On Dove Conservation Area and Listed Buildings in the locality. Section 66(1) and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are therefore engaged by this scheme and have been satisfied.
- 1.6 In light of the above conclusions on the planning merits of the case the application is recommended for **approval** subject to the necessary S106 agreement and conditions.
- 1.7 **Members are advised that the above is a brief summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.**

## Map of site



## 2. The site description

- 2.1 The application site is a greenfield site which sits within the wider Rolleston Manor residential development. Works have commenced on site to deliver the 100 dwellings previously approved (see planning history) on playing fields associated with a college campus. The wider development covers 5.95 hectares, whilst the application site extends to 0.5 hectares within a central area of the development. There are no notable features or trees within the application site area. The topography of the site is generally an even profile which gently falls across from west to east.
- 2.2 Beyond the north boundary of the wider site are the gardens of dwellings at Forest School Street and Twentylands. Beyond the eastern boundary are properties at Fairfield Avenue and Walford Road. To the south there are open fields and some sports pitches beyond a line of mature trees and a hedgerow. To the west there is a children's play area and public open space which serves the local estate.
- 2.3 The application site sits within the settlement boundary of Rolleston-on-Dove which is identified as a Strategic Village under Policy SP2 from the Local Plan. The site is also identified as a Strategic Site Allocation for housing in Strategic Policy 4 and on the policies map.

### 3. Planning history

- 3.1 27 November 2013- **P/2012/00636**- Outline application for up to 100 residential units and associated open space with all matters reserved- Refused, allowed on appeal 10 November 2016.
- 3.2 15 August 2018- **P/2018/00384**- Reserved matters application for the construction of 100 dwellings with associated garages, including details of access, appearance, landscaping, layout and scale- Approved subject to conditions. There have been several discharge of conditions applications to discharge conditions attached to the above applications.
- 3.3 30 July 2019- **P/2019/00884**- Reserved matters application for the construction of 100 dwellings with associated garages, including details of access, appearance, landscaping, layout and scale (Non-Material Amendment relating to Reserved Matters application P/2018/00384 for re-positioning of Plots 77-81)- Approved.
- 3.4 24 March 2020- **P/2020/00189**- Reserved matters application for the construction of 100 dwellings with associated garages, including details of access, appearance, landscaping, layout and scale (Non-Material Amendment relating to Reserved Matters application P/2018/00384 for re-positioning of plots 33-40 to provide 3.15m wide driveways)- Approved.
- 3.5 10 February 2021- **P/2021/00101**- Revision of discharged condition 5 of the outline consent P/2012/00636 relating to Outline application for up to 100 residential units and associated open space with all matters reserved to amend the proposed materials- Approved.

### 4. The proposal

- 4.1 Full planning permission is sought to approve the substitution of dwelling types on 13 plots within the previously approved development for 100 houses. This application relates to plot numbers 29 & 30, 71 to 74, 76 & 78 to 83.
- 4.2 Plots 71 to 74 inclusive originally contained 4No. bed two storey market dwellings, and would be substituted for 4 No. bed two storey dwellings of an alternate design.
- 4.3 The remaining plots (29, 30, 76 and 78 to 83) originally included 2 No. bed market bungalows. This application seeks to substitute these with 4 No. bed two storey dwelling houses. The originally approved scheme provided for 28 bungalows, as proposed the overall number of bungalows across the site would be reduced to 19. The submissions indicate the proposed plot substitutions have been driven by the low market attraction of the originally approved dwellings.
- 4.4 The proposed substituted dwellings would all be two storeys, and provided in three designs which complement the housetypes approved within the surrounding development. Materials would be from a palette used on the wider scheme and the proposal does not seek to alter the overall layout of the approved development or affordable housing provision.

- 4.5 Each substituted dwelling would provide 4 No. bedrooms and would benefit from 2 off road parking spaces along with a single detached garage. Electric Vehicle Charging points would be provided on all of the plots within the garages.
- 4.6 The table below indicates the overall previously approved and proposed housing mix:

House Type/ Bedrooms	Previously Approved Housing Mix	Proposed Resultant Housing Mix
2 Bed Bungalow	28	19
2 Bed House	9	9
3 Bed House	17	17
4 Bed House	23	32
5 Bed House	23	23
<b>Total</b>	<b>100</b>	<b>100</b>

#### List of supporting documentation

- 4.7 The following documents have been provided as part of the application:
- Application Form
  - Planning Statement
  - Design and Access Statement
  - Location Plan
  - Proposed Site Layout
  - Arkwright House Type Elevation and Layout Plans
  - Luthier House Type Elevation and Layout Plans
  - Reedmaker House Type Elevation and Layout Plans
  - Finished Floor Level Plans
  - Boundary treatments plan
  - Materials Layout
  - Building Storey Height Plan
  - Soft Landscape Proposals
  - Electric Vehicle Charging Plan
- 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
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5.3	Rolleston on Dove Parish Council	No objections.
5.4	SCC Highways	No objections were raised.
5.5	SCC Flood Risk Team	No objections were raised. There appears to be no change to the layout plan, so there should be no significant alterations to impermeable surfaces and drainage layout. This being the case, the Flood Team have no comments to offer on the house substitutions on this occasion.
5.6	Severn Trent Water	No objections were raised to the substitution of house types, the original drainage condition should be applied.

Internal Consultees		Response
5.7	Environmental Health	No objections were raised.

## 6. Neighbour responses

6.1 Site and Press notices were posted. Responses were received from 1 local resident raising objections to the proposal which are summarised below:

Neighbour responses	
Principle	<ul style="list-style-type: none"> <li>• Question the ‘low market attraction’ of bungalows. The provision of bungalows allows older people to downsize and remain within the village freeing up existing larger properties in the village.</li> <li>• The Housing Mix has been altered, it is difficult to see how the proposed two storey dwellings will help provide homes for older people</li> <li>• The provision of 4 and 5 Bed dwellings conflicts with the requirement for strategic villages.</li> <li>• The proposal is inappropriate and seeks to increase profitability of the site.</li> </ul>
Design	<ul style="list-style-type: none"> <li>• The two storey properties will dominate the skyline.</li> </ul>
Impacts on Amenity	<ul style="list-style-type: none"> <li>• The increase in 4 Bed properties will have an impact on the number of residents, cars, waste, pollution and noise at the Eastern end of the development, the area that already had the densest housing.</li> </ul>
Highways Impacts	<ul style="list-style-type: none"> <li>• Query the parking provision, notably on plots 82 and 83,</li> </ul>
Trees/ Landscaping	<ul style="list-style-type: none"> <li>• If the proposed substitutions are agreed we would request is that the T3 trees included in the soft landscape proposal at the front of plot 81 and adjacent to plots 44 and 45 have tree preservation orders attached to them as their inclusion in the development goes some way to screen the towering skyline of the 2-</li> </ul>

	<p>storey properties. Their removal would therefore have significant impact on the local landscape.</p> <ul style="list-style-type: none"> <li>• a tree should be planted by the pavement adjacent to the parking space of plot 43 to screen the parking spaces and the wider development.</li> </ul>
Ward Member	No response was received.

## 7. Policy Framework

### National Policy

- National Planning Policy Framework
- National Planning Policy Guidance

### Local Plan

- Principle 1: Presumption in Favour of Sustainable Development
- SP1: East Staffordshire Approach to Sustainable Development
- SP2 Settlement Hierarchy
- SP3: Provision of Homes and Jobs 2012-2031
- SP9 Infrastructure Delivery and Implementation
- SP10 Education Infrastructure
- SP16 Meeting Housing Needs
- SP17 Affordable Housing
- SP24 High Quality Design
- SP25 Historic Environment
- SP27 Climate Change, Water Body Management and Flooding
- SP29 Biodiversity and Geodiversity
- SP35 Accessibility and Sustainable Transport
- DP1 Design of New Development
- DP2 Designing in Sustainable Construction
- DP3 Design of New Residential Development, Extensions and Curtilage Buildings
- DP7 Pollution and Contamination
- DP8 Tree Protection

### Supplementary Planning Documents

- Housing Choice SPD
- Car Parking Standards SPD
- Separation Distances and Amenity SPD
- East Staffordshire Design Guide SPD

### Rolleston On Dove Draft Neighbourhood Plan

The Rolleston Neighbourhood Plan was examined in July 2019. Following the examination a decision was made in March 2020 to take the Neighbourhood Plan, as modified, to referendum. The referendum was postponed due to the Covid pandemic and is due to be held in May 2021. Paragraph 48 of the NPPF

sets out that weight may be given to relevant policies in emerging plans in decision taking. Factors to consider include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies. Section 70 (2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a post-examination draft neighbourhood development plan, so far as material to the application. Given the stage the Neighbourhood Plan has reached it is considered that the policies in the Neighbourhood Plan can be given significant weight in decision making.

- H2- Housing Mix and Affordable Provision
- D2- Design of New Development
- D3- Public Real and Car Parking
- OS1- Protection of Views of Local Importance
- NE1- Flood Risk

## **8. Principle of Development**

### **Relevant Policies**

8.1 The NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Paragraph 14 of the NPPF states that for decision-taking this means:

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

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

### **Local Plan and 5 Year land Supply**

8.3 The most recent calculation uses figures as at 31st March 2020 and concludes there is 6.04 years of supply. Therefore the policies in the plan can be considered up to date.

8.4 The Council has adopted a positive approach in seeking to meet objectively assessed development needs of the Borough. The policies in the plan provide a clear frame to guide sustainable growth and the management of change, thereby following the governments presumption in favour of sustainable development.

### **Assessment**



8.5 The principle of the development of the site for residential purposes has been established through the previous planning consents and as such is acceptable. This application seeks to substitute 13 of the approved dwellings within a specific central area of the wider site. The development of the wider site is underway and remains subject to the conditions and Section 106 agreement attached to the relevant decisions.

**9. Design, Impact on the character and appearance of the area and landscape**

- 9.1 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.
- 9.2 Strategic Policy 1 and 24 state that development proposals must contribute positively to the area in which they are proposed. The policy lists a number of criteria developments are expected to achieve including creating a sense of place, reinforcing character, reflecting densities and where possible minimise the production of carbon through sustainable construction.
- 9.3 Strategic Policy 30 states that development proposals will be expected to demonstrate that they have taken into account the Landscape Character Assessment for Staffordshire and consist of a scheme which reflects the landscape character and where possible enhances the landscape quality.
- 9.4 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.
- 9.5 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.
- 9.6 Detailed policy 2 aims for development to achieve high sustainability and environmental credentials adopted energy efficiency techniques and other standards where possible.
- 9.7 Policy D2 of the Rolleston On Dove Draft Neighbourhood Plan is concerned with sustainable design principles. It seeks to promote sustainability by addressing character, local distinctiveness, amenity, safety, and pedestrian convenience.
- 9.8 It is considered that the proposed replacement dwellings along with the materials schedule will ensure that the overall design ethos and streetscapes being created in connection with the wider residential development remains consistent with the approach to the originally approved scheme. Each

dwelling would benefit from a private rear garden which is commensurate in size and the landscaping plans have been updated with minimal changes proposed. Front gardens with grassed areas and specific areas of shrub planting would remain to provide soft landscaping within the street scenes as previously approved in this area of the site.

- 9.9 Whilst the proposal does not propose to incorporate any renewable energy sources or specific green construction techniques, the dwellings would be constructed using modern and efficient methods resulting in buildings that are well insulated and energy efficient.
- 9.10 Based on the above assessment, it is considered that the design and landscaping of the proposal is acceptable and suitably reflects the surroundings of the site and the originally approved scheme for the wider development. The development will result in a high quality development which complies with the relevant local plan policies, East Staffordshire Design Guide, the Draft Rolleston On Dove Neighbourhood Plan Policies and the National Planning Policy Framework.

## **10. Residential Amenity**

- 10.1 The National Planning Policy Framework and DP1, DP3 of the Local Plan seeks to ensure new residential development will not have an adverse impact on the amenities of new or existing residents by way of loss of light, overlooking or overbearing.
- 10.2 The Councils recently adopted Separation Distances and Amenity SPD sets out overall spacing standards for new residential development to ensure that existing and future occupiers have a good level of amenity and privacy to enjoy the place where they live.
- 10.3 The proposed layout shows each new dwelling is sufficiently distant from surrounding residential properties within the wider scheme to avoid causing them an unacceptable loss of light or privacy or any overbearing impacts.
- 10.4 The substituted dwellings benefits from adequately sized front and rear gardens, with appropriate planting proposed to front gardens in line with the previously approved schemes and the overall design ethos of the wider development.
- 10.5 The floor layout plans indicate a good level of residential accommodation for future occupiers and therefore it is considered that the proposals would result in a good to acceptable standard of living accommodation for future residents.
- 10.6 The scheme is therefore compliant with the provisions of Local Plan Policies SP1, SP24, DP1 and DP3, the East Staffordshire Design Guide, the Separation Distances and Amenity SPD and the NPPF.

## **11. Highway Matters**

- 11.1 The NPPF in section 4 sets out the role transport policies play in facilitating sustainable development which contributes to wider sustainability and health

objectives. Decisions should consider ensure development proposals have taken the opportunities for sustainable transport modes, ensure safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

- 11.2 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.
- 11.3 The Council's parking standards SPD sets out standards for different uses including space size, accessibility and the quantity of car parking spaces required for different uses.
- 11.4 Policy D3 of the Rolleston On Dove Draft Neighbourhood Plan relates to the public realm and car parking. This policy requires new development to demonstrate high quality standards of urban design through criteria including the provision of off road car parking to avoid vehicles dominating street scenes and garages being of a suitable size to accommodate a vehicle.
- 11.5 The means of access and the layout of the site have been established under the previous consents and remains unchanged as part of this proposal. Details of parking and garaging have been provided to serve the substituted dwelling houses. The details, including internal garage sizes, meet with the requirements of the Councils Car Parking SPD. As some of the properties rely on a parking space within a garage to achieve the necessary parking standards, a condition to ensure that the garages are retained as parking spaces is recommended.
- 11.6 The application plans also provide details of electric vehicle charging points which would be provided in line with the original consents for this development.
- 11.7 In conclusion, the highway and access arrangements proposed are considered to be suitable and there will be no significant impact on the approved layout of the development or the wider road network. The County Highway Officer has raised no objections and to the proposal.

## 12. Historic Environment

- 12.1 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.
- 12.2 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.
- 12.3 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.
- 12.4 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.
- 12.5 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.
- 12.6 Policy OS1 of the Rolleston On Dove Draft Neighbourhood Plan seeks to protect and enhance views of local importance, including important buildings, townscapes and skylines within the built and natural environment of Rolleston On Dove.
- 12.7 The application site sits within a wider site which is over 460 metres away from the heart of the village which is a designated Conservation Area. There is no intervisibility between the application site and the Rolleston on Dove Conservation Area, as a result the proposal would have no impact on the special character and appearance of the Conservation Area.

- 12.8 The nearest Listed Building to the site is No.1 Beacon Road which is a 17<sup>th</sup> century house. The house is a Grade II Listed Building and sits within its own setting over 570 metres away to the west to the other side of the village. The proposed development would not therefore affect the experience or route past any Listed Buildings and there are no Listed Buildings in close proximity to the application site. Therefore, it is considered that the character, significance and setting of heritage assets within Rolleston-on-Dove would not be harmed.
- 12.9 It is considered that the statutory duties under Section 66 and under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 have been considered as part of this application and are not engaged by it.

### **13. Flood Risk and Drainage**

- 13.1 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.
- 13.2 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.
- 13.3 Policy NE1 of the Rolleston on Dove Draft Neighbourhood Plan states that mitigation of flooding must be an integral part of the design and layout of any new development.
- 13.4 The site lies within flood zone 1 and as per the original consent, the application has been considered by all relevant consultees in relation to flood risk and drainage. The Lead Local Flood Authority have raised no objections and have confirmed that as there is no change proposed to the overall layout of the development there would be no significant alterations to the impermeable surfaces and drainage layout. Severn Trent Water have raised no objection to the principle of the proposal and requested that the original drainage condition is applied.
- 13.5 It is therefore considered that subject to a condition requiring technical details of the foul and surface water drainage that the requirements of Local Plan Policy 27, Rolleston On Dove Draft Neighbourhood Plan Policy NE1 and the objectives of the National Planning Policy Framework are met through this proposed amendment to the original scheme.

### **14. Affordable Housing and Housing Mix**

- 14.1 The NPPF states that Local planning authorities should have a clear understanding of housing needs in their area. Local Authorities should

address the need for all types of housing, including affordable housing and the needs of different groups in the community. Strategic Policies 16 and 17 along with the guidance set out in the Housing Choice SPD responds to this requirement.

14.2 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.

14.3 Policy H2 of the Rolleston on Dove Draft Neighbourhood Plan sets out that housing developments should provide a balanced mix of house types to meet local need. Specifically the mix should include smaller dwellings to meet the needs of first time buyers, the elderly and those wishing to downsize. Where a scheme includes affordable housing, it should be provided as an integral part of the development.

14.4 The Housing Choice SPD expects the following housing mix as shown in the table below. Columns have been included to indicate the approved housing mix and the mix that would be achieved through this application:

<b>Unit Size</b>	<b>Housing Choice SPD requirements for Strategic Villages</b>	<b>No. of Units approved under P/2018/01361</b>	<b>Housing Mix % approved under P/2018/01361</b>	<b>No. of Units proposed under P/2020/01361</b>	<b>Housing Mix % proposed under P/2020/01361</b>
<b>1 Bed</b>	2%	0	0%	0	0%
<b>2 Bed and homes for older people</b>	61%	37 Includes 28 Bungalows	37%	28 Includes 19 Bungalows	28%
<b>3 Bed</b>	23%	17	17%	17	17%
<b>4 Bed</b>	10%	23	23%	32	32%
<b>5 Bed</b>	4%	23	23%	23	23%

14.5 The proposal would not affect the delivery of 7 affordable units across the wider site which are being provided in accordance with the requirements set out in the previous planning consents.

14.6 The substitution of 13 dwellings as proposed would result in a change to the provision of 2 and 4 bedroom dwellings across the development, with the overall number of 2 bed dwellings being reduced from 37% to 28% and the number of 4 bed dwellings increased from 23% to 32% The provision of 3 bed and 5 bed properties would remain unchanged.

14.7 On balance, given the range of properties being proposed the resultant housing mix is considered to be acceptable. The proposal would not significantly deviate from the approved housing mix and the overall scheme would still deliver 19 bungalows and the 7 affordable units originally approved.

- 14.8 The resultant scheme would also continue to provide significant numbers of dwellings which would meet with the Building Regulations M4(2) standards. All of the proposed substitution dwellings would meet with this standard which would result in a total of 62 dwellings across the site meeting with the M4(2) standard meaning that they may be more easily accessed and adaptable should the need arise in future.
- 14.9 It is therefore considered that whilst the resultant housing mix does not strictly meet with the requirement set out in the Housing Choice SPD, it would continue to be acceptable in the context of the planning history for the site. The overall development would continue to provide a balanced mix of house types which includes smaller dwellings and bungalows in line with the local needs as set out in the Draft Neighbourhood Plan.

## **15. Biodiversity**

- 15.1 Paragraph 118 within Section 11 of the National Planning Policy Framework states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, planning permission should be refused.
- 15.2 The Natural Environment and Rural Communities Act 2006 states that public authorities in England have a duty to have regard to conserving biodiversity as part of policy or decision making.
- 15.3 Strategic Policy 29 lists criteria including development retain features of biological interest produces a net gain in biodiversity in line with Staffordshire biodiversity action plan species and supporting developments with multi-functional benefits.
- 15.4 The proposed scheme would not affect the agreed biodiversity enhancement plan which makes provision across the wider development site for the installation of bat and bird roosting facilities, native tree and scrub planting and meadow grassland.
- 15.5 There are no trees which would be affected by the proposals within the application site, and details of landscaping have been provided. The landscaping details are in line with the previously approved scheme which includes specific planting to encourage biodiversity.

## **16. Open space**

- 16.1 The NPPF states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area.
- 16.2 SP32 and SP33 set out the requirements of open space provision across the Borough.

- 16.3 The Borough Council will seek to deliver new provision and protect and enhance existing outdoor open space and sport facilities by safeguarding sites for the benefit of local communities and applying the standards set out in the Local Plan.
- 16.4 Developers should provide open space to the local standard identified for the area. Local Standards are identified in the Open Space Supplementary Planning Document.
- 16.5 The overall layout of the wider development site remains unchanged, particularly as this scheme only seeks to alter the design of 13 of the originally proposed dwellings in a central areas of the site. The provision for public open space and landscaping details remain unchanged and the off site commuted sum for the upkeep of these areas is still required as part of the development of the wider site area.

## 17. Section 106 Contributions

- 17.1 The application site forms an area previously allocated for 13 dwelling houses which formed part of the larger residential development now known as Rolleston Manor. The requirement of the S106 agreement attached to the original outline consent made provisions for education, open spaces, travel plan monitoring, waste collection containers, highway provisions and a sport England contribution.
- 17.2 In the planning balance of the overall scheme it is not considered fair or reasonable, given payments already made to require further contributions in relation to the substitution of the 13 dwellings proposed.

## 18. Conclusions

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

### 18.2 RECOMMENDATION

- 18.3 Approve, subject to the following conditions:

#### 1. Time Limit (Standard)

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. Plan Numbers (Standard)

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



## Drawing No.s:

RM-LOC-01 Rev A Location Plan dated as received 10 December 2020  
17073 2000 Rev V Proposed Site Layout dated as received 30 November 2020  
17073 2003 Rev R Boundary Treatment Layout dated as received 30 November 2020  
RM-EVCP-01 Rev A Electronic Vehicle Charging Points dated as received 30 November 2020  
17073 2004 Rev M Materials Layout dated as received 30 November 2020  
17073 2500 Rev B Building Storey Height Plan dated as received 30 November 2020  
GL0883 01D Soft Landscaping Proposals Sheet 1 of 3 dated as received 30 November 2020  
GL0883 02D Soft Landscaping Proposals Sheet 2 of 3 dated as received 30 November 2020  
GL0883 03D Soft Landscaping Proposals Sheet 3 of 3 dated as received 30 November 2020  
ENG\_001 Engineering Layout FFL's dated as received 14 December 2020  
17073 ARK-29-01 Arkwright Housetype Plot 29 OPP dated as received 30 November 2020  
17073 ARK-30-01 Arkwright Housetype Plot 30 AS dated as received 30 November 2020  
17073 ARK-73-01 Arkwright Housetype Plot 73 AS dated as received 30 November 2020  
17073 ARK-74-01 Arkwright Housetype Plot 74 OPP dated as received 30 November 2020  
17073 ARK-79-01 Arkwright Housetype Plot 79 OPP dated as received 30 November 2020  
17073 ARK-83-01 Arkwright Housetype Plot 83 OPP dated as received 30 November 2020  
LUT-72-01 Luthier Housetype Plot 72 AS dated as received 30 November 2020  
LUT-80-01 Luthier Housetype Plot 80 AS dated as received 30 November 2020  
LUT-71-01 Luthier Housetype Plot 71 OPP dated as received 30 November 2020  
LUT-81-01 Luthier Housetype Plot 81 OPP dated as received 30 November 2020  
REE-76-78-01 Reedmaker Housetype Plot 76 & 78 AS dated as received 30 November 2020  
REE-82-01 Reedmaker Housetype Plot 82 OPP dated as received 30 November 2020  
Design and Access Statement dated as received 30 November 2020

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highway(s) in accordance with East Staffordshire Local Plan Policies SP1, SP2, SP3, SP9, SP10, SP16, SP17, SP24, SP25, SP27, SP29, SP35, DP1, DP2, DP3, DP7 and DP8, Rolleston On Dove Draft Neighbourhood Plan Policies H2, D2, D3, OS1 and NE1, Housing Choice SPD, Car Parking Standards SPD, Separation

Distances and Amenity SPD, East Staffordshire Design Guide SPD and the National Planning Policy Framework.

### **3. Materials (Bespoke)**

The development shall be carried out in accordance with the 17073 2004 Rev M Materials Layout dated as received 30 November 2020 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the character and appearance of the development in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, Rolleston On Dove Draft Neighbourhood Plan Policy D2, the East Staffordshire Design Guide and the National Planning Policy Framework.

### **4. Drainage**

No development hereby approved shall take place until a scheme for the disposal of foul and surface waters has been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to its first occupation.

Reason: To ensure adequate drainage facilities are provided to serve the development to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution as recommended by Severn Trent Water Limited in accordance with East Staffordshire Local Plan Policies SP1, SP27 and DP7, Rolleston On Dove Draft Neighbourhood Plan Policy NE1, and the National Planning Policy Framework.

### **5. Landscaping Implementation (Standard)**

Prior to the first occupation of any dwelling, the approved landscaping/planting for that respective plot as set out on the plans listed under Condition 2 shall be carried out in accordance with the approved plans. 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 the approved landscaping scheme is implemented in an efficient and diligent way and that initial plant losses are overcome in the interests of the visual amenities of the locality and in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP8, Rolleston On Dove Draft Neighbourhood Plan Policy D2, the East Staffordshire Design Guide and the National Planning Policy Framework.

### **6. Boundary Treatments (Standard)**

Prior to the first occupation of any dwelling hereby approved, the boundary treatments for that respective plot as set out on the plans listed under Condition 2 shall be erected in accordance with the approved plans and thereafter shall be retained/replaced as such for the life of the development except in the case for any changes to visibility splays.

Reason: To safeguard the visual amenities of the area and the privacy of occupiers of new dwellings and in accordance with the aims of East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, Rolleston On

Dove Draft Neighbourhood Plan Policy D2, the East Staffordshire Design Guide and the National Planning Policy Framework.

#### **7. Parking and Turning Areas to be provided (Bespoke)**

Prior to the first occupation of any dwelling hereby approved, the driveways, parking spaces and turning areas associated with that respective plot shall be provided in a bound material in accordance with the approved plans listed under condition 2. The parking and turning areas shall thereafter be made available at all times for their designated purposes.

Reason: In the interests of highway safety and in accordance with the aims of East Staffordshire Local Plan Policies SP1, SP24 and SP35, Rolleston On Dove Draft Neighbourhood Plan Policy D3, the Car Parking Standards SPD and the National Planning Policy Framework.

#### **8. Electric Vehicle Charging Points to be Provided (Bespoke)**

Prior to the first occupation of any dwelling hereby approved, the approved electric charging points as indicted on drawing number RM-EVCP-01 Rev A Electronic Vehicle Charging Points dated as received 30. November 2020 shall be installed and retained as such for the life of the development.

Reason: To ensure that the scheme supports the use of electric vehicles by providing charging points in a convenient location and in accordance with Local Plan Policies SP1 and SP35, the Car Parking Standards SPD and the National Planning Policy Framework.

#### **9. Garages to be retained for parking (Bespoke)**

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

Reason: To ensure adequate off-street parking exists to serve the development to avoid vehicles parking on the adjoining road and obstructing the free flow of movement of traffic in the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35, Rolleston On Dove Draft Neighbourhood Plan Policy D3, the Car Parking Standards SPD and the National Planning Policy Framework.

### Informatives

#### **1. Standard Engagement**

The Local Planning Authority has taken a positive approach to decision-taking in respect of this application concluding that it is a sustainable form of development which complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has secured a development that improves the economic, social and environmental

conditions of the area in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

## **2. Pre Commencement**

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

Condition No.4

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

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

Payment can be made by cheque or card only. Please telephone 01283 508606.

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

## **3. Refuse Receptacles**

The developer will be required to provide the appropriate external storage containers for refuse and recycling collection (in accordance with the Council's specification).

The developer must ensure that all containers are provided to residents prior to occupation and prior to the commencement of the Council's collection service. A detailed specification of all container types may be obtained from the Environment Section.

## **19. Background papers**

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

- The Local and National Planning policies outlined above in section 7
- Papers on the Planning Application file reference: P/2012/00636
- Papers on the Planning Application file reference: P/2018/000384
- Papers on the Planning Application file reference: P/2019/00884
- Papers on the Planning Application file reference: P/2020/00189
- Papers on the Planning Application file reference: P/2021/00101

## **20. Human Rights Act 1998**

20.1 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.

**21. Crime and Disorder Implications**

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

**22. Equalities Act 2010**

22.1 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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