

DELEGATED DECISION REPORT

SMD/2021/0370
Valid 25/06/2021

**LAND SOUTH EAST OF
A521 A50 BLYTHE BRIDGE
BYE PASS
BLYTHE BRIDGE**

**DEVELOPMENT OF 11 NO.
RESIDENTIAL DWELLINGS
(USE CLASS C3) AND
ASSOCIATED WORKS
COMPRISING INTERNAL
ACCESS ROADS, PARKING
AND HARD AND SOFT
LANDSCAPING.**

**(FULL PLANNING - SMALL-
SCALE MAJOR APPS)**

MAIN ISSUES

The main issues in the consideration of this application are acceptability of the replan of the south eastern corner and associated design changes in terms of affordable housing, highway safety and traffic generation, contaminated land, air quality, noise impact, landscape impact, hedge and tree matters, ecology, amenity, open space, drainage and flooding and education.

DESCRIPTION OF SITE

The overall development site is 5.53ha in area and forms part of a wider site controlled by St Modwen, which in turn forms a significant part of a site allocated in the adopted Development Plan (Local Plan 2014) for employment development.

The Site is located north of the A50/south east of the A521 at Blythe Bridge, from where access will be achieved. The Site is south east of Blythe Bridge, located between this settlement and Forsbrook. To the north and primarily to the east of the Site, the land within the wider St Modwen control, forms land used for grazing purposes. The eastern boundary of the Site is flanked by a row of 6 detached properties located on Woodlands Lane. The rear gardens of these properties form the eastern boundary of the Site.

Full planning permission was granted for the erection of 118 dwellings on the site in 2018. A subsequent revised application for the same site area but which sought to increase the numbers of units on the site to 146 as well as seeking approval for various associated changes of housetype was subsequently approved under Application Ref SMD/2018/0790

Development is now well underway with a significant number of the units completed and / or occupied.

2 DETAILS OF PROPOSAL

This application is a full planning application for the development of 11 no. residential dwellings (use class c3) and associated works comprising internal access roads, parking and hard and soft landscaping, including alterations to and the replacement of 23 no. residential dwellings approved under full application ref: smd/2018/0790

A separate non material minor amendment application NMA/2022/0014 has been submitted to exclude the area covered by this application from the previous approval (SMD/2018/0790) to avoid any issues arising relating to “overlapping” planning permission following the recent judgement in the Hillside Parks Ltd v. Snowdonia National Park Authority case.

4. RELEVANT PLANNING HISTORY

SM.97-0216 Premium Employment Site Development 30th July 1997

03/00498/FUL_MJ Variation of Condition 2(a) (b) (ii) of SM97-0216 to extend time limit. 15th July 2003

06/00984/FUL Variation of Condition 1 attached to planning permission 03/00498/FUL_MJ dated 15th July 2003 to extend time period in which to submit reserved matters by a further 5 years to 15th July 2013. - 17th October 2006

01/00125/REM Provision of access to phase 1 development of employment site. 3rd April 2007

07/01532/REM_MJ Development of commercial site of phase 1 for Class B1 use. 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.-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

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 11/00405/REM –

Approved

SMD/2018/0696 Full planning application for a haul road to provide temporary construction access to Phase 1 (Ref. SMD/2017/0512) – Approved

SMD/2018/0790 Development of 146 dwellings (Use Class C3), 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 12th May 2020

NMA/2022/0014 Non-material minor amendment - Approved

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

The following policies are considered to be relevant to this application:

- Policy SS1 Development Principles
- SS2 Settlement Hierarchy
- SS10 Other Rural area strategy
- Policy H1 New Housing Development
- Policy H3 Affordable housing
- Policy DC1 Design
- Policy DC3 Landscape and settlement setting character
- Policy DSR1 Blythe Vale

Supplementary Planning Guidance (SPG)

- Developer/Landowner Contributions SPG (2004)
- Housing for Local People and Affordable Housing SPG (2005)
- Public Open Space (2004)
- Space about Dwellings (September 1998 – Appendix 3 Local Plan)

National Planning Policy NPPF

National Planning Policy Guidance

CONSULTATIONS

Publicity

Site Notice expiry date: Expired

Neighbour consultation period ends: Expired

Press Advert: Expired

Public Comments

None Received

Town / Parish Comments

None Received

LLFA

We have reviewed the information provided including the Impermeable Areas Plan (Drg.Ref. R9051-BML-21-XX-DR-C-1105, dated 13/05/2021), Proposed Drainage Layout (Drg.Ref. R9051- BML-21-XX-DR-C-1101, dated 13/05/2021), Site Location Plan (Drg.Ref. R9051-RLA-21-XX-DR-A- 2301 Rev A, dated 18/06/2021) and associated FRA & Drainage Strategy (December 2018); and are satisfied with the proposed changes to the layout.

Environmental Health

I understand that The plans submitted in support of SMD/2021/0370 application will also be conditioned to be implemented as part of the approved development (Ref. SMD/2018/0790), and not as standalone consent.

AQ

I've reviewed the updated AQ assessment by SLR to address the changes with the layout. I'm satisfied with the report and happy to withdraw my objection. The requirements for post completion testing (condition 11 think – on SMD/2018/0790) and EV will still need to be complied with.

Noise :

Comments An addendum report has been submitted to address the changes to the original application smd/2018/0790. The recommendations set out in section 8 of the addendum should be the minimum sound insulation installed into this section of the scheme. Pre-completion tests should be undertaken for units 61,62 and 66 to prove compliance with the noise assessment. Further details for the acoustic should be provided (condition advised).

Sound transfer between residential units (semi-detached and apartments) should be subject to Building regulation Approved Document E.

Sound Insulation & Sound Barrier

No dwelling within the development hereby permitted shall be occupied until;

- I. (a) All works to that dwelling included in the approved sound insulation scheme (Hoare Lea, Blythe Vale Phase 1 Plots 58-66, Blythe Bridge) have been completed and pre-completion tests carried out to verify compliance with this scheme

OR

(b) Pre-completion sound tests shall be carried out to verify compliance with the criteria sound levels in British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), Professional Practice Guidance on Planning & Noise: Residential Development (IOA and ANC 2014).

A pre-completion a report shall be produced containing all raw data and showing how calculations have been made should be produced and submitted to the LPA for approval by the. No dwelling within that phase hereby permitted shall be occupied until the sound test report has been approved by the LPA.

- II. Full details including specification and positioning of a site boundary acoustic barrier shall be submitted to and approved prior to first occupation of the approved residential units hereby permitted.

Reason: *To protect occupiers from noise and safeguard their residential amenities*

Advisory

- Any approved noise scheme and measurements should pay due regard to British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), Professional Practice Guidance on Planning & Noise: Residential Development (IOA and ANC 2014), BS4142:2014 Methods for rating and assessing industrial or commercial sound and/or the Building Regulations 2010 Document E or other appropriate guidance.

SCC Minerals and Waste

The County Council as the Mineral and Waste Planning Authority has no comments on this application as the site is:

- Not within or near to any permitted waste management facility; or
- Exempt from the requirements of Policy 3 Mineral Safeguarding in the [Minerals Local Plan for Staffordshire \(2015 - 2030\)](#); or
- Is development subject to our [standing advice for development proposals within mineral safeguarding areas](#).

Staffordshire County Council Highways

It is noted from the covering letter that this application is intended to be implemented alongside SMD/2018/0790. However, it is also noted that this is intended to be a

standalone application, hence conditions above which replicate those relevant conditions recommended for SMD/2018/0790.

The Travel Plan referred to above is intended to be part of the travel plan to implemented under SMD/2018/0790 and to operate as a whole, not to be a separate travel plan for 11 dwellings. Similarly, the CMS recommended above is intended that these 11 dwellings fall under the CMS for the previously approved wider site. It is not intended that a separate, different CMS be submitted.

The Section 7 technical approval and S38 Agreement should also be incorporated into the existing S7/S38 for the wider site if the adoption arrangement is in anyway altered by this approval. The site access has been constructed under S278 Agreement as part of SMD/2018/0790. This provides a safe and reasonable access to the development.

The submitted Transport Assessment is not required for 11 dwellings, particularly as this proposal constitutes a reduction from 23 dwellings approved under SMD/2018/0790 Proposed dwellings are 2 and 3 bed dwellings. Proposed parking provision exceeds that required under Local Plan standards.

Current records show that there were no Personal Injury Collisions on A521 Uttoxeter Road between the site access and the entry splay of the A50 roundabout and within 215m to the east of the development access in the previous five years. It is noted that there have been collisions at the A50/A521 roundabout. As this junction on the A50 is a strategic route with high levels of traffic, the development is unlikely to exacerbate any existing safety issue.

Site visited (access route) 07/07/2021

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

- The development hereby permitted shall not be brought into use until the individual accesses, parking, servicing and turning areas have been provided in accordance with the approved plans. The parking, turning and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing areas for the life of the development.
- Any driveways or private drives that fall towards the proposed adopted highway shall be fitted with drainage interceptors immediately to the rear of the highway boundary outfalling to surface water drainage or drained to SUDS principles.
- The Travel Plan which is hereby approved shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning consent to the Local Planning Authority for approval for a period of five years from first occupation of the development permitted by this consent.

- No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i) a site compound with associated temporary buildings;
 - ii) the parking of vehicles of site operatives and visitors;
 - iii) loading and unloading of plant and materials;
 - iv) storage of plant and materials used in constructing the development;
 - v) wheel wash facilities;
 - vi) mechanical road sweeper for existing carriageway;

SCC Schools

I would advise that the above planning application would result in an education contribution of **£62,874** (index linked) to be sought from the developer to mitigate the impact on education from the development and would be acceptable from an education perspective subject to a S106 agreement which meets this requirement.

This response is based on the information contained within the planning application and should the number and/or mix of dwellings change we would wish to be consulted so that a revised contribution can be calculated.

In determining that this level of contribution is necessary and in accordance with CIL legislation, the requested education contribution is deemed to be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The majority of Staffordshire schools include residence in the school's catchment area as a high priority within their admission arrangements. Even where this is not the case schools still give high priority to children who live in the local area. The location of a housing development in relation to schools in the local area is taken into consideration when assessing the mitigation required for education provision.

To understand the impact of this development on education infrastructure analysis has been undertaken using:

- Pupil Number on Roll;
- Net capacity/funding agreement of the schools;
- Pupil projections which include committed developments

When assessing the impact of this development on education, it is noted that this application of 11 dwellings forms part of a larger site that was granted full permission for 146 dwellings in May 2020 (SMD/2018/0790). This has now been reduced to 134 dwellings in total.

Further, it is also noted that:

The remainder of the approved Phase 1 development that is unaffected by the proposed development, including the remaining approved 123 no. dwellings, will

continue to be implemented under planning permission Ref. SMD/2018/0790 (and any subsequent associated permissions).

In line with policy at that time (Staffordshire Education Contribution Obligations Policy), the number of counted dwellings included in the education contribution calculation for SMD/2018/0790 were 128 dwellings for primary and 106 for secondary. In line with updated policy, none of the 11 dwellings included in this application are discounted. However, to ensure that the combined counted dwelling total for these two sites does not exceed 134 dwellings, the impact of 6 dwellings only has been assessed at primary phase, with 11 dwellings assessed at secondary phase.

On this basis, 6 counted dwellings would require 1 primary school place, and 11 counted dwellings would require 2 secondary school places and 0 sixth form places. These are based on a pupil product ratio (PPR) 0.03 per dwelling per year group. Using 7 year groups for primary, 5 for secondary and 1 for Post 16 places.

There are projected to be an insufficient number of school places in the local area to mitigate the impact of this development at primary and secondary phases of education.

The project to provide the additional places required has not yet been fully determined and therefore the contribution has been calculated utilising the latest cost multipliers.

The primary school education contribution has been calculated as follows:

Cost multiplier x number of places required for development = £

$$£16,750 \times 1 = £16,750$$

The secondary school education contribution has been calculated as follows:

Cost multiplier x number of places required for development = £

$$£23,062 \times 2 = £46,124$$

Please note that we reserve the right to amend the use and the amount of the requested education contributions should circumstances materially change from this analysis to the point that the use(s) of the education contributions are finalised within the S106 Agreement.

Staffs Wildlife Trust

It would appear that the proposed changes will have minimal effect with regards to ecology, so our previous comments stand with regard to the site. The installation of bird and bat boxes may need to change given the changes to the buildings.

OFFICER COMMENTS

Principle of Development & Main Issues

The principle of residential development on this site was considered and established by the previous grant of planning permission on this site which is still extant and therefore represents a legitimate “fall-back position”. This application does not represent an opportunity to revisit that principle. The main issues in the consideration of this application are acceptability of the replan of the south eastern corner and associated design changes in terms of affordable housing, highway safety and traffic generation, contaminated land, air quality, noise impact, landscape impact, hedge and tree matters, ecology, amenity, open space, drainage and flooding and education.

Affordable Housing

The covering letter submitted with the application summarises the position as follows:

The determination of permission Ref. SMD/2018/0790 was subject to a viability appraisal, through which a reduced level of affordable housing provision was subsequently approved (5.47%, or 8 units) when compared with that originally proposed (33%, or 39 units).

However, this final level of affordable housing provision approved under permission Ref. SMD/2018/0790 was not reflected in the corresponding approved site layout plan. Therefore a total of 31 no. dwellings shown on the approved site layout plan require updating from affordable to market dwellings/house types, including the following plots numbers:

- **Plots 17-21** (5 no. terraced and semi-detached houses)
- **Plots 58-71** (12 no. units within two apartment blocks, 2 no. as semi-detached houses)
- **Plots 77-85** (6 no. units within an apartment block, 3 no. as terraced houses)
- **Plots 93-95** (3 no. terraced houses)

A Section 96A application was submitted on 16th October 2020, seeking a non-material amendment to planning permission Ref: SMD/2018/0790 to change the approved house types of Plots 17-21 and 93-95 from affordable to market dwellings. This non-material amendment was subsequently approved on 21st April 2021 (Ref. NMA/2020/0044).

However, the total 23 no. units at Plots 58-71 and 77-85 remain incorrectly referred to on the approved site layout plan as affordable rather than market dwellings. Therefore St Modwen Homes have explored options of how best to deliver Plots 58-71 and 77-85 and update them accordingly, particularly in reviewing the three apartment blocks to the south of the site which accommodate 18 no. of these Plots.

This proposed re-plan comprises the complete omission of approved Plots 58-71 and 77-85, totalling 23 no. dwellings, including the associated apartment blocks which accommodate 18 no. of them. These Plots are instead proposed to be replaced with 11 no. dwellings of open market house types.

In summary, therefore, the current application will not result in any reduction in the level of affordable housing across the Phase 1 site as a whole and will bring the approved site layout in line with the affordable housing provision that was previously agreed following the viability appraisal process under application SMD/2018/0790 and secured through the s106. Furthermore, given that the number of dwellings overall within the phase 1 site will be reduced as a result of this application and the number of affordable units will remain the same, this proposal results the affordable housing on the phase 1 site actually increasing in percentage terms.

Contaminated land

The developer submitted a Phase 1 desk study with the previous application. The Environmental Health Officer and the Environment Agency considered the report and raised no objections subject to conditions requiring the additional investigation and any necessary remediation works to be carried out. This information has been provided as part of an application to discharge conditions on the previous consent. Both Environmental Health and the Environment Agency were satisfied with the information which was provided with those applications. The developable area will not increase as a result of this proposal and therefore, subject to the imposition of “positively worded” conditions (which require the development to be carried out in accordance with the submitted and approved reports) it is not considered that there are any requirements for further work.

Noise Impact

The application site lies adjacent to the A50 Stoke-on-Trent to Derby trunk road, and the A521 Uttoxeter Road. The EHO has advised that an addendum report has been submitted to address the changes to the original application SMD/2018/0790. The recommendations set out in section 8 of the addendum should be the minimum sound insulation installed into this section of the scheme. Pre-completion tests should be undertaken for units 61,62 and 66 to prove compliance with the noise assessment. Further details for the acoustic should be provided. These matters can be addressed by condition.

Air Quality

The revised scheme will result in properties being located closer to the A50 than had been the case with the previously approved application. As a result, the Environmental Health Officer initially expressed concern that the developer had not submitted an updated Air Quality assessment to reflect the new design of the scheme. The applicants consultants have subsequently re-assessed the Air Quality position for the current proposals and confirmed that the results determined under the previous report are applicable to the new scheme. Environmental Health have confirmed that they have reviewed the updated AQ assessment by SLR to address the changes with the layout. They are satisfied with the report and happy to withdraw the objection. The

requirements for post completion testing (condition 11 – on SMD/2018/0790) and EV will still need to be complied with. Subject to these conditions, however, the scheme complies with Local Plan Policy SD4 'Pollution and Flood Risk' in respect of Air Quality.

Drainage and Flooding

The Lead Local Flood Authority, (Staffordshire County Council) have reviewed the application and confirmed that they have no objection to the proposed changes to the layout. Accordingly, the proposal complies with Local Plan Policy SD4 'Pollution and Flood Risk' and the NPPF, particularly Chapter 10.

Layout and Design

In terms of design, the proposed housetypes are very similar to those which have already been found acceptable elsewhere on the site. In terms of materials, the pallet comprises pre-dominantly red brick, render and grey tiles which are characteristic of Blythe Bridge and the Moorlands generally. However, most designs do include an element of cladding which is not characteristic of the local area. The applicant argues that this is a unique selling point of their properties and a trademark of their brand. It is noted that it is not used as the predominant material in any house type and has been used to small accent elements. Whilst the designs are broadly traditional, with pitched roof forms, which is appropriate in the context of Blythe Bridge which is made up of traditional 20th century suburban development and older properties, they do include a number of contemporary features to the elevations including larger than normal window openings, lack of window heads and cills, squat ground floor windows and the cladding panels. Furthermore, it is noted that the site is separated from the majority of the existing suburban development in Blythe Bridge by the A521 and from most views, will not be seen in the context of existing development. Furthermore, the range of house types, including materials and architectural style is broadly similar to the approach adopted in the previously approved scheme. Overall, therefore it is considered that the design philosophy respects the largely traditional existing of Blythe Bridge whilst incorporating contemporary elements which will give the new development its' own individual and distinctive character and sense of place.

The layout of the proposed development is broadly similar to the original approval, with development arranged in a "U" shape of cul-de-sac with a pedestrian path along the A50 boundary linking the 2 arms of the U. Dwellings are arranged fronting on to the cul-de-saLocal Plan with, corner units and a single dwelling creating active frontage to the path. This is a positive aspect of the scheme which has been retained.

Parking has been placed to the sides or rear of dwellings and where frontage parking has been avoided. The theme of the proposed boundary details is as per the approved scheme and includes, closed boarded fences (which is acceptable as they are not used in visible areas) railings, timber rails and a brick and fence combination.

Having carefully assessed all of the above, overall, the scheme is considered to represent a high quality design which will create a distinctive development and which will comply with policies SS1, H1 and DC1 of the Local Plan as well as NPPF advice in terms of design.

Amenity

No existing residential properties would be impacted by the proposals. The Council's adopted Supplementary Planning Guidance relating to space about dwellings sets out that in New Residential Developments, a distance of 21m between principal windows and 13m between a principal window and a flank elevation is required to maintain an adequate standard of privacy and amenity between residential properties. The standard of 21m between principal windows has been achieved within the new development, although the distance between the flank elevations of plot 12 and its neighbours at plots 67/66 and 62/63 is reduced to 11m. However, plots 66 and 62 are corner units and have principal windows on 3 sides and plots 67 and 63 do not entirely overlap with the side elevation of plot 65 and have views past it.

According to the Council's Space about dwellings, minimum private amenity space of 65sq.m is considered to be appropriate for new housing of 3 or more bedrooms. The majority of dwellings in the scheme benefit from this amount of with the exception of the mews properties, all of which however have at least 55sqm. Private amenity spaces of 50sqm have been accepted for mews properties elsewhere on the previously approved development and are therefore found to be acceptable in this instance.

The layout and design of the site are considered to be acceptable, and taking into account the relatively small number of properties bounding onto the site it is considered that the dwellings could be accommodated on the site, whilst maintaining these minimum distances between proposed dwellings within the new estate and adequate amenity space can be provided for each new dwelling. It is therefore concluded that the proposed development would be acceptable in amenity terms and would comply with the requirements of Policy DC.1 of the Local Plan.

Trees & Landscape

The proposed replan does not involve the removal of any additional trees or hedgerows compared to the previously approved scheme. Separation distances between the proposed dwellings and the retained trees on the boundary with the A50 will be similar to on the approved scheme. In the revised scheme it is not considered that there would be any greater impact on retained trees, either resulting from construction or long term impacts arising from proximity of dwellings to trees. Accordingly, the proposal complies with Policy NE 2 of the Local plan.

Education

The County Council's Education Officer has examined the application and concluded that although the number of dwellings has been reduced, due to a change in their policy and the type of dwellings proposed an additional contribution for 6 of the 11 dwellings which comprise this application is required. This equates to a sum of £62,874 which the developer has agreed to. This will be secured via S106

Open space

The size of the overall development triggered a need for public open space both for children's play and sports provision for older children and adults. An on-site LEAP is

being provided. An off-site contribution towards playing pitches in the area has previously been secured along with the provision of the on site open space and suitable management arrangements through a resident's management company, via an S106. The proposed replan will reduce the number of dwellings on site and therefore no additional play or sports facility requirements are generated. The already secured contributions and LEAP will still be provided and all areas of incidental open space have been excluded from the site plan of the current application to avoid the need for any additional management arrangements.

Ecology

Staffordshire Wildlife Trust have reviewed the proposed replan and confirmed that the proposed changes will have minimal effect with regards to ecology, so their previous comments stand with regard to the site. They have commented that installation of bird and bat boxes may need to change given the changes to the buildings. This can be covered by a condition requiring submission and approval of these details. On this basis it is considered that the proposals comply with Local Plan policy NE1 and the requirements of the Habitat Regulations.

Archaeology

The County Archaeologist has previously commented that there is a moderate potential for the presence of unknown below ground archaeological remains surviving within this landscape. He notes the presence of the Roman road to the north of the site with a moderate potential for Roman activity in the area. It should also be noted that the site lies on rising land overlooking the River Blythe with minor valleys to the north west and north east; such sites elsewhere in the county have been associated with prehistoric activity. Therefore, whilst he raised no objection to the previously approved scheme, conditions were recommended requiring submission, approval and implementation of a programme of archaeological mitigation. These conditions have since been complied with and it is considered that a positively worded condition requiring the site work to be implemented in full in accordance with the approved written scheme of archaeological investigation, a post-fieldwork assessment to be completed following operations in accordance and provision to be made for analysis, publication and dissemination of the results and archive deposition would be appropriate.

Highway Safety and Traffic Generation.

The County Highway Engineer has examined the application and raised no objection subject to conditions relating to provision of parking and turning areas and drainage interceptors as well as compliance with the travel plan which is already in place for the site and submission, approval and implementation of a construction Method Statement. The latter has already been approved and implemented for the wider site and the replan does not affect this. On this basis it is considered that a positively worded condition can be used.

Subject to the recommended conditions and contribution towards travel plan monitoring therefore it is considered that the proposal complies with policies T1 and

T2 of the Local Plan in respect of highway safety, traffic generation, parking and sustainable transport.

Section 106 Contributions

As noted above in this report, an additional Section 106 contribution for education is being sought. R122(2) of the CIL regulations 2010 states that obligations should be:-

- necessary to make the development acceptable in planning terms
- directly related to the development
- fairly and reasonably related in scale and kind to the development

The County Education Officer has confirmed that there is insufficient capacity in local schools to accommodate the children associated with the development and therefore a contribution is justified. It has been calculated in accordance with the County Council standard formula and is therefore proportionate and related to the development.

9. CONCLUSIONS & PLANNING BALANCE

The principle of residential development on this site (including, implications for housing land supply, loss of the employment site, conflict with the employment allocation in the adopted Local Plan and weight to be given to the housing allocation in the emerging Local Plan as well as considerations of prematurity, sustainability of the location and mineral policy considerations,) was considered and established by the previous grant of planning permission on this site. This application does not represent an opportunity to revisit that principle. The main issues in the consideration of this application are acceptability of the replan and associated design changes in terms of affordable housing, highway safety and traffic generation, contaminated land, air quality, noise impact, landscape impact, hedge and tree matters, ecology, amenity, open space, drainage and flooding and education.

The scheme continues to provide affordable housing in line with the overall requirements for the site, previously negotiated and secured through the S106. An additional contribution has been sought towards education, because whilst the number of dwellings has reduced, the houses now proposed are not excluded from the requirement. A net increase in contribution has therefore been calculated on the basis of 6 units. The site as a whole is large enough to provide sufficient on-site children's play space and its provision and future maintenance arrangements have already secured through the Section 106. Other open space requirements will be met through off-site Section 106 contributions and these will be unaffected by this application, despite the reduction in numbers overall.

Environmental health officers are satisfied that matters of contaminated land and noise, can be addressed through "positively worded" conditions which refer to compliance with reports submitted to discharge conditions attached to the previous consent. The Lead Local Flood Authority, have raised no objection on the grounds of flood risk. It is considered that adequate separation distances can be achieved between proposed dwellings to ensure an adequate standard of residential amenity is maintained.

The proposal will be acceptable in terms of its impact on archeological remains and this issue can again be addressed through “positively worded” conditions. Given that the site area has not increased from the previous application it is considered that matters of ecology do not give cause for concern,

Given the relatively good level of screening to the site and the existing consent no landscape concerns are raised. With regard to impact on trees within the site, the development will not involve additional tree removal and will be closer to retained trees than was previously the case. The scheme, including the housetypes, materials and layout is broadly reflective of the previous approval, and the design follows the principles which were established by the previous approval elsewhere within the site. Overall, it is considered to represent a high quality design which will create a distinctive development and which will comply with policies SS1, H1 and DC1 of the Local Plan as well as NPPF advice in terms of design.

Paragraph 11 of the NPPF which states that where a local planning authority cannot demonstrate a 5 year supply of housing, applications must be considered in the context of the presumption in favour of sustainable development which means granted permission unless 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; or specific policies in the Framework indicate development should be restricted. Having weighed all the relevant factors in the planning balance it is considered that the principle of development was established by the previous consent and the proposal complies with all other relevant development plan policies, there are no significant and demonstrable adverse impacts to outweigh the substantial benefits arising from residential development and, subject to the receipt of the outstanding comments the application is recommended for approval.

OFFICER RECOMMENDATION : Approve subject to S106 and conditions

Case Officer: Ben Haywood

Recommendation Date: 20th April 2023

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council