

DELEGATED DECISION REPORT

SMD/2022/0042
Valid 27/01/2022

BLYTHE VALE PHASE 2
LAND SOUTH EAST OF
A521/NORTH OF THE A50
UTTOXETER ROAD
DRAYCOTT IN THE MOORS

FULL PLANNING
APPLICATION FOR ENABLING
HIGHWAYS AND DRAINAGE
WORKS TO COMMENCE
DEVELOPMENT AT BLYTHE
VALE PHASE 2

(FULL - MINOR)

MAIN ISSUES

- Principle of the development.
- Impact on the character and appearance of the surrounding area.
- Impact on neighbouring amenity.
- Impact on highway safety.
- Impact on ecology.
- Impact on existing trees/hedgerows.

DESCRIPTION OF SITE

The application site comprises agricultural fields which, together with the land to the north of the application site and on the opposite side of the A50, form part of the housing and employment allocation (policy DSR1 – Blythe Vale). Phase 1 of the allocation was approved for housing with an access constructed onto the A521 and the majority of the houses have been built. This application relates to the southern portion of the allocation that is located north of the A50 and southeast of Phase 1. It is also allocated for housing.

The fields comprise grass, with trees and hedgerows predominantly forming the boundaries as opposed to being isolated within the fields themselves. 3no. ponds are present within the site. The application site is located southeast of the larger village of Blythe Bridge.

PROPOSAL

Full planning permission is sought for enabling highways and drainage works for Phase 2 of the housing allocation. The development will comprise the construction of a spine road and a secondary road, with foul and surface water drainage located beneath the roads. It is also proposed to erect a foul water pumping station at the southern end of the secondary road.

Planning permission has been submitted for 200 houses under application (SMD/2021/0418) on the same site, which is currently being considered by the Local Planning Authority.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

SS1 Development Principles
1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
DC1 Design Considerations
DC3 Landscape and Settlement Setting
T1 Development and Sustainable Transport
SD5 Flood Risk
NE1 Biodiversity and Geological Resources
DSR1 Blythe Vale

National Planning Policy Framework

Paragraph(s) 1 - 14
Section(s) 4, 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SM.97-0216	Premium Employment Site Development Approved 30th July 1997
03/00498/FUL	Variation of Condition 2(a) (b) (ii) of SM97-0216 to extend time limit. Approved 15th July 2003
06/00984/FUL	Variation of Condition 1 attached to planning permission 03/00498/FUL dated 15th July 2003 to extend time period in which to submit reserved matters by a further 5 years to 15th July 2013. Approved 17th October 2006
01/00125/REM	Provision of access to phase 1 development of employment site. Approved 3rd April 2007
07/01532/REM	Development of commercial site of phase 1 for Class B1 use. Approved 29th April 2008
11/00405/REM	New Planning Permission to replace extant Planning Permission 06/00984/FUL, pursuant to the original Outline Planning Permission SM.97-0216 for a Premium Employment Site on land adjoining A50(T), Blythe Bridge, in order to extend the time for submission of reserved matters by 5 years to the 15th July 2018 and the implementation of the planning permission by 5 years to 15th July 2021 Approved 9th August 2011

SMD/2017/0512 Detailed Planning Application for the development of 118 dwellings (Use Class C3), new access and internal roads for vehicles, pedestrian and cycle linkages; car and cycle parking; associated play and open space, landscaping, ecological habitats; sustainable drainage measures, earthworks and all ancillary enabling works including the demolition of building and structures.
Approved 10th May 2018

SMD/2018/0443 Reserved matters application for the phase 2 access road and associated infrastructure, including drainage to serve the road, tree removal, levels, landscaping, safeguarding area, great crested newt mitigation, pursuant to planning application ref 11/00405/REM
Approved 17th October 2018

SMD/2021/0418 Full planning application for residential development of 200 dwellings (Use Class C3), access and internal roads for vehicles, footpaths and cycle linkages, parking, public open space and landscaping, ecological habitats, community orchard, sustainable drainage measures, and associated infrastructure and earthworks.
Pending Consideration

The most relevant of the above applications to this application is SMD/2018/0443, that was approved for a similar proposal but has since expired.

CONSULTATIONS

Publicity

Site Notice expiry date: 08/03/2022
Neighbour consultation period ends: 22/02/2022
Press Advert: N/A

Public Comments: None

Town / Parish Comments: None

Severn Trent Water: I am unsure what comments you are looking for from myself in response to the above planning application. I can see the applicant has been in discussions with Severn Trent relating to the drainage routes via application SMD/2021/0418.

SCC Highways: No objection. This response is issued following discussions with the Planning Officer and Agent and on the understanding that this approval will be superseded by SMD/2021/0418 [if granted approval]; that it is required to commence infrastructure works as Phase 1 is nearing completion and it will be done at the developer's risk should amendments be required. The site has been visited on multiple occasions for various applications. Ultimately, roads will require technical approval under S7 Staffordshire Act, though this will be referred to under

SMD/2021/0418 as under this current application, SMD/2022/0042, the roads don't serve any dwellings.

SCC Flood Risk Team: Although we have no objections in principle to the application, we would like to note that there are still issues which are currently outstanding/we are being consulted on under other applications relating to this site:

- DOC/2020/0049 – The issue of the predicted flooding from the site was discussed and our last email communication (dated 04/11/2021) outlined that since all options to eliminate the predicted flooding appear to have been explored, it should be confirmed with highways that they are happy with flood water draining towards the highway and that they have sufficient capacity to accommodate the water within their system. We have not received any further updates regarding this issue.
- SMD/2021/0418 – We received updated details from the applicant on 15/02/2022 but were informed via email from the applicant on 01/03/2022 that further amendments were being made to the application. We are currently awaiting the updated plans and calculations for review.

It is our understanding from the applicant that the proposals presented under this application (SMD/2022/0042) reflect what is shown on the plans being submitted (or within the plans currently being updated) as part of application SMD/2021/0418; and that anything subsequently agreed through determination of SMD/2021/0418 will take precedence over any enabling works permission (if granted).

We therefore have no objection to application SMD/2022/0042 at this stage, but would recommend that a general construction phase condition is applied to the planning permission for SMD/2022/0042.

Environmental Health: No objection, subject to conditions in respect of the Construction and Environmental Management Plan and unexpected contamination.

Construction Impacts: The previously approved Construction and Environmental Management Plan for Phase 2 (Doc. Ref: R9074-SMH-21-XX-MS-K-0001 submitted in support of this application) . This can be accepted for the enabling works and should be implemented and complied with in full throughout the development.

OFFICER COMMENTS

Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF, 2021) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing

the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 8 of the NPPF (2021) identifies three dimensions to sustainable development as being economic, social and environmental. In accordance with policies SS1 and 1a of the Staffordshire Moorlands Local Plan, the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible, enhancing the environment. When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF (2021).

The application site forms Phase 2 of the housing and employment allocation for Blythe Vale (policy DSR1 of the Local Plan, 2020) and therefore it is acceptable in principle.

Design

Policy DC1 refers to design and seeks to secure development of a high quality which is designed to add value to the area and to respect the site and its surroundings. New development should promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance.

Paragraph 130 of the NPPF (2021) requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture.

With regard to the design of the spine road, it is a conventional 5.5m wide carriageway with footways to either side with a tarmac finish. It curves through the site from the northern boundary, ending with a T-junction close to the southern boundary with the A50. To the northwestern corner of the site a secondary road will be constructed that follows the site's northern boundary and then turns southeast to follow the western boundary. This road will also be 5.5m wide with a footway on one side.

The roads contain a number of minor bends which will add interest to the route and slow vehicle speeds. A number of connection points are shown to each side to serve future housing development. Some in-line parking spaces are proposed along one side of the secondary road. It is considered that the alignment and design of the roads provide for a good quality of design for the remaining parcels of land to either side of it, as has been achieved on Phase 1.

A foul water pumping station will be located at the southern end of the secondary access road. The submitted information states it will be of a standard design and is shown as having a footprint of 13m x 10m on the submitted drawings. However, no elevational details have been provided. These should be conditioned accordingly, including details of materials and external colour.

Subject to the imposition of such a condition, the proposed development is considered to comply with policy DC1 of the Local Plan (2020), the Design Guide SPD and the NPPF (2021) in terms of its design/appearance.

Amenity

Policy DC1 and paragraph 130(f) of the NPPF (2021) seek to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

The application site lies adjacent to the A50 Stoke-on-Trent to Derby trunk road and the A521 Uttoxeter Road. The application relates only to the construction of two access roads and a pumping station. The submitted Construction and Environmental Management Plan (CEMP) restricts the hours of operation during the construction of the proposed development, which will protect the amenity of nearby dwellings. Environmental Health have raised no objection to the CEMP.

With regard to noise generated by the operation of the new road, this was previously considered at the time of the outline consent and the application for residential development on the adjoining land (Phase 1). Additionally, Environmental Health has raised no objection, subject to conditions.

It is for these reasons that the proposed development will comply with policy DC1 of the Local Plan (2020) and the NPPF (2021) in terms of its impact on neighbouring amenity.

Highway Safety

Policies DC1 and T1 seek to achieve a level of parking and an access that is appropriate to the development it serves.

The Highways Engineer has assessed the application and raises no objection. He states that ultimately, the roads will require technical approval under S7 Staffordshire Act, though this will be referred to under SMD/2021/0418 as under this current application, the roads do not serve any dwellings.

The proposed development will therefore not have a detrimental effect on highway safety and will comply with policies DC1 and T1 of the Local Plan (2020) and the NPPF (2021).

Trees & Landscape

Policy NE2 of the Local Plan (2020) seeks to protect existing trees, woodlands and hedgerows from loss or deterioration. This will be achieved by requiring them to be retained and integrated within a proposed development unless the need for and benefits of the development clearly outweigh their loss. It goes on to state that the Council will refer to its adopted Tree Strategy in the consideration of proposals and will seek to retain as many trees and as much hedgerow on site as possible.

Policy DC3 of the Local Plan seeks to protect and where possible, enhance local

landscape and the setting of settlements, resisting development that will lead to a prominent intrusion into the countryside or have a significant adverse impact on the character or the setting of a settlement or important views into and out of the settlement.

An Arboricultural Impact Assessment, a Tree Constraints Plan and a Tree Protection Plan were submitted to support the planning application. The Tree Protection Plan indicates that the proposed access roads, associated drainage works and the proposed pumping station can all be undertaken without any adverse effect on existing trees or hedgerows. However, a condition should be attached that requires the erection of the tree protection fencing in accordance with the drawing prior to the commencement of development, and for it to be retained in-situ until the development is completed.

Providing such a condition is attached, the proposed development will not adversely affect existing trees or hedgerows and it will comply with policy NE2 of the Local Plan (2020) and the NPPF (2021).

Ecology

Policy NE1 outlines that the biodiversity of the District will be conserved and enhancement by positive management and the strict control of development by (1) protecting and enhancing habitats and species of principal importance for conservation; (2) ensuring development produces a net gain in biodiversity and; (3) any unavoidable impacts are mitigated.

A Biodiversity Guidance Note (January 2022 Rev A) was submitted to support planning application. The note concludes that:

- Providing the advice within the document is followed, there are no anticipated negative impacts to protected/notable species potentially using the site/known to be present.
- All proposed works will take place within previously trapped out areas and as a result, there should be no anticipated negative impacts on Great Crested Newts.
- The Great Crested Newt fencing should be retained and maintained in good condition as an effective barrier, to prevent newts re-entering the previously trapped area where the proposed development would take place.
- Daily checks (by site personnel) to be undertaken to the Great Crested Newt fencing, with any damage repaired promptly.
- Existing brash piles within the working area will be inspected by an ecologist prior to removal to check for fauna/nesting birds. Once checked, the dead wood/brash will be relocated and stored appropriately to ensure it does not provide potential shelter.

Conditions should be attached that require the development to be undertaken in accordance with the Biodiversity Guidance Note (January 2022 Rev A); work to be undertaken outside the bird nesting season; and for any trees that have the potential to support bats and are to be removed, to be surveyed by a qualified ecologist prior to their removal.

Subject to the imposition of such conditions, it is considered that the proposed development will not adversely affect protected species or their habitats. The proposed development will therefore comply with policy NE1 of the Local Plan (2020) and the NPPF (2021).

Flooding & Drainage

Policy SD5 of the Local Plan (2020) outlines that the Council will follow a sequential approach to the management of flood risk. New development will be guided to the areas with the lowest risk of current and future flooding where this is viable and compatible with other policies aimed at achieving a sustainable pattern of development. The development of sites within areas at greater risk of flooding will only be considered where they are deemed acceptable due to national or other policies or material considerations.

The application site is located within Flood Zone 1 and does not exceed the size requirement for a Flood Risk Assessment to be produced. The application site has been considered acceptable for housing development. Whilst concerns have been previously raised regarding the drainage proposals of both Phase 1 and Phase 2 housing developments, the drainage proposed by this application is entirely contained within the site and does not seek permission for any housing. The drainage issues previously raised by both National Highways and the Lead Flood Authority are not applicable to this application, as no water will be discharged outside the site. In addition, the Lead Flood Authority has raised no objection to the proposed development subject to the imposition of a condition in respect of surface water.

Subject to the imposition of such a condition, the proposed development is not considered to have a detrimental effect on flooding or result in any drainage issues. The proposed development will therefore comply with policy SD5 of the Local Plan (2020) and the NPPF (2021).

CONCLUSION / PLANNING BALANCE

For the reasons outlined above, the proposed development is considered to accord with the relevant policies contained in the Staffordshire Moorlands Local Plan (2020) and the NPPF (2021). As such the application is recommended for approval.

OFFICER RECOMMENDATION: APPROVE subject to Conditions

Case Officer: Ailsa Berry

Recommendation Date: 13/04/2022

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council